

INDIAN OPINION

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NOTES AND NEWS

The City Council's Folly

THE proposed by-laws of the Maritzburg City Council—one of which is to extend the area of prohibition in the streets where hawkers and pedlars could ply their trade and the other is to restrict the number of pedlars to 250 (the present number), details of which we have given in our last week's issue, have resulted, very naturally, in a strong protest from the Indian community. "We do not object to any by-law which is for the benefit of the general community, but we will not submit," declared Mr. S. R. Naidoo at a public meeting held last Saturday, "to any by-law which in effect is discriminating in character." The City Town Council, as a rule, has been known to be a little more liberal even than Durban in granting relief to Indians unemployed, which act of generosity we gratefully acknowledge. But, as a writer has very rightly said to the Durban Town Council, in referring to the question of slum clearance, that prevention is better than cure, would not the same advice apply in the present instance to the City Council? For, indeed, the effect of the by-laws will be to deprive the poorest section of the community of an honest means of livelihood, which will result not only in augmenting the list of unemployed but in indirectly inducing honest citizens, through sheer force of circumstances, to resort to dishonest means, thus augmenting the list of criminals. It is surely the duty of every good Government to prevent both these evils and we sincerely trust that the City Council will see the folly of its proposed step and withdraw it in the interest of the general well-being of the community.

Slum Clearance

Dr G. H. Gunn, the Medical Officer of Health, Durban, in a special report to the Town Clerk has recommended that 352 dwellings, housing 2467 people, are to have the provisions of the Slums Act applied. The areas affected are in Sydenham, Riverside, South Coast Junction and the Point. Mayville was dealt with some time ago. According to the Slums Act, when a Borough Medical Officer of Health reports a nuisance on any land, then the Town Clerk must

serve a notice on the owner of the premises calling on him to appear before the local authority and show cause why his premises should not be declared a slum. The Town Solicitors have accordingly now framed notices, and it is understood that Mayville will be dealt with first where no fewer than 86 owners of property are involved.

Prevention Better Than Cure

We take note with interest of the following letter of Mr. F. G. Rochfort-Wade appearing in the daily Press on the question of slum clearance. The letter speaks for itself:—

Sir,—The important matter of slum clearance being again before the public I write to point out that the first step which the Town Council should take is to cease creating slums, which it is doing unceasingly at the present time. A little while ago there was a laudable outcry against the wages of 8s. a day for European and 7s. 6d. a day for Coloured relief workers; but so far as I could see not a word was said against the wages of 2s. 6d. a day (out of which personal tax has to be found) paid to Indian relief workers, a total of 12s. 6d. for the five-day week—if the weather is fine. Where and how can any man with a wife and four or five children or even a bachelor live decently on 12s. 6d. a week?

By paying such wages the Durban Town Council is deliberately creating slums of the worst description. It is appalling and disgraceful, and calls for drastic and immediate amendment. Against such a state of affairs in a heather and uncivilised country we should cry out in horror, but in South Africa we are inclined to regard it with complacent smugness because the sufferers are only Asiatics—as was the founder of Christianity, that wonderful Asiatic religion.

Instead of distributing Silver Jubilee medals among them I should like to see those responsible for such wages forced to live (with their families) on 2s. 6d. daily for a month. Slums! Of course we have slums and we always shall have them as

long as such starvation wages are paid to a law-abiding, self-respecting section of the community—a section of the community, be it remembered, that laid the foundation of the prosperity of Natal. And it is utter humbug, cant and hypocrisy for the authorities of Durban to bleat about slum clearance while they are manufacturing them as fast as they can.

Immigration Returns for February

There were 613 immigrants to the Union in the month of February of whom 383 were British, 19 South African and 11 naturalised Britishers. Of the balance, 57, were Germans, 27 from "other countries," 23 Portuguese, 19 Lithuanians, 16 Poles, 14 Latvian, 13 American, 20 Italian and 11 Hollanders. There were 66 non-European immigrants only one not being British. And yet the rigours of the Immigration Department are suffered most by British Indians, and while all the foreigners have a voice in the Government non-Europeans have none!

A Polite No

On the question of the transfer of the Native Protectorates to the Union, General Hertzog seems to have received a polite no from Mr. J. H. Thomas. The British Government's attitude in this connection, according to the *Manchester Guardian*, was that it would like the Union first of all to propound a reasonably progressive native policy, and, that being done, the British Government would be willing to consult the Protectorates on the matter. The Union Native policy as expressed in the Native Bills, however, does not commend itself as at all enlightened to the British Government and it is understood that Mr. Thomas has conveyed to General Hertzog that the Government of that country did not consider the moment had yet arrived when it could consult Native opinion.

Indian Opinion

FRIDAY, MAY 24TH, 1935

THE DEATH SENTENCE

HERE has been a cry throughout the civilized world against the imposition of the death sentence on persons convicted of certain crimes. That man should take unto himself the authority of putting to death his fellow creature for a crime—even that of murder—is something unnatural, and heathenish. No religion, which is God's Law, sanctions it. Man's duty is to improve his fellow-being. It is Nature's right to kill him. Hence the wise have emphasised that prisons should not be institutions of punishment but that they should be reformatories. We therefore welcome the General Law (Amendment) Act which came into force a few days ago and which is likely to result virtually in doing away with the death sentence. Within almost a week of the new law having come into force we have had at least two cases in which the death sentence, which in the ordinary circumstances would have been passed without question, has not been passed. In the one case a European detective-Sergeant J. H. Coetzee, who was charged with having murdered a European young lady, Miss Opperman, was sentenced by Mr. Justice de Wall at the Pretoria Criminal Sessions last Saturday to imprisonment with hard labour for life, which means about 15 years. In the second case a blind native, Sidumo Sipane who was found guilty of the murder of a compatriot, was sentenced by Mr. Justice Pittman at the circuit Court at Kokstad, to twenty years' imprisonment with hard labour. The new law provides that if there are extenuating circumstances in a case the capital punishment may or may not be imposed. The Judge takes the advice of the jury but the final verdict lies in his discretion. Since there have been cases of discrimination between the black and white races even in the Temple of Justice, the question naturally arises as to whether extenuating circum-

stances which might invariably be found in the case of Europeans will also be found, or overlooked, in the case of non-Europeans. We have consolation in the fact that our doubt is also shared by a European contemporary, the *Natal Advertiser*, which says, "we can only hope that if the ethics of capital punishment are likely to move juries hereafter, they will see these ethics applied impartially in respect of Europeans and non-European crime alike." We fully endorse this sentiment.

PERSONAL TAX

IN accordance with the report published last week of the Select Committee appointed to review taxation in Natal a Draft Ordinance "To amend the Personal Income and Company Taxes Ordinance, 1928" has been introduced in the Natal Provincial Council and while these lines are being written has passed the third reading. The ordinance reduces the Personal Tax payable by married men and single men with dependents whose income is less than £250 a year from £1 to 10s, and alters the date for the payment of the tax from December 6 to October 4 in each year. We need hardly say that this act on the part of the Provincial Council is worthy of praise and will bring great relief to a very large number of poor people, in that it will lessen the burden of finding their taxes by half. We will look forward to the day when the State will begin to realise the folly of taxing the poor people at all and will instead tax unnecessary luxuries.

We entirely agree with the remarks of Mr. A. T. Allison (U. N. P. Maritzburg North) during the debate that while this step would bring relief to Europeans and Indians the natives over the age of 17 were forced to pay £1 a year irrespective of their income.

We have often referred to the Native Hut Tax as being unjust and inhuman. If the Government could only be made to see the wisdom of removing this tax on the Natives we are sure it would be a far better example of its progressive policy than the one offered by the Union Government's Native Bills which have not very much impressed even the British Government. We are noweyer not pessimistic. In sentiments such as those expressed by Mr. Allison in the Provincial Council we see hopeful signs of a brighter future.

Springfield Flats Protest From Indians

A LETTER of protest against the Durban Town Council's proposal to lease 300 acres at Springfield to the Durban Turf Club for use as a training track has been sent to the Town Clerk by the Sydenham Ward Indian Ratepayers Association. The letter reads:—

"There are approximately 600 to 700 Indians who will be deprived of their livelihood if the decision of the Council favours the leasing of the land to the Durban Turf Club, and we therefore, on behalf of the above Association and the occupants of the Springfield Flats, protest to the letting of this land to the Durban Turf Club, and submit the following points for your consideration:—

"That the leasing of this property to the Durban Turf Club will affect the livelihood of 600 to 700 people

"That this will necessarily mean unemployment in Durban of a type of people who are bound to become a charge upon the State.

"That this will mean great loss of revenue to the Durban Corporation as rents for the land and Indian Market taxes.

"That this will mean that the Corporation may have to compensate the persons concerned, and may have to compensate them for the moneys spent by them for manuring and fertilising the ground.

"That this will mean the loss of sound agricultural ground and none is available in and around Durban

"That this will mean shortage in vegetable supply to the European community of Durban.

"That this may mean that the Corporation may be asked to find suitable good agricultural grounds for these people.

"That the peoples concerned have been cultivating this ground for the last 40 and 50 years and know no other work besides gardening.

"Before coming to any finality our Association will esteem it a favour if you will be prepared to discuss the matter with our representatives."

RESTRICTIONS ON HAWKERS IN MARITZBURG

C. B. AND S. I. A. SENDS PETITION

THE following is the text of the petition addressed to the Administrator of Natal by the Colonial Born and Settlers Indian Association (Maritzburg Branch):—

May it please your honour:
The petition of the undersigned humbly sheweth:

1. That your petitioners are the acting President and Honorary Joint Secretary of the Colonial Born and Settlers' Indian Association (Maritzburg Branch).
2. That your petitioners view with deep alarm the proposed Draft By-Law No. 30 (b) of the General By-Laws, introduced by the Mayor and Councillors of the Borough of Pietermaritzburg, Natal, and which awaits the approval and sanction of Your Honour.
3. That your Petitioners respectfully but strongly oppose and hereby object to the said Draft By-Law on the following grounds, namely:—
 - (a) That the proposed draft By-Law is unreasonable, unfair and in restraint of trade.
 - (b) That it precludes Hawkers from plying their trade within the central area of Pietermaritzburg, and that restriction has been imposed on their trade, which are confined to 'defined areas' in which alone they could carry on with their business.
 - (c) That the exclusion already applies to the area bounded by Pietermaritz Street and Havelock Road, Railway Property and Baverstock Street, Boshoff Street and Longmarket Street.
 - (d) That the Draft By-Law now proposes to include Commercial Road from Victoria Bridge to Dorp Spruit Bridge: Loop Street, from Commercial Road to Henrietta Street; Longmarket Street, from Chapel Street to Henrietta Street; Henrietta Street, from Longmarket Street to Loop Street, and Hesom Street.
 - (e) That the said draft By-Law will vitally affect a section of the Indians who were brought into this Country for its development; the poorer sections of the Indians who are engaged in this class of trade and which will deprive their sole sources of livelihood and thus this restriction will hit them hard, and which aims at their compulsory elimination from this trade.
 - (f) That this measure, if passed, will further restrict employment among Indians, who are already seriously

affected by the White Labour Policy.

- (g) We submit that the resident Indian population in this country almost South Africans in character for 85% is born in this country and form a part of the permanent population.
- (h) That the class to be hardly hit by the draft By-Law are mostly the poorer Indians whose immigration into this country, their contribution of labour to its success and prosperity, their sufferings, struggles and trials in order to maintain their self-respect and honour through series of differential legislations, and its concomitant results are well known and need no repetition.
- (i) That their grievances are great and their disabilities so burdensome, that they feel that so long as these are not removed, or relief given, their chances of becoming honest citizens are indeed remote.
- (j) That your petitioners ask leave of your honour to cite the following comments by the acting Judge President, Mr. Justice Mathews, in the Supreme Court at Maritzburg, on the 14th December 1933, in the matter of Ernest Dickson Taxi driver) Vs. Rex:—inter-alia,

"At the same time there are facts on record which indicate that the wide powers conferred by the Provincial Council may be exercised by the City Council in a manner leading to injustice. I state these facts as they appear upon the records uncontradicted. They should, in my opinion, be brought to the notice of the City Council Officials and possibly also to the notice of the Officials of the Provincial Administration. We can say no more than that while the facts disclosed a grave injustice from the operation of the ordinance and the By-Law, the Court is unable to remedy it. But it is an injustice which should be speedily remedied."

We desire to express our sense of gratitude for the deep interest Your Honour have always shown in the matters affecting the Indian community.

Yours Petitioners pray to be heard in person, in support of their petition, or to be permitted to give evidence before a select committee.

Wherefore Your Petitioners respectfully pray that the proposed Draft By-Law may be rejected and for which Your Petitioners, as in duty bound, will ever pray.

Dated at Pietermaritzburg, Natal, this the seventeenth day of May, in the year of our Lord, one thousand nine hundred and thirty five:

(Sgd.) V. K. PILLAY
Honorary President
B. R. NAIDOO
Honorary Joint Secretary.
C. B. and S. I. Ass.
(Maritzburg Branch)

Protest Meeting

The decreasing number of Indian votes for the municipal council elections was one of the factors, according to a speaker at the Indian mass meeting at the Temple ground, Maritzburg, on Saturday, responsible for the present "unfair" by law against Indian hawkers and pedlars,

The two proposed by-laws—one of which extended the area of prohibition in the streets where hawkers and pedlars could ply their trade and the other restricted the number of pedlars, to 250 (the present number in Maritzburg)—were condemned by speakers at the meeting.

Both these by-laws, it was stated, would restrict the sphere of employment for Indians which had already become less and less. It was hinted that if the City Council persisted in its present attitude it would force hawkers to boycott the Borough market.

Hawking Peanuts

One man coming from the audience, said he had been employed by a city-firm for 17 years but he had been dismissed to make room for somebody else. He was now hawking peanuts in the streets to earn an honest living.

"I am a widow without any assistance; if I am not allowed to hawk vegetables how am I to live?" was a question that was put to the officials of the Maritzburg branch of the Natal Indian Congress at the meeting.

The by-laws were described by Mr. R. B. Maharaj, who presided, as "killing livelihood."

The position was serious for pedlars and hawkers, said S. R. Naidoo, the Congress spokesman. In 1930 a by-law which for the first time closed certain areas to the hawkers was passed, despite Indian protest, but until it was declared by a court of law that it was bad they must accept it. Today the area was to be extended and the council might just as well declare the whole of the Borough a prohibited area so that no Indian could carry on his legitimate trade.

There was no necessity, proceeded Mr. Naidoo, for the proposed amendment. The effect of the by-law was to create a

monopoly for the few and disregard the interests of the majority.

"Will Only Affect Indians"

"Once we had 600 votes: now we have only 250. Our influence then counted for something: now it is nil," said Mr. Naidoo. "We could have demanded justice from our municipal representatives but today we do not count even while we pay our rates and taxes. These particular by-laws are said to be of general application, but in practice they will only affect Indians:

"The council cannot go on making by-laws as they are doing, thereby creating hardship for one section of the community. We do not object to any by-law which is for the benefit of the general community but we will not submit to any by-law which, in effect, is discriminating in character," declared Mr. Naidoo.

For the past 70 years Indians had been the growers and distributors of vegetables and fruit in Maritzburg. Many of the hawkers also bought their goods from the municipal market.

The restriction of pedlars would affect Indian women who in most cases were looking after the family because their husbands were out of employment, due to their displacement owing to the new labour policy. These women, he knew, were toiling from morning to night to keep the home fires burning.

"Wanton Insult"

"They want to live honestly by the sweat of their brow and the view of the congress is that these proposed regulations are a wanton insult to the Indian hawkers," said Mr. Naidoo in conclusion.

The following resolutions, one of them moved by a woman, were unanimously passed:—

"This mass meeting of Indians of Maritzburg strongly protests against the amended by laws recently passed by the City Council placing further restrictions upon Indian hawkers to trade and thereby limiting their scope of livelihood, and hereby authorises the Natal Indian Congress (Maritzburg branch) to take such action as may be necessary to protect the interests of Indian hawkers."

"The Indians of Maritzburg, in mass meeting assembled, enter an emphatic protest against the contemplated action of the City Council to restrict the number of licences to pedlars, and this meeting interprets this proposed action by the council as unfairly interfering with the legitimate rights of Indian pedlars to carry on trade in the city. This meeting authorises the Natal Indian Congress (Maritzburg branch) to take such action as may be necessary strenuously to oppose any such action on the part of the council."

WHITE GIRLS SHOULD NOT WORK FOR INDIANS

TRANSVAAL PROVINCIAL COUNCIL RESOLUTION

IN the Transvaal Provincial Council Mr. D. J. Naude (Malanite, P. P. Rust) moved that the Government be requested to prohibit white girls working for Asiatics or coloured persons. He agreed that in some cases the white girls were paid well by their Asiatic employers, but the practice should be stopped for the sake of the future generation. Mrs. C. Bادهhorst (U.P., Vrededorp), seconding the motion, said that the Government had been requested on several previous occasions to stop the practice of white girls working for Asiatics, but without success.

Mr. H. Carter (U.P., Jeppe) said that the question should not be discussed by the Provincial Council. Mr. Naude should have approached his member of parliament to bring the matter forward in the Assembly.

Mr. P. W. Joynt (U.P., Marico) said that unless drastic steps were taken against this employment of white girls by Asiatics and coloureds, the white civilisation would be ruined. Everybody knew why Asiatics refused to employ white youths. He blamed the public for the regrettable state of affairs,

because they insisted on buying from Asiatics.

The Administrator, Mr. S. P. Bekker, said that the less said about the question the better. He regretted that some members had insinuated that a white girl who went to work for an Asiatic did so with indecent purposes. These members apparently considered that a white boy could work for an Asiatic, but not a white girl. It was placing a stigma on the poor white girl, who was forced to accept such employment to make a living. Legislation would not help, as there was always a section who regarded the law as something to be broken. Among every nation there was a section who degenerated. The people should step in and refuse to buy from Asiatics. Then there was the question that the South African born Asiatic was a Union citizen. Complaints were often made that the Asiatic was expanding his business, but we had enabled him to do so. By our legislation he was not allowed to possess any land, he could not go to a bioscope, he could not spend his money on luxuries. The result was

that the Asiatic had all his money available for business expansion, whereas the white trader often used his profits for luxuries.

The motion was agreed to.

Natal Indian Congress

Annual General Meeting

The Annual General Meeting of the Natal Indian Congress will be held at the Parsee Rustomjee Hall, 140, Queen Street, Durban, on Sunday the 9th day of June 1935 at 2-30 p. m.

All members are requested to attend.

Agenda:— 1. Minutes 2. Secretaries Report 3. Financial Statement 4. Amendment of Rules 5. Election of Officials 9. General.

ASHEWIN CHOWDRER

T. N. BROOLA

Joint Hon. Secretaries.

N. B. Members are requested to pay their subscriptions to entitle them to participate in the Meeting.

THE NATIVE BILLS

CRITICISMS BY DR. EDGAR BROOKES

"INEQUITABLE, INADEQUATE AND UNSATISFACTORY"

THE most striking feature about the Native Bills is the lack of novelty in their proposals, according to Dr. Edgar Brookes.

"With the exception of the extension of the Trust system from Natal to the Union as a whole, there is scarcely anything in the Bills as now published which has not been discussed many times during the last 10 years," he stated in an interview with the *Natal Mercury*. "It does not seem, to be frank, that the Parliamentary Select Committee has arrived at any very striking solution of the problems which it has been discussing.

"It has been stated by some supporters of the Bills that they represent the definite introduction of a policy of segregation," he continued. "This is hardly true in the case of Natal at any rate. All that the Bills do, so far as Natal is concerned, is to 'release' 526,000 morgen of land for possible native occupation at some future date. The so-called 'released areas' in Natal are, almost without exception, already occupied by Natives.

"The fact that they are released does not mean that they will be given to Natives or even that Natives will be preferential purchasers in buying and hiring land.

"Some Government assistance may be given out of the newly constituted Trust Fund, but that depends entirely on the willingness of Government to appropriate large amounts of money from annual revenue or from Loan Funds for Native land purchase; otherwise, the revenue heads of the Trust Fund are exiguous indeed, and do not seem to provide the sinews of war for any big scheme of Native land settlement. And finally, of course, the main labour force of Natal is and will remain Native, and all the economic considerations which have produced the influx into the towns will continue to operate in almost exactly the same way."

As one regarded the Land Bill from this point of view, one was struck by the dictum of one of the Statesmen of the French Revolution, "Gentlemen, you are to-day what you were yesterday," continued Dr. Brookes.

Representation Bill

Concentrating more especially upon the Representation of Natives Bill, one realised that so far as Natal was concerned it was pure gain. One Senator, however badly chosen, was better than none, and Natal's share in the proposed Natives Representative Council was a matter for satisfaction; but, if one took the issue on the wider point of view of

the Union as a whole, one was struck with very considerable apprehension as to the effects of the Bill. Even at this late date, it was worth raising the question whether the Cape Native Franchise ought really to be abolished. It had stood the test of time for 80 years, it was bound up in the mind of the Native with all that was best in British tradition, in what one might call the tradition of Queen Victoria, and to anyone steeped in the history of the last century there was a sense of incongruity and even of shock in the proposal for the disfranchisement of the Native in the Cape coming before one at the same time as the King's Jubilee celebrations.

Ten years ago the Cape Franchise was attacked on the grounds of its undue influence; to-day those who proposed its abolition suggested that it was of so little use that abolition would not matter. There was surely something in this process of reasoning. In the end it struck one as neither fair nor wise that the Natives of the Union should be placed in the dilemma of agreeing to surrender the Cape Franchise or being refused political rights in all the other Provinces. It was cruel to create such a dilemma.

Senate Position

"If, however, the Cape franchise must go, it behoves us to examine as clearly and sympathetically as possible the Government's proposals for a substitute," he said. "The idea of special representation of Natives in the Senate is a good one, provided that a definite attempt is made to rehabilitate the Senate and to strengthen its powers, while a Native Representative Council in itself cannot but fulfil useful functions.

"There is room for some doubt, however, as to whether the Senators and the members of the Natives Representative Council will be the best men available if the present system of the constitution of Electoral Colleges is to be followed.

"It is noteworthy that the Witwatersrand is the only Chief Native Commissioner's area which is not given special status as an electoral division. This tendency to depreciate the urban and educated Native group is apparent also in the composition of the other Electoral Colleges. Many readers of the *Natal Mercury* must recollect with pleasure the Christmas Day leading article written by the Rev. John Dube. The *Mercury* did honour to itself in asking so distinguished a Native leader to address the European public through its columns. I cannot think of a more striking illustration of the unsatisfactory nature of

the Electoral Colleges under the Bill than the fact that there is no place for such a man as the Rev. John Dube in the Electoral College for Natal. He is not a Chief, he is not a member of the local Council for the reason that the Government has not constituted local Councils in his area, he is not a member of a Municipal Advisory Board. His case has been quoted because it is particularly striking, but there are scores of other men, among them a large number of the leaders of Bantu thought who are in a similar position.

"Surely nine years of consideration by a representative Select Committee should have produced something better than a Bill containing such omissions of this kind.

Discussion Difficult

"It is not at all clear why four Senators elected by the Natives should have no place in the Natives Representative Council. The Chairman of that Council ought undoubtedly to be the Minister of Native Affairs. The Secretary for Native Affairs and the five Chief Native Commissioners should be present, but if they are to be the only European members discussion is going to be very difficult, for no public servant, however highly placed, is in a position to participate without embarrassment in a discussion involving the policy of his Minister. It is not clear, furthermore, why the Senators representing purely Native constituencies must of necessity be Europeans. No doubt in many cases a European would be a better choice, but there is something incompatible between the principle of creating purely Bantu electoral divisions and the principle of completely excluding the Bantu from membership of Parliament. Race and colour prejudice must be at the bottom of an exclusion of this kind, and one does not feel that a concession which is clearly a concession to prejudice and nothing more is a statesmanlike act at a juncture of such importance in the life South Africa, when an attempt is being made to lay the foundations of future policy. If anything could reconcile the Bantu to the loss of the Cape franchise it would be the removal of the Colour Bar in Parliament.

"It seems very unlikely that the desired object of influencing the British Government in favour of the transfer of the Protectorates will be attained unless some considerable concessions are made beyond those made in these Bills,

"Nevertheless, the Bill should be faced by the Natives and their friends not in a spirit of purely destructive criticism, but sanely and responsibly, with a determined effort to work for the amendments which seem essential for the real welfare of the community, Native and European alike. And if it should happen that the Bills are made law with

little or no modification, the only policy which we can advocate is that the Bantu should use them in a spirit of genuine co-operation as a foundation on which to build better things for the future.

"This is not to justify the Bills or to express agreement with them. As they stand, they are inequitable, inadequate

and unsatisfactory, and it is the duty and right of thinking men who have studied the problem to point this out to the public and to utter in all goodwill and with all respect a determined protest against the misleading propaganda which suggests that Bills which are a rather timid rehash of the proposals of 1926 are going to introduce a new heaven and a new earth.

GROWTH OF POLITICAL CONSCIOUSNESS IN INDIA

SURVEY BY MR. BHULABHAI DESAI

AN attack against the Congress Socialist Party and its ultimate effect of obstructing the progress of the Congress and the country was made by Mr. Bhulabhai Desai, presiding over the third session of the Bombay Suburban Political Conference which took place at Ville Parle, Bombay.

Mr. Bhulabhai Desai, in his presidential speech reviewed the trend of political thought in India during the last 20 years and traced the growth and development of the idea of Civil Disobedience and political consciousness of the people of India. For ten years since 1906, the country had more or less acquiesced in the British rule, as was evidenced by speakers and writers of that period. With 1926, began the national awakening of the people and the idea of self-government began steadily to gain ground not so much as a matter of economic gain, but freedom had come to attain a value in, and for, itself, immeasurable in terms of material wealth. It was revealed as a concrete factor to be fought for and without which no race could ever grow to its fullest height. The method adopted to gain this freedom had a moral personality behind it. It was natural that they at times, regarded it as futile. Nevertheless, it took root in the land and measuring its appreciation, both in intensity and strength, time had certainly put it above ridicule, contempt and futility. The movement for freedom, despite physical suppression, had left India with a legacy of strong moral foundation. The next step was Faith, which the people required, for it was one of the results of rigid foreign rule that the subject had lost its Faith.

Indians had come to believe that the salvation of the country lay in a movement initiated and sponsored by the Congress. The last elections had proved that people stood for the Congress even though it was physically suppressed. The elections demonstrated the success of the struggle for Indian Independence, which after all was the first concerted struggle for freedom made in India, since the advent of British Rule and it had to be acknowledged that it was only a question of time, before that struggle would be brought to a successful completion.

Work In Assembly

As regards the work of the Congress in the Assembly, it was not so much the individual measures that mattered as the actual gain, through the change that had come over the country, as was evidenced by the voting in the Assembly. The Congress was undoubtedly in a minority in a House of 140 but as anticipated, the sincerity and earnestness of the Congress had convinced a large majority of the House. All that the Congress had offered was the moral satisfaction of doing the right thing. The Congress received co-operation from all sections of the House on broader issues. The greatest example of success was the abstention of European members from voting on the Finance Bill. He would be a bold man who said before this that Europeans would associate themselves with the Government, right or wrong.

Referring to the Congress Socialists, Mr. Desai said that the Socialist attitude was based on entirely wrong facts. They had stated that the policy of compromise was wrong. In regard to their reference to the Constituent Assembly, he was of the view that it would always remain part of the Congress

programme, but it was not expedient to bring it before the Assembly at the present juncture, nor was it time to convene a Constituent Assembly, whose drafted constitution it would be the duty of Parliament to implement. It had not been abandoned by the Congress but it could not be done at a special moment. He felt that after the suspension of the Civil Disobedience movement, "we should have a single aim."

No Time For Quarrel

It was unnecessary and futile to attempt to assert theoretical superiority at the present juncture. Nor was it acceptable to evaluate Socialism or Communism as a basis for society. It must be admitted that for Socialism or Communism, to be stable, there must be a radical change in the present-day social structure of the world. Therefore the present moment was not the time to quarrel with the bitterness and we might more usefully engage ourselves, by uniting in a struggle for freedom, rather than in trying to mitigate the inequalities of life. He did not think that the struggle between classes would take us nearer our goal but would only retard our progress. He, therefore, appealed to Socialists to give up their sense of superiority and work with the Congress in the struggle for freedom. Judging by the last Assembly results he felt that the Congress had so far at least served the purpose of bringing the Indian people together and of rousing their national consciousness. It must be remembered that ultimately it was the foundation of national-building activities that was of the greatest importance and it was in that direction that the constitutional struggle of to-day more and more tended.

SOUTH AFRICAN NEWS IN BRIEF

Dr. Loram On Native Bills

SPEAKING at a lunch held by the South African Institute of Race Relations Dr. C. T. Loram, now a professor at Yale University, who is on a visit to South Africa is reported to have made the following observations on the Select Committee's report on Native Bills: "I have seen an abstract of the report and I do not want to deal with it now; but in the United States, with all its racial antipathy and the racial difficulties, in spite of the unfair treatment that the Negroes and Indians get at the hands of the white man, by the 14th Amendment to the American Constitution the Negro and the Indian are full citizens of the country. "However much various States, communities or individuals may wish to treat the Negro as if he is not a citizen, if he can get his case brought to the Supreme Court of the United States his citizenship is affirmed every time. So he has something which, I think, is more than anything else responsible for his extraordinary development since the days of slavery; that is, he has hope."

Opening of Stalls in Indian Market

The refusal by the Provincial authorities of the request of the Durban Town Council to allow stall holders of dry produce in the Indian market to keep their stalls open until 5 p. m. on Saturday has now resulted in prosecutions for Saturday afternoon trading and Mr. W. Whittitt, the Chief Constable of Durban is reported to have suggested that the stalls should be kept open on Friday nights until 9 p. m. in common with the other shops. This, he says, will give the coloured labourer and the Indian and the native, facilities for shopping which are seriously curtailed at present.

European Supervision For Indian Market

The Borough Market Master whose time is frequently taken up at the Indian market during the busy hours at the Borough Market, has suggested to the Markets Committee that the post of chief clerk which was done away with by the Town Council in July 1934 after the retirement of Mr. Sachitt Maharaj should be revived and a European should be appointed as a whole time supervisor who should be responsible either directly to the Council or to the Borough Market Master as head of the Markets Department.

Rating Commission To Be Appointed

A Provincial Commission to investigate the anomalies arising under the incorporation of the Added Areas into the old Borough of Durban will be appointed at the end of the present

Session of the Natal Provincial Council. The Executive Committee has stated that it is prepared to accede to the request of the Durban Town Council for the appointment of the Commission. The request for the Commission was made by the Town Council after many months of unsuccessful attempts to settle the several anomalies that exist in regard to rates, water and policing in the Incorporated Areas.

Customs Tariff

The Union *Gazette Extraordinary* of May 10 contains customs Tariff Amendment Act 1935. This Act gives a full list of the dutiable goods and the amendments to the law relating to customs duties.

New St. Aidans Hospital

The new St. Aidans Hospital for Indians in Centenary Road the foundation stone of which was laid by Lady Singh in February, is to be opened by the Countess of Clarendon on July 4.

A Wedding In India

The marriage of Mr. Kishinchand Hassaram, second son of Mr. Hassaram Rishoomal of Hyderabad, Sind, India, a director of the Bombay Bazaar Co (Pty) Ltd, of Durban took place in Hyderabad Sind, with Miss R. W. Wassimal. On the good news being received by the firm in Durban a dinner was given in honour of the wedded couple by the firm to which Europeans and Indians were invited. We heartily congratulate the wedded couple and with them every happiness and prosperity in their future life.

A Good Financial Year

The revenue of the four provinces during the financial year ended March 31 shows an increase in all cases, compared with the previous financial year. The increase of the Transvaal Provincial revenue is the highest, being nearly £60,000. The Cape Province shows an increase of £230,000, Natal nearly £62,000 and the Orange Free State £141,000. The Transvaal revenue for this year amounted to £2,720,897, compared with £2,129,194 during the previous financial year; Natal £803,961, compared with £741,974; the Cape Province £2,351,006 compared with £2,121,071; and the Free State £537,643, compared with £296,253.

The Sastri College Dramatic Society

Last year something of a sensation was caused by the three plays produced and presented by the Sastri College Dramatic Society says a correspondent. All who saw the productions were amazed at the high standard of the work. This year the dramatic work at the College has been on a much more ambitious scale and, on Thursday and Saturday June 6 and 8 the work of

the past few months will be presented to the public, at the College Hall, at 8 p.m. each evening. The works to be staged are John Drinkwater's exquisite short Poetic Play, in blank verse, "X-O", and "The Woodcarver of Kurman" a three-act Persian Poetic Fantasy in prose and verse, written specially for the College. Both are costume-productions, beautifully mounted and dressed and no pains have been spared to make these efforts in every way outstanding. Tickets are 2/6 (reserved) and 1/6 unreserved, and may be obtained from Mr. A. Sandler at Sastri College, or Peter's Cafe, Grey Street, and from Students of the College. It is to be hoped that the public will support the students and so encourage them in this branch of their work.

International Labour Conference

Mr. W. G. Ballinger received cable information of his appointment as one of the 10 advisers appointed by the General Council of the British Trade Union Congress to accompany Mr. Arthur Hayday, the British Labour delegate, to the International Labour Conference at Geneva in June. Confirmation was also received of the appointment of Mr. E. N. Nxumalo, a Swazi interpreter, as one of the advisers to give the point of view of Native workers in the South African Protectorates. Mr. Ballinger was instructed by cable to proceed immediately to Geneva.

Rhodesia For Indian Army Officers

Major W. J. Cawthorn, 4th/16th Punjab Regiment, arrives in Southern Rhodesia on an official visit with the object of reporting on the suitability, or otherwise, of this Colony as a country in which Indian Army officers may be recommended to live when they become eligible to retire on pension. It is estimated that about four hundred officers of field rank will be due to retire within the next three years or so after a long residence in India. It is generally felt that Southern Rhodesia can offer attractions equal to, if not better than, any other part of the Empire for those who wish to live a simple, out door existence.

Dr. C. T. Loram Meets Indian Teachers

The Natal Indian Teachers' Society arranged for Dr. C. T. Loram M.A. Ph.D., to meet local Indian teachers on Wednesday, the 15th May, at the Durban Bantu Social Centre. Dr. Loram spoke casually on education. Mr. G. V. Naidoo was in the chair.

"G. B. S." Says Adieu!

Mr. George Bernard Shaw left Durban by the boat-train on Wednesday 22nd May, direct for Capetown. This will be his last visit to South Africa. When asked if there was a possibility of his returning to South Africa, he said, "Everything I do now, is possibly, for the last time."

THINGS IN GENERAL

THE General Law (Amendment) Act, the provisions of which Mr. Justice De Waal applied at the Coetzee murder trial and under which a blind Native murderer was sentenced to 20 years' hard labour at Kokstad, came into force on May 14. The measure was enacted at the last Session of Parliament.

The relevant section of the new amended Act reads:

Sentence of death by hanging shall be passed by a superior court upon an offender convicted before or by it of murder, and sentence of death by hanging may be passed by a superior court upon an offender convicted before or by it of treason or rape: Provided that where a woman is convicted of the murder of her newly born child, or where a person under 16 years of age is convicted of murder, or where the jury, in convicting the accused of murder, has in terms of Sub-section (2) of Section 206 expressed the opinion that there are extenuating circumstances (or in the case of a trial without a jury, where the Court is of the opinion that there are extenuating circumstances) the Court may impose any sentence other than the death sentence.

The final provisions in black type are the new importations to the section.

Sub-section (2) of Section 206 as amended reads:

When the accused is tried upon a charge of murder, the Judge shall require the jury to state, if they find the accused guilty of murder, whether, in their opinion, there are any extenuating circumstances, and if they state that in their opinion there are extenuating circumstances, he may require them to specify those circumstances. Provided that any failure to comply with the requirements of this sub-section shall not affect the validity of the verdict or any sentence imposed as a result thereof.

In the Senate debate on the new law Senator G. Hertog said that the clause made the jury a party to the sentence, but the Minister of Justice, General Smuts, in reply, pointed out that the clause had the unanimous support of the House of Assembly. The provision simply meant that the Judge could take the advice of the jury. It would be noticed, he said, that the final discretion of the Judge was left unfettered.

Enfranchisement Of Non-Europeans

A small error in the report of the Joint Select Committee on Native Bills, caused the ordinary business of the Senate to be held up for nearly an hour. The error was that a portion of a resolu-

tion moved by Senator F. S. Malan in the Committee which on a division being taken on it was negatived did not appear in the report. Senator Malan moved for an adjournment of the House on a matter of urgent public importance and after a lengthy discussion with the permission of the House Senator Malan withdrew his motion that the House of Assembly should be requested to take steps to rectify the error. A discussion followed and the House on a division agreed by 20 votes to 11 to do so. The portion of the resolution of Senator Malan left out of the report was as follows:—

"Your committee regrets that it has not been able to deal with the Coloured Persons Rights Bill but wishes to place on record their conviction (1) that provision will have to be made at an early date for the enfranchisement of non-Europeans throughout the Union; (2) that non-European enfranchisement qualifications should include (a) monogamy, (b) standard of living, (c) educational qualifications, (d) one or other of property or income or salaries or wages qualifications; (3) that non-European voters shall vote on a common roll with European voters."

An Example Indians May Well Emulate

Eighteen Papuan (New Guinea) native medical students recently left for home after completing their course at Sydney University. They have been formed into the world's first scout medical troop. It will be affiliated with the New South Wales branch of the association. As a sociological experiment, the formation of an official troop, based upon the high Scout ideals, is considered to be full of possibility, states the *Austral News*. Not only has Scout law added enormously to the effectiveness of discipline among Papuan students generally in Sydney, but it is expected also that as practised by the medical troop it will demonstrate to Papuan natives the good in a white man's country, and thus help the work of colonisation for which Australia is responsible under the League of Nations mandate. The troop will conduct their work in scout uniform over hundreds of miles of wild territory. Besides a medical qualification of "certified native medical assistant" each member of the troop has qualified as a second-class Scout with signalling badges.

Jewish Affection For Gen. Smuts

The South African Zionist Federation has received official cable information that on Wednesday there was inaugurated in Palestine a settlement founded in honour and in the name of General the Right Hon. J. O. Smuts. The site which will be known as Kfar Yochanan or Kfar Yochanan Smuts ("Yochanan"

being the Hebrew equivalent of "Jan") is in the Haifa Bay area, consisting a portion of a tract of land called Emek (that is, the valley of Zebulun). The area is 2,500 dunams (600 acres). Settlement has already begun, one hundred souls being in occupation, whilst it is intended to provide for the settlement of sixty families in all. The full budget for the settlement, which is on land belonging to the Jewish National Fund, has been provided by the Keren Hayesod (Palestine Foundation Fund). In general Jewish estimation, General Smuts is one of the three statesmen—the others being the late Lord Balfour and Mr. Lloyd George—chiefly responsible for the historic Balfour Declaration, which has made possible the great development of Jewish Palestine since the war. Settlements have already been established in Palestine in the names of Balfour and Lloyd George.

Conference On Youth Movements—Salisbury, Southern Rhodesia

Taking advantage of the presence in Salisbury next month of delegates from various territories in East, Central and Southern Africa, the South African Institute of Race Relations has convened a Conference on Youth Movements, such as Boy Scouts, Girl Guides etc., which is being held at Salisbury on June 7th and 8th. The Conference will be under the patronage of His Excellency the Governor of Southern Rhodesia (Sir Herbert J. Stanley, G. O. M. G.) and the Honourable the Prime Minister of Southern Rhodesia (the Honourable G. M. Huggins, F. R. O. S., M. P.). His Excellency Sir Herbert Stanley will serve as President with Lady Stanley and the Honourable P. D. L. Fynn, C. M. G., M. P. as Vice-Presidents. The Conference will deal among other matters with the importance and extent of the work amongst the youth of Africa of all races and the relation of youth organisations to each other, e. g. Pathfinders-Scouts, Wayfarers-Guides, and particularly, the extent to which Non-Europeans should be admitted into European organisations. Enquiries in regard to the Conference may be addressed to:—

The Adviser, S. A. Institute of Race Relations, P. O. Box 1176, Johannesburg.

A Native Sentenced

Found guilty on a charge of rape and assault with intent to do grievous bodily harm on a European woman a native William Klon was sentenced at the Criminal Sessions by Mr. Justice Fischer in Pretoria to twenty years imprisonment with hard labour and eight lashes.

INDIA

INDIA'S NATIONAL ANTHEM AND NATIONAL FLAG

A REFERENCE made by Mr. G. K. Chitale in the Bombay Legislative Council drew out the information that a confidential circular was issued by the Bombay Government explaining its attitude towards India's National Flag—the tricolor flag, and her National Anthem "Bande Mataram." Mr. Bell, the Home Member for Bombay, defended the circular by saying that in spite of the popularity of the "Bande Mataram"—song, Government could not regard it as the National Anthem of India "Bande Mataram" could not replace the English National Anthem, as the tricolour could not replace the Union Jack. Mr. Bell continuing further said: "The term National Flag connected the idea of victory of one nation over another, and Government could not accept that Congress had scored a victory over them."

CONGRESS VOLUNTEER ORGANISATION BANNED

Though the Congress has called off the Civil Disobedience Movement and though Congressmen are now engaged in constitutional agitation within the Legislatures, the Congress Volunteer Organisation, known as the "Hindustani

Seva Dal," continues to be an illegal body. Though the "Seva Dal" volunteers have to take the pledge of non-violence and to carry out the orders of the Congress, they are still not allowed to function. A question was put in the Assembly on the 14th February 1935 with a view to asking the Government to lift the ban on the "Seva Dal," but the Government refused

HOW BENGAL IS GOVERNED

The following facts about the police and military oppression now in progress in some districts of Eastern Bengal are taken from an editorial of the *Ananda Bazar Patrika* the leading Bengali daily in Calcutta:—

1. Along the length of territory from Coalondo to Chandpur, north of the river Padma, there are a number of military camps; at every station the passengers are scrutinized by the police, new-comers are followed up to their lodging and their names, antecedents and objects of visit etc. are noted down.
2. House-searches by the police and military are a part of daily occurrence. The police have authority to enter a house and search it without warrant.

This authority is being used without let or hindrance.

3. People have to ask for licences for holding social or religious ceremonies.

4. The curfew order occasionally puts ignorant villagers to much trouble.

5. Official oppression is acute in the villages.

INDIANIZATION OF INDIAN ARMY

The following question and answer on the subject were exchanged in the Indian Legislative Assembly on March 5, 1935:—

Mr. Chetty: How many years would it take for the Indian Army, completely to be Indianized?

Mr. Tottenham: It is obvious to any but a congenial idiot that at the present rate the Army would never be completely Indianized.

GOVERNMENT OF INDIA BILL

The third reading and the debate on the Government of India Bill, will be taken in the House of Commons on June 4 and 5, after which the measure will go to the House of Lords. The Committee stage ended in the House of Commons.

WEDDINGS.

RAMHERRY—KOOBAIR

Vidyasagar second son of Mr. and Mrs. M. Ramherry of Sydenham was married to Kumari Thara Devi, eldest daughter of Mr. and Mrs. A. J. Koobair of Essendene Road, Sydenham on Saturday May 18. The officiating priests were Pundits Rudrapershad and Balkishor. The pandal was tastefully decorated and there were numerous guests both from the bride and bridegrooms party. Suitable speeches were made after the wedding wishing the couple long life and prosperity. There were many useful presents from friends and relatives.

LUTCHMAN—GANGAPARSAD

On Saturday May 18 and on Sunday the following day Mr. and Mrs. B. Lutchman of Forest Lane, Overport were the happy parents to see their second son Ranjeet and the eldest daughter Santhu Devi married to the eldest daughter of Mr. Gangapersad of Red Hill and the third son of Mr. Ramouthar of Dassenhoek. The officiating priest of the latter marriage was Pundit Ramouthar Shukl. The mandap was very elegantly decorated with flowers and bunting. There were a number of European guests among others. The bride and bridegroom were the recipients of many valuable presents.

SPORTS

Transvaal Tennis

During the last Sam China Cup tournament at Durban Messrs K. Naraynsamy and H. Khan were present at the inaugural meeting of the South African Indian Lawn Tennis Association and assured the meeting that a provincial body would be formed in the Transvaal. Since then efforts were made by Mr. Naraynsamy to convene a meeting but owing to lack of enthusiasm amongst members no quorum was available. On Thursday last week, however the convener and pro-tem Secretary called a meeting and the following Clubs were present at the Offices of Mr. I. I. Hazaree, New Street, Johannesburg viz:— Rangers: Messrs K. Thambi and K. G. Moodley; Health and Strength: Messrs C. K. Pillay and N. K. Naidoo; Kohinoor: Messrs Y. Coovadia and E. Surtee; Ottomans: Messrs H. Jajabhay and I. I. Hazaree Vredorns; Rev. B. L. E. Sigamoney and Mithlan Naidoo; Avondales: Mr. K. S. Moodley; Criterion: Messrs Willie Ernest and M. Hajee. The following elections took place:— Patrons: Sayed Raza Ali President: Mr. I. I. Hazaree; Secretary: Mr. Willie Ernest, Asst. Secretary: Mr. M. Naidoo, Treasurer: M. Hajee. It was decided to affiliate with the S. A. I. L. T. A.

India Versus Africa

Today the Bantu Sports club Ground Johannesburg will be the venue for a great match between the Witwatersrand Indian Football Association and the Johannesburg African Football Association. The Johannesburg sporting public will not need to be told about the competitive nature of the type of football usually symbolic of the India—Africa matches but unusual emphasis on this game has been placed by the Witwatersrand Indian Football Board in the form of exhortation to their representatives for a determined victory, which may lead to the expectation of a great contest. The All-India Soccer team's visit has not passed without its landmark on local Indian football and the Witwatersrand Indians will exploit some of the All-India codes of soccer to advantage when they meet the Africans, says the *Umteli wa Bantu*.

Indian Sports Club For Weenen

A sporting club for the Indian community of Weenen has been formed, under the title of the Jubilee Sporting Club. Officers elected include: President, Mr. Malim Sahib; vice-presidents: Mr. M. Maharaj and Mr. K. Bhugwande. The joint secretaries appointed will frame rules and start collections and report in two weeks' time.

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Read! Think!! Act!! Roll Up and Enroll!

Enquiries at any of the above places.

B. M. NARBETH,

Chairman, Indian Technical Institute Committee.

Indian Unemployment

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

Write:—Hon. Secretary, Sir Kurm. Reddi
Unemployment Relief Committee, Indian Sports
Grounds, Durban.

Indian Child Welfare Society Centre.

150, BROOK STREET, DURBAN.

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