

A Tragedy of Empire.

The treatment of British Indians
in the Transvaal

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AN APPEAL TO INDIA.

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FOREWORD.

IN the following pages, which are devoted to a brief study of the origin, history, development, and effects of the present struggle in the Transvaal, an endeavour has been made, in as simple a manner as may be, to lift the veil from the sufferings that have been undergone patiently, self-sacrificingly, and patriotically by a handful of British Indians, men, women, and children, during the last three years, in that British Colony. The Writer's hope is that the narrative of this sombre tragedy will awaken something more permanent than mere verbal expressions of sympathy in, and will evoke something more tangible than mere academic resolutions of protest from, the people of India, whether of Asiatic or European descent.

Bombay,
21st August, 1909.

H. S. L. P.

"We are not dealing with our own personal interest or our own personal money ; we are trustees for our brothers in Canada, in Australia, at the Cape ; trustees also for our own fellow-subjects of different races and of different colours—the Negroes of South Africa and the Indians of India—trustees for all these and for the unborn children of these. Therefore, the test we have to apply is an emergency like this is the simple test of duty. Is it or is it not our duty to see that the rights and the future interests of those I have named shall be maintained ? Is the British Government going to make its name respected, and to have the pledges given by it faithfully observed ? Is it going to see that the British subject, wherever he goes, all over the World, whether he be black or white, whether he come from Great Britain itself, or from Canada, or New Zealand, is to have the rights that his Queen has secured for him ?"—Lord Selborne, in England, at the outbreak of the South African War, 1899.

"Injustice and oppression, as with a hot iron, sear the character of the people who oppress and of the people who are oppressed. There is an indelible brand on the character of the oppressor and the oppressed. In the case of the oppressor, the effect is always and altogether evil. The oppressor passes from brutality to brutality, loses more and more the consciousness of his responsibility to God and sympathy for his fellow-man. Men reap what they sow.

'The mills of God grind slowly,
But they grind exceeding small.'

And red retribution one day meets the nation, the nation of the oppressor. Nor does the oppressed go unscathed. In his weakness, he takes refuge in falsehood, treasuring revenge. But also noble characteristics are drawn out and stamped on him. He becomes united under the political and social pressure with which he meets. He becomes pertinacious to a degree which elevates pertinacity to a public virtue, and he becomes capable of infinite self-sacrifice for his own people and his own kith and kin."—Lord Selborne, High Commissioner for South Africa and Governor of the Transvaal, before a Jewish audience in Johannesburg, 1906.

"In the event of the Legislative Council, the Local Government, and the Imperial Authorities rejecting the humble prayer of the British Indian community of the Transvaal in connection with

the draft Asiatic Law Amendment Ordinance, this Mass Meeting of British Indians here assembled solemnly and regretfully resolves that, rather than submit to the galling, tyrannous, and un-British requirements laid down in the above Draft Ordinance, every British Indian in the Transvaal shall submit himself to imprisonment and shall continue so to do until it shall please His Most Gracious Majesty the King-Emperor to grant relief."—Resolution 4 passed unanimously at a Mass Meeting of 3,000 British Indians in the Empire Theatre, Johannesburg, September 11, 1906.

"Among the many misdeeds of the South African Republic I do not know that any fills me with more indignation than its treatment of the Indians. And the harm is not confined to sufferers on the spot; for what do you imagine would be the effect produced in India when these poor people return to their country to repeat to their friends that the Government of the Empress, so mighty and irresistible in India, with its population of 300,000,000, is powerless to secure redress at the hands of a small African State?"—Lord Lansdowne at Sheffield, in 1899.

"The principle of State necessity can bind only those men to disobey God's law, who, for the sake of worldly advantages, try to reconcile the irreconcilable."—Tolstoy.

"I think that we should be *men* first, and subjects afterwards. It is not desirable to cultivate a respect for the law so much as for the right. The only obligation which I have a right to assume is to do at any time what I think right."—Thoreau.

"Human laws are only good and valid in so far as they conform to, explain, and apply the law of God. They are evil whenever they contrast with or oppose it, and it is then not only your right, but your duty, to disobey and abolish them."—Mazzini.

"Man is more than constitutions;
better rot beneath the sod,
Than be true to Church or State,
while we are doubly false to God."

—Lowell.

"To inspire the Puritans with a better humour was, both for their sake and that of the public, a laudable intention of the Court, but whether pillories, fines, and prisons were proper expedients for that purpose may admit of some question."—Hume.

INTRODUCTORY.

In the introduction to a symposium of views regarding the many merits of the people of India, the late Mr. Alfred Webb wrote, prophetically as well as reminiscently : " Belittling characters is one of the most potent excuses for refusing the victims justice, for contracting freedom, and ignoring their complaints." No apter words than these can be called to mind in a consideration of the causes of the present terrible position of the British Indians in the Transvaal. Allegations of bad faith, incorrigible lying, conspiracies to flood the Transvaal with unlawful Asiatic entrants, concealment of fraudulent entries, personal and public dishonest on the part of the leaders of the Asiatic communities, preceded the endeavour, represented by the introduction into the nominated Legislative Council, in 1906, of the Asiatic Law Amendment Ordinance, to crush and eliminate the existing Asiatic population of the Colony. The victims had the additional misfortune to be coloured, as well as different in race and religion from their European fellow-Colonists, and the three classes who were most deeply concerned in the attempt to degrade still further, and, eventually to annihilate, an already disinherited community were thus easily enabled to take advantage of and inflame popular prejudice in some of its ugliest aspects. Trade competitors, jealous of the success of their commercial rivals and anxious to obtain a mean revenge ; incompetent officials, seeking to conceal mal-administration and to nullify the effect upon the public mind of powerful rebukes from the Judges of the Supreme Court, and accordingly fearful of being required, in the approaching session of the Council, to show cause why their offices should not be forthwith abolished ; negrophobes, hateful of aught more deeply tinged than a freckled or sunburnt skin ; all united to parade the vices and to advertise the enormities of the wretched creatures who have, for many years, been offered up as a sacrifice to the baser passions of the populace in British Colonies and, especially, in South Africa. It was useless arguing, with Abbe Raynal, that " mankind, under similar circumstances, in all parts of the globe, will act alike." Those who from

personal motives, ignorance, passion, or prejudice were incapable or undesirous of adjusting themselves to a rational outlook upon every-day phenomena, remained unaffected by this elementary doctrine of psychology. The anti-Asiatic fanatics, too, were fortunate in securing the services of several energetic, able, and ambitious men (who have undoubtedly made their mark when they have turned their splendid talents into broader and more patriotic channels), and these found little difficulty in arousing, first the suspicions, and then the resentment, of the large majority of Transvaal Europeans. Speaking as a European, the writer may be permitted to say that the great uninformed, misled, ignorant, and prejudice-ridden majority of Europeans in that Colony, fortified by strong opinions from similarly unqualified fellow-colonists in other South African States, have been emphatically wrong in their treatment of the humble, harmless, defenceless, almost helpless British Indian minority.

BEFORE THE WAR.

As early as the year 1885, at the request of the European traders in what was then the South African Republic, President Kruger and his Government were prevailed upon to pass a Law, No. 3 of that year, providing for the registration of those Asiatics who, thereafter, entered the Republic for purposes of trade or to conduct commercial operations. They were to pay the sum of £25 (Rs. 375)—two years later reduced to £3 (Rs. 45)—and that once only. The Law was intended in no way as a restriction upon immigration (the subsequent reduction of the fee indicating that), but solely, so far as this provision was concerned, as a check upon the trading community. The Law is entitled a "law relating to Coolies, Arabs, and other Asiatics." Section 1 applies it to "the native races of Asia, including the so-called Coolies, Arabs, Malays, and Mahomedan subjects of the Turkish Dominion." At the time, the Asiatics in the Transvaal were numerically insignificant and necessarily unorganised, and no protest was offered against this insulting definition either by themselves or, on their behalf, by the British Agent. So far as Malays were concerned, this provision of the law was never carried into effect against them, and its application to the remainder was, under the Republican regime, never very strict and fre-

quently of the loosest, so that many British Indian traders resided in the Republic without having registered. The document issued upon payment of the registration fee was a simple receipt in favour of the person paying, setting forth the purpose of the payment. It in no way identified, nor was it intended to indentify, otherwise than by name, the holder. At the outbreak of the war, it is calculated, and the figure has been officially accepted, that there was a minimum British Indian population in the Republic of 15,000, besides Chinese to the number of at least 3,000. When war was declared, most of the British Indians left the Republic, though a few of them, especially in the country districts, remained throughout the period of the war.

AFTER THE WAR.

Shortly after the British occupation of what was thereafter known as the Transvaal, British Indian refugees (who had, many of them, lost everything they possessed during hostilities, whilst others had sacrificed in various directions, even to the forming of Ambulance Corps) were allowed to return in carefully restricted numbers. Lord Roberts then ordered that all Asiatics should be registered at the office of their District Commissioners. At the same time, he promised them that, so soon as the Civil Administration was in something like working order, their grievances would be investigated and remedied. In May, 1901, a notice appeared in the *Gazette*, notifying the opening of an Asiatic Immigration Office, where British Indians were required to change their passes for new ones. In 1903, the Peace Preservation Ordinance was passed, requiring British Indians, amongst others, to provide themselves with permits to enter and reside in the new Colony. For the first time, the document was to some extent descriptive. In this year, complaints began to be made by European traders in certain towns, that British Indians, who were not pre-war refugees, were entering the Colony. They called upon the Government to take preventive measures. Upon investigation, Lord Milner, the then High Commissioner, received an assurance (which he accepted) from the Chief Secretary for Permits that an illicit influx on any but the most minute scale was an impossibility. Just before this, the Transvaal British Indian Association had proved to the Government the existence of bribery and corruption amongst their own

officials charged with the administration of Asiatic affairs. These officials were subsequently dismissed. In order to conciliate popular prejudice and to remove all possible cause for complaint, Lord Milner consulted the Indian leaders, and explained the position to them, suggesting the advisability of the voluntary re-registration of the entire Indian community, with full details of identification. He declared to them that "once on the register their position was established, and no further registration would be necessary nor a fresh permit required. That registration gave them a right to be here, and a right to come and go." Satisfied with this deliberate and formal promise, the leaders, who had already consented to the administrative restriction of Indian immigration to that of pre-war residents, agreed to advise the voluntary re-registration of the whole Indian population. This re-registration was subsequently completed to the entire satisfaction of the authorities, who expressed their sense of appreciation of the good faith of the community. The documents then issued bore the permit number, and contained particulars of the holder's name, family, caste, father's name, height, occupation, and age. They were dated and signed by the issuing officer. In addition, they bore the impression of the holder's right thumb. These new registration certificates were issued only to those who presented Peace Preservation Ordinance Permits, and after close scrutiny of the latter. In April, 1904, a census of the Transvaal population showed that there were less than 10,000 Indian residents. Just prior to this, owing to an outbreak of plague in the Johannesburg Indian location, due to criminal negligence on the part of the Municipality, the location was destroyed, and its inhabitants were scattered all over the Transvaal, thereby creating the impression, in some places, that many Indians, not previously resident in the Colony, had unlawfully entered. About the beginning of 1905, Lord Milner was succeeded as High Commissioner by Lord Selborne. Shortly after the latter's arrival in the Transvaal, he was bombarded by complaints from the British Indians' old enemies as to the "continued illicit influx." He immediately instituted a searching inquiry, the result of which led him, so late as September, 1905, to administer a sharp rebuke to the complainants, declaring that he was satisfied that their statements were unfounded. Until the end of that year, everything went well. During December, however, the Chief Secretary for Permits committed a foolish error by causing

what might have been an international incident, in refusing a permit to a Japanese merchant of high standing, who was armed with credentials from his Government. Consequent upon this, the administration of Asiatic affairs was transferred to an official known as the Protector of Asiatics. His title was afterwards altered to that of Registrar of Asiatics, it being presumably assumed that his functions would not, in the future, include the protection of the Asiatic residents of the Transvaal. Some months later, the Registrar issued a statement showing that 13,000 permits had been issued to British-Indians. It is a significant commentary upon this official's administration at this period, that, on several occasions, the Supreme Court upheld the appeals of British Indians who had been convicted wrongly at his instance. Endeavours were made by him to read into Law 3 of 1885 and the Peace Preservation Ordinance meanings which they did not, in the view of the Supreme Court, contain. Attempts were made to prevent the entry of Indian women into the Colony even when accompanying their husbands, and of children of tender years when accompanying their parents; efforts were directed to secure the registration of Asiatic minors. Foiled, however, in these endeavours by the Supreme Court, and realising that their tenure of office was becoming increasingly precarious, the officials were driven to justify their existence. "Advisory" Courts, sitting in secret, were appointed to "assist" the Registrar to "consider" Indian applications for permits. These Courts were composed of rabid anti-Asiatics, and no Indian representative was added as a counterpoise, nor were the applicants permitted to appear before them, either in person or by counsel, to press their claims or refute hostile evidence. As a natural result, applications were rejected wholesale. Accordingly, enlisting the sympathies of the negrophobe leaders of the European community, juggling with false statistics, and utilising the malicious allegations of the Indians' trade rivals, the functionaries of the Asiatic Department gained the ear of their official superiors, and succeeded in inducing the then Crown Colony Government, in 1906, to believe in the existence of an organised conspiracy, on the part of the British Indian leaders and community, to flood the Transvaal with British Indians who had no rights of pre-war residence. Lord Selborne was strongly influenced by the constant repetition of these charges, and eventually sanctioned the introduction of a

measure into the nominated Legislative Council, aiming ostensibly at the complete re-registration of the Asiatic population, the alleged object being to confirm lawfully resident Asiatics in their existing rights.

THE ASIATIC LAW AMENDMENT ORDINANCE.

This measure, known as the Asiatic Law Amendment Ordinance, was described by the Colonial Secretary as an effort to secure "fair and just treatment" for the lawfully resident Asiatic population. What it really was may be judged from the terrible struggle that has been carried on ever since. The term "Asiatic" was defined as meaning "any such person as is described in Article 1 of Law No. 3 of 1885." On a previous page has been recorded the description of such a person, and an enlightened British Government thus approved of and emphasised the series of insults that had been placed upon every Asiatic by the ignorant Republican oligarchy twenty years previously, and upon every follower of Islam in the Colony. The Ordinance completely reversed the solemn promises of British statesmen and administrators, and contravened the spirit of the despatches of Lord Milner and Mr. Lyttelton. It conferred absolutely no privileges but took away many, and that too, in a manner which, to use Mr. Chamberlain's significant words, "put an unnecessary affront" upon the British Indian settlers in the Transvaal. It was ineffective to remove from the Transvaal those Asiatics who were unlawfully there, whilst it was a weapon of persecution against those who were legally domiciled. It did not amend, but it extended the scope of Law 3 of 1885, thus adding to the body of anti-Asiatic legislation already on the Statute Book of the Transvaal. It assumed, as its basis, the guilty knowledge of and connivance in a wholesale introduction of unlawfully resident Asiatics on the part of the community and of the communal leaders, and it finally condemned, in effect, as criminal those against whom it operated, thus reducing their status to one inferior even to that of the aboriginal native (Kaffir) of the country.

Obviously, no sensitive, no religious people could calmly contemplate the degradation threatening them from this

drastic measure; and the communal leaders immediately approached the Government, with a view at least to delay legislation affecting the community until such time as a responsible Government, armed with a mandate from the people, and after careful study of the circumstances, could deal with the matter. All to no effect, however. Neither Government nor Legislative Council would listen, and in spite of the strongest possible protests from the British Indians the Ordinance was passed. Meanwhile, the community had considered the position in its every aspect, and realising that this Ordinance, if sanctioned, would prove to be the thin end of the wedge of anti-Asiatic legislation in the Transvaal, and thence throughout South Africa, determined upon immediate action, and at a vast mass meeting of some 3,000 British Indians, held in the Empire Theatre, Johannesburg, it was resolved to send at once a deputation to England, in order to place the Indian position before the British public and the Imperial Ministry, and to induce the latter to advise the withholding from the measure of the Royal Assent. At the same time, the following resolution was agreed to unanimously and with acclamation:—"In the event of the Legislative Council, the Local Government, and the Imperial Authorities rejecting the humble prayer of the British Indian community of the Transvaal in connection with the Draft Asiatic Law Amendment Ordinance, this mass meeting of British Indians here assembled solemnly and regretfully resolves that, rather than submit to the galling, tyrannous, and un-British requirements laid down in the above Draft Ordinance, every British Indian in the Transvaal shall submit to imprisonment, and shall continue so to do until it shall please His Most Gracious Majesty the King-Emperor to grant relief."

The deputation, consisting of Messrs. M. K. Gandhi and H. O. Ally, proceeded to England at the beginning of October, 1906, and with the aid of many Members of Parliament and other prominent public men, several of whom afterwards formed the South Africa British Indian Committee, in London, to watch over and protect the interests of British Indians throughout the South African sub-continent, succeeded in their mission, to the extent of securing from Lord Elgin a declaration that the Ordinance would be hung up until the matter had received the consideration of the Transvaal Parliament that was shortly to come into being.

RESPONSIBLE GOVERNMENT.

So matters rested until the time of the elections, early in 1907, when, of course, the action of Lord Elgin was violently criticised, and it immediately became obvious that the Imperial Government would be deliberately challenged, at the earliest possible moment, to take the advantage afforded by the reservation clause of the Transvaal Constitution to reject the measure if passed once more. The Letters Patent provided for the reservation of any bill, whereby persons not of European birth or descent might be subjected to any disability or restriction to which persons of European birth were not also subjected. Lord Elgin himself, in his despatch to Lord Selborne, almost threw out the hint that, if the measure were agreed to by a popularly elected Parliament, it would not, obnoxious as it was, be refused the Royal Sanction. Sir Richard Solomon, too, who was then aiming at the Premiership, and who had just returned from England after repeated conferences with Lord Elgin, went out of his way, in the course of his first election address at Pretoria, to allege that it would be found, in practice, that the reservation clauses would be a dead-letter, in this case, at any rate—a pleasant anticipation for the prospective British Indian victims of race-prejudice and persecution in the newly enfranchised Colony. In addition to this, as indicating the way the wind blew, General Botha, in his election address at Standerton, is reported to have said that if his own party (Het Volk) were returned to power, they would undertake to turn the coolies (the euphonious name applied to all British Indians, without distinction) out of the country within four years. They have already succeeded in reducing it to one-half of its numbers in 1906.

Mr. Abe Bailey, afterwards appointed Chief Whip of the Progressive Party, addressing the Volksrust electorate, had already said: "He was one of those who believed it would be the right thing, and he welcomed the day, when all Asiatics had to leave this country (the Transvaal)."

General J. C. Smuts, then legal advisor to Het Volk, and afterwards Colonial Secretary of the Transvaal, in which capacity he has achieved an unenviable notoriety in connection with this legislation, had, during October, 1906, addressed a letter to Mr. Ralph Tatham, then leader of the

Natal Labour Party, in which he said: "The Asiatic cancer, which has already eaten so deeply into the vitals of South Africa, ought to be resolutely eradicated."

It would therefore seem that the deliberate policy of the Transvaal has been, if it failed to secure the passage of legislation that would compel Indians to reside and trade in filthy localities, to drive them, by indirect means, out of the country.

The elements, then, that dominated the Transvaal Parliament, when it met, in March, 1907, were race-hatred, colour-prejudice, and trade-jealousy. Superimposed upon these were deep resentment at the temporary success of the despised "coolies," and a determination to challenge the Imperial Government to interfere in what, by an amazing perversion of language, are constantly referred to as the internal affairs of the Transvaal.

ACT 2 OF 1907.

Within 24 hours, and practically without discussion, the old Ordinance, re-enacted, passed both Houses of Parliament, not a single member venturing to voice his protest. The memorials of the Indian community were completely ignored—in fact, in the Legislative Council, an attempt was made to prevent their being read. The *Transvaal Leader*, an important Johannesburg newspaper, commenting upon the action of Parliament, wrote: "It is a cause of intense satisfaction to us, and, we doubt not, to men of all parties, that the first Legislative enactment of the new Parliament should be one *which asserts the right of the colony to manage its own affairs.*" Backed by the strong, almost vehement, support of Lord Selborne, one of whose functions is the protection of those sections of the community who are unrepresented in the Transvaal Parliament, the Asiatic Law Amendment Act, as it was now called, went to England for Imperial sanction. With it went General Botha, the Transvaal Prime Minister, who was attending the Imperial Conference, and in the wave of "Imperial" feeling that swept over England at that time, all protests against the action of the Transvaal were submerged. Urged on by the united efforts of Lord Selborne, General Botha, and Sir Richard Solomon, the Transvaal Agent-General in London,

Lord Elgin was prevailed upon, though with much trepidation, to advise that His Majesty's assent should be given, and the Act thereafter became law and is known to the community as Act 2 of 1907.

PASSIVE RESISTANCE COMMENCES.

The writer does not propose to narrate the history of what followed in any detail. It will suffice to outline briefly the principal events of the struggle after the Act came into force. Registration offices were opened all over the Transvaal, but were almost completely boycotted by the Asiatic communities, for the Chinese residents joined with the British Indians in what has been popularly termed "passive resistance." Even before the Royal Assent had been given, and whilst the measure was still passing through the Transvaal Parliament, the Indian community, in order not to cause a breach with the European population and to avoid the need for Imperial intervention, had publicly offered voluntarily to re-register each one of its members, provided that the measure was not proceeded with. This offer had been contemptuously rejected. In September, 1907, when registration was in full swing (according to official statements) a monster petition, bearing nearly 5,000 signatures, representing all faiths and all sections of the Indian community, was addressed to the Transvaal Government, once more making the offer of voluntary re-registration, conditionally upon the suspension of the operation of the Act, and its subsequent repeal, if voluntary re-registration were successful. Again the offer was rejected.

THE IMMIGRATION LAW.

Meanwhile, the Immigrants' Restriction Act was passed, of general application, and this law, read together with the Asiatic Law Amendment Act, treated as prohibited immigrants those who could pass its tests but who were ineligible for registration under the latter Act. Although a cultured Asiatic might pass its education test, he would nevertheless be regarded as a prohibited immigrant unless he became registered within the prescribed time, a legal impossibility, even if deemed desirable. But as the Indian community had made up its mind that the Asiatic Law

Amendment Act must go, it was not much perturbed by this new insult, because, once removed from the Statute Book, there would be no longer any impediment to the entry of cultured Indians.

THE FIRST ARRESTS.

On the 26th December, 1907, the Royal Assent to the Immigration Act was announced, and simultaneously came the news that a number of the leaders of the two Asiatic communities were warned to appear before the Magistrate to show cause why, having failed to apply for registration, as required by the law, they should not be ordered to leave the Transvaal. They were directed to leave the Colony within a given period, and failing to do so, they were sentenced to simple imprisonment for two months. Meanwhile, as licences to trade or to hawk were refused without the production of the new registration certificates, many men were sentenced to imprisonment for hawking without a licence, until the Johannesburg gaol was uncomfortably crowded. Realising that there was no sign of the passive resistance movement breaking down and impressed by the determination of the Asiatic communities, and consequent upon the increasing pressure of public opinion not only in England and India, but also in South Africa and the Transvaal itself, General Smuts decided to cry a truce, and accordingly invited negotiations from the imprisoned Indian leaders. As a result of these negotiations, General Smuts suspended the operation of the Act, and agreed to accept voluntary re-registration, promising at the same time to introduce repealing legislation in the next Session of Parliament, provided that voluntary re-registration had been satisfactorily effected.

CONDITIONS OF VOLUNTARY RE-REGISTRATION.

Much has been written about the finger-print controversy. In the Act itself no mention of finger-prints was made, and it was against the Act that the campaign had been waged from the beginning. The compulsory giving of finger-prints was demanded by the regulations framed under the Act. No-one was exempt, and the demand, made in conjunction with the whole spirit of the Act, indicated the

desire of the Government to treat British Indians as a criminal community. The method of identification adopted under the voluntary arrangement was essentially different. In the first place, the criminal associations of the Act disappeared. The element of compulsion was, of course, missing. Indeed, no-one was obliged to re-register himself if he chose not to do so. The matter was left entirely to the honour of the community. In the case of educated persons, well-known merchants, and property-owners, the signature alone was to be accepted. In other cases, finger-prints were to be given. Where a man had a religious or conscientious objection to giving finger-prints, his thumb-prints alone were taken. So that the giving of finger-impressions was whittled away to a test of literacy, and even as such it was not adhered to, though the great majority of registrants, merely to prove their *bona fides* to the Government, and to show that they were not afraid to give the most elaborate means of identification, if, by so doing, they could satisfy and allay public suspicion as to their identity, willingly gave their finger-impressions. Subsequently, in Parliament, General Smuts was led to confess, what he had previously strenuously denied, that "the principal objection was to the law itself," and not to any subsidiary matter arising from it. Voluntary re-registration proceeded, with one or two hitches, on the understanding that the Act would be repealed, during the three months ended the 9th May, 1908, when practically every Asiatic in the Colony had applied for voluntary re-registration, the vast majority of applications being unreservedly accepted, the remainder being under consideration.

GENERAL SMUTS BREAKS FAITH.

Then it became apparent that General Smuts was determined to depart from his promise. Immediate protests were made by both the British Indian and Chinese leaders to General Smuts, who, however, failed to satisfy them, constantly evading the issue. Finally he invited Mr. Gandhi to discuss the difficulty with him, and at the interview produced a Draft Bill to repeal the Act, on condition that Mr. Gandhi, on behalf of the British Indian community, would consent to regard certain classes of Indians as prohibited immigrants, including even those who could pass the most severe education test of the Immigration Act. Recognising at once that General Smuts' intention was to sub-

stitute for one piece of insulting legislation an even more humiliating law, Mr. Gandhi indignantly refused to contemplate the suggestion, and negotiations were abruptly broken off.

THE STRUGGLE RECOMMENCES.

Passive resistance at once recommenced. Trading-licences were again refused, and the gaol began to be filled anew with men who refused to be coerced into submitting to the shameful desires of the Government. At this period, Mr. Dawood Mahomed, President of the Natal Indian Congress, one of the most influential and wealthy Indians in South Africa, Rustomji Jivanji Gorcoodoo, Vice-President of the Congress, also a wealthy merchant, and a generous-hearted philanthropist, M. C. Anglia, one of the Joint Secretaries of the Congress, likewise an important merchant, and a fluent speaker and writer of French and English, all old residents of the Transvaal, and a number of educated men, some of them Government Interpreters, others ex-civil servants, others ex-volunteers wearing medals for the South African War and the Natal Rebellion, having served as stretcher-bearers, crossed the Natal-Transvaal border with the object of asserting their rights of entry into the Transvaal, and in order to share the hardships of and encourage their suffering brethren. They were arrested and ordered to leave the Colony within eight days, failing which, they were sentenced to imprisonment with hard labour. Previously to this, Mr. Sorabji Shapurji Adajania, an educated Parsee gentleman from Natal, had entered the Transvaal with the special object of testing General Smuts' interpretation of the Immigration Law. He was not prosecuted as a prohibited immigrant but as an unregistered Asiatic, the Government thus admitting that the Immigration Law, as it stands, cannot prevent the entry of an Asiatic who is otherwise eligible for admission into the Colony.

CERTIFICATES BURNT.

An application was made to the Supreme Court for an order compelling the return of the voluntary registration application forms, but was dismissed. At a great Mass Meeting held in Johannesburg, some 2,500 of the newly issued voluntary registration certificates were burnt, the object being to oblige the Government to fulfil their promise to

repeal the Asiatic Law Amendment Act, by placing the community in the same position that it had occupied before the settlement, that is, one of non-identification. Alarmed by this drastic action on the part of the community, the Government and the Opposition at once opened negotiations with the Asiatic leaders, and eventually offered to replace the Bill that had just been introduced, and which merely validated voluntary registration, by one which went much further, covering most of the classes who had previously been regarded as prohibited immigrants, and taking all voluntary registrants out of the scope of Act 2 of 1907, which, however, it did not explicitly repeal, and which was, consequently, in concurrent operation with the new legislation, at any time that the Government chose to administer its provisions, even though it might appear to be a dead-letter on the Statute Book. In addition, the new Bill failed to admit the right of cultured Asiatics to enter the Colony under the safeguards of the Immigration Act. At the conference of Asiatic leaders, the Government's proposals were unanimously rejected, it being considered that, in view of past experience of the treatment of British Indians by the Government and the manner in which the latter had kept their pledges, it was impossible to rely on their good faith in regard to the putting into operation of Act 2 of 1907, a doubt which was subsequently justified, by the conviction under the earlier Act of certain British Indians two days after the new Law, to which reference has just been made, came into force. Moreover, the Supreme Court has expressly safeguarded itself from declaring that Act 2 of 1907 has been even impliedly repealed by what is now known as the Asiatic Registration Amendment Act or Act 36 of 1908. Then, too, the community was not prepared to commit communal suicide. It refused to agree that even the most highly cultured men of Indian race, to whom they looked up as their natural leaders, should be prohibited from entry into the Transvaal, a British Colony, simply because they were Asiatics.

ACT 36 OF 1908.

Notwithstanding the British Indian protests, the new measure was hurriedly passed through Parliament in an expiring session, with the single voice of Mr. William

Hosken raised against it, and reserved for the Royal Assent. Prompted by a final desire to urge the Imperial Government to listen to their cry, the British Indian community of the Transvaal addressed a powerful petition to the Secretary of State for the Colonies, pointing out that, whilst contrasted with the earlier law, Act 2 of 1907, the new measure was in itself comparatively unobnoxious, and that objections to it in detail were matters of administrative compromise and would not *per se* give rise to a policy of passive resistance, yet the community was not able to accept the benefits of the new Act unless and until the Transvaal Government redeemed their promise to repeal Act 2 of 1907, and, in addition, made provision for the entry of highly educated Asiatics under the ordinary restrictions of the general Immigration Act of the Colony already in force. After detailing the evidence as to the promise of repeal, pointing out that, with the safeguards as to identification contained in the new measure, retention of the old Act was unnecessary, analysing the position and status of educated Asiatics under the new Act as read with Immigration Act, and discussing the circumstances and conditions of the adoption of the policy of passive resistance, which they justified, the petitioners concluded with the following solemn appeal: "The petitioning Association (the Transvaal British Indian Association) respectfully submit and pray that, if His Majesty's Government cannot secure justice for British Indians residing in the Colony, by securing repeal of Act 2 of 1907 and by having the status of educated Indians established in consonance with the principles of the British Constitution, the terms of the gracious Proclamation of 1858 may be withdrawn, and they may be told that, for them, the expression 'British subject' is to bear a meaning different to what it pronounces for Europeans." The need of such a prayer indicates the depth of despair and hopelessness to which the policy of expediency adopted by the Imperial Government and the apathy of the Indian people had reduced the Transvaal Indians. It suffices to say that, once more, on the urgent representations of Lord Selborne, the Transvaal Government, and the Transvaal's Agent-General in London, and even without waiting to receive and acknowledge the petition, the Royal Assent to the new Act was announced, and the Law was immediately put into operation.

A RECORD OF SUFFERING.

Since then, the history of the troubles of the Transvaal Indians has been an appallingly large list of imprisonments, deportations, arrests, and petty persecutions and cruelties. It is calculated that, from the beginning of January, 1908, until the end of June, 1909, a period of 18 months, no less than 2,500 sentences of imprisonment, varying from three days to six months, have been imposed by the Transvaal Courts. The vast majority of these have been with hard labour. Many men have been to gaol again and again, some as many as half-a-dozen times. They include boys of 16 and old men of over 60. They embrace the sick and the whole. In order to bend the community to their will, the Transvaal Government entered into a secret compact with the Natal Government, whereby the latter refused to allow India-returned Indians bound for the Transvaal, and in transit only through Natal, to land unless they agreed to apply for registration under the new Act, the alternative being compulsory return to India. With the object of still further terrorising the Transvaal Indians, the Transvaal Government entered into another secret compact with the Portuguese Administration of the province of Mozambique, whereby British Indians, arbitrarily deported from the Transvaal, would be taken to the Portuguese port of Lourenzo Marques, and thence despatched to India. The Transvaal Government realised that it would be legally impossible for the Government of Natal or Cape Colony to do this friendly act for them, as the person sought to be deported could apply to the Supreme Courts of these Colonies for his release, on the ground that, having been forcibly removed from the Transvaal, and not being therefore a willing entrant into those territories, he was not a prohibited immigrant, and could not therefore be deported by sea. But the Transvaal Government knew that it could rely upon the economic subserviency of the Portuguese Administration and its known independence of legal sanctions and obligations, with the result that wholesale deportations to India of Transvaal Indians have taken place with the obsequious assistance of the Portuguese authorities. This arrangement, moreover, has received the blessing of the Imperial Government, on the ground that only non-domiciled British Indians were being deported in this manner, and who accordingly had no legal rights of residence.

DEPORTATIONS OF DOMICILED INDIANS.

As a commentary upon the manner in which the Imperial Government appears to be systematically misinformed by the Transvaal Government, through Lord Selborne, who naturally accepts unquestioned the statements of his Ministers, and the Agent-General in London, it may be remarked that, at the very time that the aforementioned consent had been announced by Colonel Seely in the House of Commons, Vithaldas Manji, a boy of 16 years, the son of Manji Nathoo-bhai, a very old resident of the Transvaal, who had, several years before, brought his son, a mere child, into the Colony, and who was himself a registered resident, of the Transvaal (his voluntary registration being confirmed by the very law under which his son was being dealt with), was deported in this way to India. By the steamer wherein the writer travelled to Bombay, six men were deported from the Transvaal to India in similar fashion. One came to the Transvaal in 1902, and was subsequently registered officially. He has been obliged to leave his wife in the Transvaal absolutely unprovided for—to starve, so far as the Transvaal Government are concerned. Another also came to the Transvaal, in 1902. His circumstances are similar to those of the last man, except that he leaves behind him, in addition, two little children. What has become of them he does not know. The third entered the Transvaal, in 1898, as a minor with a relative. The fourth came in 1894. The fifth entered in 1897, and the sixth as a minor, with a relative, in 1907. So they tell their stories. A little while ago, and before the new arrangement came into force, at a time, too, when the Transvaal Government were endeavouring to twist the interpretation of the law in every possible way in their own favour, actually deported to Natal three young men, who were registered (but who had destroyed their certificates), and who were born in the Transvaal. Subsequently, the Supreme Court laid it down that a man who was registered could not be deported, even if he failed to produce his certificate of registration. Had the existing arrangement been in force at that time, these three young men, born in the Transvaal, would have sent to India, where they would not have had a single friend, and they would have landed in a totally strange country, whose manners and customs, whose very languages, possibly, were entirely foreign to them! And yet it was possible for Col. Seely to publicly

announce that domiciled Indians were not being deported from the Transvaal! As a matter of fact, so astounding do the circumstances appear, that when a hypothetical case, based on the deportation of the three Transvaal-born men was mentioned in the Supreme Court, the Judges absolutely refused to contemplate the possibility of such a contingency. To arrive at the total number of these deportations is not possible. An uncertain estimate only can be formed. But the deportations must total several hundreds. On one occasion, as many as 92 orders of deportation were made at one sitting of the Court. A high authority has told the writer that he believes that no less than 1,000 deportations to India from the Transvaal have taken place through the port of Lourenzo Marques. And that, if the estimate be correct, out of a maximum population of 13,000!

GAOL TREATMENT.

The treatment in the Transvaal gaols is that meted out to aboriginal native (Kaffir) convicts. A political prisoner is unknown. Under the prison regulations of the Colony, the only classes of prisoners recognised are Europeans and non-Europeans, and the latter are all put together and measured by the most degraded sub-section of the class, namely, human beings scarcely emerged from savagery and barbarism, full of animal lusts and brutal passions. And it is with such as these that men, whom General Smuts himself has described as conscientious objectors, have been forced to consort. Indeed, so terrible have the conditions been, at times, that some of the Indian prisoners have had need to be in fear of their lives—if they still valued them! In the Johannesburg Prison, which is the largest of all the Transvaal gaols, and through which most of the criminal Kaffirs and Chinese indentured labourers, and the Indian passive resisters pass, all non-European prisoners are (or were, until recently) taken to a section where, for the first night, they sleep together indiscriminately. The scenes enacted at times are indescribable. On one occasion, when Mr. Gandhi was incarcerated in this cell, a degraded Chinese coolie, who was also an inmate, endeavoured to perform a bestial act upon a Kaffir convict who was likewise interned. The struggle that took place was revolting, and Mr. Gandhi informed the writer that he dreaded every moment that the Chinese, foiled

of his horrible purpose with the powerful Kaffir, would direct his attentions to himself (Mr. Gandhi). He did not venture to compose himself for sleep the whole night for fear of assault. On another occasion, but for an accident, Mr. Gandhi would have been killed, or, at least, injured for life. The sanitary system still in use in the Transvaal is the bucket system. The closets in the Johannesburg gaol were, at the time, used by all coloured persons alike, and in the morning, when many of the prisoners desired to obey Nature's call, the scene was disgusting. The buckets were few; prospective users were many; and it was often a question of brute strength as to who should first avail himself of the opportunities offered. Mr. Gandhi was in the neighbourhood of one of the closets when he was seized by a burly Kaffir, lifted high in the air, and dashed violently to the ground. Had he not seized hold of a door-post as he fell, he would have undoubtedly had his skull split open! It is only fair to add that, for sanitary purposes, at least, Indian and Native prisoners are now separated in the Johannesburg gaol. But the old system prevails in many of the Transvaal gaols, and for aught the writer is aware to the contrary, it may still be in operation in the Diepkloof (near Johannesburg) and Houtpoort (near Heidelberg) convict prisons, where most of the passive resisters have been and are still incarcerated.

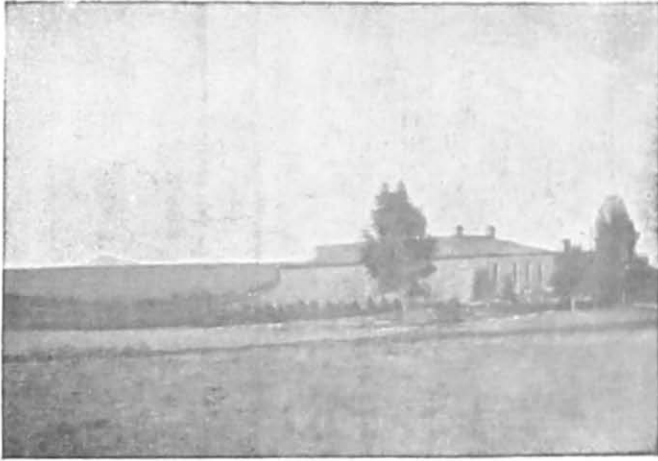
DIETARY TROUBLES.

Some slight difference, too, has been made in favour of Indian prisoners in the dietary scales, though, until the beginning of the current month, scarcely any distinction was made between Indians and Kaffirs for dietary purposes. As a result, practically the whole of the Indian prisoners have been driven to perform hard labour tasks upon an entirely unsuitable, unscientific, and insufficient diet. In itself, the coarse diet no doubt yields sufficient nourishment to those who are able to eat the food supplied, as, for instance, the Kaffir convicts, whose native diet it is. But Indians are quiet unaccustomed to eat it and as a consequence have had partially to starve. Added to this, in one, at least, of the gaols, Kaffirs were appointed to cook the food, and these, it is alleged, used often maliciously to add fat or bones to the food, thereby rendering it uneatable to orthodox Maho-

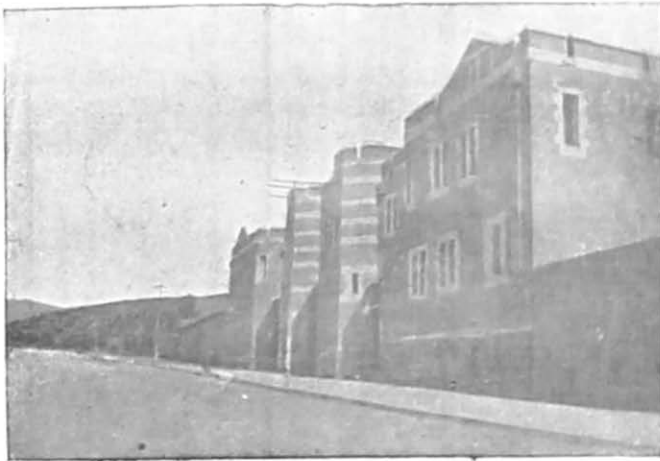
medans or Hindus, and therefore depriving them of a meal. Complaints often failed to elicit an inquiry, and even when inquiry was made, no adequate remedy was forthcoming. Then, again, whilst in some gaols ghee was provided, either daily or at regular intervals, in others none at all was given, so that the dietetic value of the food was quite insufficient. Indeed, when he was incarcerated in the Pretoria gaol, Mr. Gaudhi compelled himself to live on one meal a day only, although ghee was regularly offered to him, which he as regularly refused, until such time as the prison authorities were able to give him an assurance that every Indian prisoner in the Transvaal gaols received a daily ration of ghee. It required six weeks' starvation to bring about this change, and when, towards the end of that time, the writer saw Mr. Gandhi in the gaol, he presented an emaciated appearance and expressed his inability to perform any bodily exertion, owing to extreme physical weakness. The prison authorities have since falsified their pledge, as is apparently customary with Government departments dealing with British Indians, for, in the newly-published diet-scales, ghee is only supplied to Indian prisoners whose sentences exceed three months—which implies that only a very small minority of Indians will receive the ration of ghee, and then only thrice a week. Latest cables advices show that the passive resisters are in a semi-starving condition. When Indian prisoners have complained to the prison officials regarding the quality and sufficiency of the food supply, they have been met with brutal retort:—"You know what to expect if you come here!" or "There is plenty of grass outside!" Such instances of heartlessness are not, however, general. The prison officials are usually humane men, who are as much the victims of the prison-regulations as those over whom they keep watch and ward. But it is plain that part of the penalty of passive resistance, though not contemplated by the Magistrate who imposed the sentence, is semi-starvation, and one is almost led to believe that the policy of the Government is to break down Indian opposition by a resort to mediæval tortures of this nature.

GAOL HARDSHIPS.

For purposes of administrative convenience, nearly all the prisoners have been removed from the Johannesburg gaol to the Diepkloof Convict Prison. The first effect of this removal is to deprive them of the monthly visit to



Volksrust Gaol, where some of the foremost Indians in South Africa have been imprisoned, and where Mr. Rustomjee Jeevanjee, Vice-President of the Natal Indian Congress, is now serving a sentence of six months' imprisonment with hard labour.



Pretoria Gaol, where Mr. M. K. Gandhi was kept in solitary confinement during the greater part of his three months' imprisonment with hard labour, and where he starved for 6 weeks by way of protest against the insufficient prison-diet for Indians.

which they would have been entitled had they remained in the Johannesburg gaol, though the two institutions are under the same Governorship. It is believed that the purpose of this discrimination is to prevent the exposure of abuses at Diepkloof, whence many complaints regarding diet and treatment have come, on the occasion of the monthly visits.* In this prison, the rice supplied has often been so bad and so worm-eaten as to be unfit for food, but the prisoners have been told that they must eat this rice until it is all consumed and fresh supply is procured. In the Houtpoort Convict Prison, many cases of dysentery have occurred owing to improper diet. The prisoners complained that for the first fortnight after reception there they were half starved, had no proper bathing accommodation or water supply, and were unable to procure even a change of clothing. In these two prisons, where most of the passive resisters are interned, they are confined, after labour hours, in corrugated iron buildings, with unlined walls and cement or hard earth floors. Insufficient and often evil-smelling bedding has been supplied, and as, from the end of April to the end of September, it is bitterly cold at night, it is manifest that sleepless nights are the common lot of many, who can do nothing but shiveringly await the coming of another day of arduous toil. Then, too, the labour requirements have often exceeded the physical powers of the prisoners, who, as a rule, are quite unaccustomed to manual labour of the kind demanded. Vindictive warders have not seldom taken Kaffir prisoners from the filthiest and the most laborious tasks and set the Indian prisoners to perform them. Many of the passive resisters have thus been rendered unfit for work, and at the expiry of their sentences, have been discharged in an invalid condition. Mr. Dawood Mahomed, the President of the Natal Indian Congress, and an old Transvaal resident, has been in gaol for many months as a passive resister. Latest cable advices show that the Government have been obliged to discharge him before the expiry of his sentence, owing to chronic ill-health due to the rigours of the prison requirements, though it is fair to add that every consideration within the scope of the gaol regulations was extended to him by the officials.

* The writer learns that, as an act of grace, the governor of the prison has allowed a special visit to the friends of the passive resisters incarcerated at Diepkloof on the first Sunday of the current month.

The Indian prisoners have been sent out in road gangs under native (Kaffir) warders, armed with rhinoceros-hide whips. These warders are notoriously brutal, and often savagely maltreat the prisoners under their charge.

HORRIBLE ALLEGATIONS.

As the writer was leaving South Africa, the shocking allegations contained in the following affidavits received publication :—

I, Veeramuthoo, was sentenced on the 21st June in "C" Court to 14 days' imprisonment with hard labour for hawking without a licence. On the 22nd, I, together with 9 other Indians, was taken from the Fort to the road-camp. At the camp we received no other food than mealie-pap. When we asked for rice the chief warden told us that there was plenty of grass outside. We were allowed only one blanket and mat per man, although in the tents it was bitterly cold. We were treated with extreme roughness by the native warders placed in charge of us, who pushed us and struck us without the slightest provocation. I and my fellow-prisoners were not allowed water for washing or cleaning our teeth before eating, which is enjoined by our religion, during the whole term of our imprisonment. On Tuesday, the 29th June, in the morning, I took my blanket after folding it, as is usual, when I was struck with a stick by a native warden, whose name I do not know, the blow tearing a piece of flesh from my thumb, which has not yet healed. Nagappan, a young man of about 18, who was sentenced with us on the 26th, became very ill. I reported the matter to the chief warden, who ordered the boy to be brought before him, and after examining him, said that the boy was not so bad, and could work in the yard of the encampment under the charge of the native warden, Johannes. When I returned at 12 o'clock, Nagappan told me that he had been struck a fearful blow about the body with a sjambok by Johannes, and that he was very ill. The next day (Sunday) he, Nagappan, looked as if he would die, and supporting him, I took him to the chief warden, whom I informed that the boy had not eaten any food for two days, that he was very ill, and that he could not work. The chief warden then asked me for how long the boy was sentenced, and when I replied that his term was for

10 days, and that he would be released on Wednesday, he exclaimed: "Let him die like the other——." Addressing the boy, he said, "Take a pick and shovel and go with the others on the road." The boy then went with us to the work, we carrying his tools and supporting him all the way. When we arrived at the work, the warder in charge, seeing that the lad was unable to work, asked why the sick boy had been brought, as he could do no work, and told him to sit down. I saw the European warder about two hours later, addressing him and taking him away to another span. When I met him again in the camp that evening, he told me that he had been asked to work, but had been unable to do so. The next day (Tuesday), he accompanied us again to the road works, we carrying his tools and supporting him as on the previous day. Again he was unable to work, and the warder again asked him why he had come, if he was ill. Nagappan, who slept next to me, felt very ill that night, and I could hear him occasionally coughing. The next morning he did not come with the road gang. He was discharged that day. I next saw him in bed at 143, Market Street, Johannesburg, on Sunday, the 4th July, I having been discharged the day before. I spoke to him, but he was unable to say anything in reply.

(Sd.) VEERAMUTHOO,

Declared at Johannesburg, this 6th day of July, 1909.

Before me,

W. S. Cohn,

Justice of the Peace.

I, A. A. Moodalay, was sentenced in "D" Court, Johannesburg, on the 21st June, for 10 days, for hawking without a licence. On the 22nd, I and nine other Indians were taken from the Fort to the road camp. At the camp we received no other food than mealie-pap. When we asked for rice, the chief warder told us that there was plenty of grass outside. We were allowed at night only one blanket and mat per man, though in the tents it is bitterly cold. We were treated with extreme roughness by the native warders placed in charge over us. I myself was struck by native warders

Solomon and Johannes, and saw that they and native warders, Nos. 115 and 389, treated the other Indian prisoners most brutally. I and my fellow-prisoners were not allowed water for washing or cleaning our mouths before eating, which is part of our religious duty, during the whole term of our imprisonment. Nagappan, a young man of about 18 years, who was sentenced with us, became very ill on the 26th. The matter was reported, in my hearing, to the chief warden, who ordered the boy to be brought before him, and after examining him, said that the boy was not so bad, and could work. I then saw Nagappan working in the yard of the encampment. On Sunday he was unable to take any food. On Monday he looked very ill, and I saw my fellow-prisoners taking him to the chief warden. I saw the boy again with the road gang on Monday. On Wednesday, after being discharged from the camp, Nagappan could not walk, and two of us had to support him for about a mile, when we were met by a conveyance with our friends and were driven home. We were discharged about half past two, and reached home about seven. The next morning I went to fetch Dr. Green for Nagappan.

(Sd.) A. A. MOODALAY.

Declared at Johannesburg, this 6th day of July, 1909.

Before me,

W. S. Cohn,

Justice of the Peace.

"This is to certify that I attended Nagappan during his last illness since July 1st, 1909. He had just come out of the gaol. From the first I saw that he had no hope. If the history that he gave me prior to his death be true, I am of opinion that the Registrar of Deaths should hold some sort of an inquest. And the Attorney-General should be notified as to the treatment the sick prisoners receive at the different gaol compounds. In my opinion the boy's death has been accelerated by the conduct of the gaol officials, if all is true.

(Sd.) W. GODFREY.

The death certificate of Sammy Nagappan, signed by Dr. Godfrey, contains the following:—"Cause of death: Primary, acute double pneumonia; second, heart failure; duration of disease, nine days. Bruises all over the body."*

A POLICY OF PINPRICKS.

No distinction is made between political offenders (described by General Smuts as "conscientious objectors") and hardened criminals. When Mr. Gandhi was removed from Volksrust gaol to Johannesburg, where he was summoned on a subpoena as a witness, he was brought in prison-clothes, for all the world to see, carrying his bundle of clothes and other effects, and the Government did not even provide food on the journey. Had not a friend provided for him, he would have had to starve for 24 hours, for he would have arrived at the Johannesburg gaol too late for the evening meal. On his arrival at Park Station, Johannesburg, he was marched, in broad daylight, through well-frequented thoroughfares to the gaol, some half a mile distant. The authorities subsequently denied that this had been done in broad daylight, but as the writer was present on the occasion in question, he can positively vouch for the truth of the facts stated. On another occasion, Mr. Gandhi was subpoenaed to give evidence in a case, in Pretoria, where he was at the time imprisoned. He was marched, in broad daylight, from the prison to the Magistrate's Court handcuffed! The incident aroused intense indignation amongst Mr. Gandhi's many personal friends in the European community, some of whom addressed strong letters of protest to the Press. In this and in numberless other ways, either deliberately, or by gross and unpardonable neglect and carelessness, the Government have sought to break the spirit of the passive resisters. For much of the misery caused, the prison system itself and the spirit of the gaol regulations are responsible, but a great deal of avoidable pain and humiliation have been inflicted owing to the uncompromising attitude of the Transvaal Government.

* A recent cablegram from the Transvaal British Indian Association to the writer states that the Report of the Official Commission of Inquiry, appointed to investigate the causes of death in the case of Nagappan, is deemed unsatisfactory and has aroused public indignation, in view of the fact that the published evidence is stated to fully bear out the above allegations.

FINANCIAL RUIN.

Very many men have been ruined in the struggle. Mr. A. M. Cachalia, the Chairman of the British Indian Association of the Transvaal and a well-known and highly-respected merchant, is among these. Resolutely declining to procure a duplicate certificate of registration to replace the document that he had publicly burnt, some time previously, by way of protest against General Smuts' breach of faith, he realised that it would be impossible to secure a licence to trade without the production of the certificate. He knew that, if he were to trade without a licence, he would be convicted and fined, and he knew also that the goods in his store, for the value of which he was responsible to his creditors, would be attached by the Government to be sold in payment of the fine. Accordingly, he addressed his creditors on the subject, pointing out his position, and laying stress upon his conscientious objection to accept the Government's terms, and the consequent impossibility of his continuing to trade without jeopardising his stock-in-trade, for which he was responsible to them; and he asked them to resume possession of their goods until such time as the struggle was ended, undertaking to indemnify them for any loss that they might have sustained by reason of their taking over the goods. With great lack of fine feeling, they refused to accept Mr. Cachalia's proposal, and informed him that, unless he paid them the amounts due to them immediately (in breach of the financial agreement in existence between him and them), they would at once institute proceedings in insolvency against him. Undismayed by this threat, Mr. Cachalia courteously replied, regretting their decision, but informing them that he was quite unable to tamper with his conscience to the extent of applying for the certificate which would have enabled him to satisfy their demands, and that he was prepared to lose every penny he had rather than forswear himself and betray the community to whom he was responsible. Bankruptcy proceedings were at once commenced, and he was declared insolvent, though his estate showed a large excess of assets over liabilities. So exasperated were Mr. Cachalia's Indian creditors at this action, and so satisfied were they of his commercial integrity, that, almost without exception, they declined to prove in his estate. Within three months he had paid every creditor who proved in the estate twenty shillings in the £. In the

midst of the insolvency proceedings, and with the undisguised object of endeavouring to break his determination, the Government arrested Mr. Cachalia for failing to produce a registration certificate upon demand, and he was sentenced to three months' imprisonment with hard labour, with the alternative of a fine of £ 50 (Rs. 750), which he contemptuously declined to pay. Mr. Cachalia's is the most notorious case of ruin voluntarily accepted for conscience' sake.* But many poor and less prominent men have lost their all. Hawkers have been arrested on their rounds, their produce has been confiscated, and its value lost to them, they have been prevented from collecting outstanding debts, and when they have come out of gaol, after serving their sentences, it has been impossible to find their debtors, or if found, too costly to compel them to pay, and frequently they discover that their clientele has disappeared, having been annexed by some enterprising European competitor, who has taken advantage of the fact of their imprisonment.

PERSECUTING LAWFUL RESIDENTS.

The strange thing about all these prosecutions and imprisonments under the Registration Act is that, whilst none of those against whom such proceedings are taken are men who have no right to be in the country, and who, as the community has always declared, would never be so foolish as to reveal their identity (a fact that the Government have at length grudgingly admitted), those who are going to gaol, time after time, are men who have been in the country many years, have built up important businesses by reason of their thrift, industry, sobriety, and commercial probity, are trusted by the European wholesale firms, whose customers they are, and are personally known as leaders of the community to Government officials and the police. The excuse cannot be made that it is impossible to identify them, for the police send for So-and-so, addressing him by name, and demand production of a registration certificate, which they are fully aware was issued to him, but which he has destroyed. They even go so far as to bring secret

* At the moment of going to press, the writer hears that the estate of Mr. Dawood Mahomed, the President of the Natal Indian Congress, has been provisionally sequestered, he having preferred to remain a political prisoner in the Transvaal to watching over his own private interests.

pressure to bear upon him, informing him privately that, if he will only assure them that he is willing to apply for a duplicate, he may do so at his convenience, but that he will not be further molested! Every means, legitimate and illegitimate, has been used by Government officials to induce compliance with the law, and the result, for the Government, has been an ignominious and humiliating failure, for, out of the total registrations of which they boast, no more than 20 per cent. have been secured by their unaided efforts, and these often by the most questionable methods, whilst the remaining 80 per cent. would never have been secured without the co-operation of the leaders of the community, during the period of voluntary registration, last year, and which registrations were automatically validated by Act 36 of 1908, despite the community's strong protest.

TEMPORARY WIDOWS AND ORPHANS.

In many cases, families have been deprived without warning of the protection of every male adult member. On a recent occasion, the writer had occasion to summon a meeting of the Madrassi community of Pretoria, and was astonished to find that no more than a dozen men and boys attended. Upon enquiry he was informed that the other males were all in gaol, and to-day, with the exception of three or four old men, not a single adult male member of the Pretoria Madrassi community is out of gaol. Whole families have been left destitute, to starve, for all the Government care. In fact, many of the Madrassi women have been compelled to hawk vegetables about the streets, in order to provide food for their children, and other families, quite resourceless, are dependent upon communal charity. So keen have been the sufferings of the women, that, at Germiston, a women's petition was addressed to the Government, praying that they might be allowed to share their husbands' imprisonment, they being bound by religious obligation to share the good or evil fortune of those to whom they were united by the sacred ties of wedlock. In other cases, when men have been deported, the Government have left the wives and children of their victims to die of starvation. From the depth of their misery, grief, and despair, the Transvaal Indian women have now appealed to the Queen-Empress herself,

as mother and wife, feeling for more lowly mothers and wives, who "have, in many cases, been obliged to suffer not only the pangs of separation but privation."

THE SUBMISSION OF MANY.

Very many members of the community, having undertaken important financial obligations, and seeing themselves faced with certain ruin, having no European friends and no wives in whose names licences to trade might have been taken out, being subjected to secret terrorism by Government agents, and to financial pressure by the very European wholesale firms that owe to-day the greater part of their wealth to their past transactions with the Indian traders, have felt it impossible to carry on active opposition to the Government further, and so have felt compelled to break the solemn covenant into which they entered on the 11th September, 1906, and have submitted to the law. But these unhappy men have realised their weakness, and moved by a deep and, it may justly be said, a noble sense of shame at what they regard as the betrayal of their brethren, have urged and insisted upon the continuance of the struggle at any cost by those who still have the strength of purpose to do so, and they have undertaken to supply, so long as they are able, the sinews of war. They have, as a matter of fact, almost entirely financed the two deputations that have been appointed to plead the Transvaal Indian cause before the public of Britain and India. They have not failed to appreciate the fact that their sole hope lies in the small band of resolute men that have determined to die at their posts rather than submit to the base desires of the Transvaal Government, which they regard as unholy, treacherous, and insatiable.

DEPUTATIONS TO ENGLAND AND INDIA.

The situation has become so desperate, that it has been decided to make one last strong appeal to the sense of justice of the British people and the sense of patriotism of the people of India. Two deputations were appointed towards the end of last June, the one to appeal to England and the other to India. Of the former, Messrs. A. M. Cachalia (Chairman of the Transvaal British Indian

Association), M. K. Gandhi (Honorary Secretary), Haji Habib (late Secretary of the Pretoria Committee of the Association), and V. A. Chettiar (Chairman of the Tamil Benefit Society) were elected members. As delegates to India, Messrs. N. A. Cama (late Indian Post-Master in Johannesburg), E. S. Coovadia (Treasurer of the Transvaal British Indian Association), N. V. Naidoo (Secretary of the Pretoria Tamil Benefit Society), and the writer, were appointed.

ARREST OF DELEGATES.

Scarcely had the names been announced, when the Government issued warrants for the arrest of Messrs. Cachalia, Chettiar, Coovadia, Cama, and Naidoo. These five delegates are now serving sentences of imprisonment with hard labour, and are representing their brethren's cause to the British nation and to their countrymen in India from the Transvaal gaols. The community boldly refused to appoint fresh delegates to replace the imprisoned men, deeming it an insult to those already appointed. Accordingly, Messrs. Haji Habib and M. K. Gandhi alone have gone to England, and the writer is the sole remaining delegate to India. The Government at once, when charged with a deliberate attempt to prevent the departure of the deputations, denied all official knowledge of their membership, but it is positively known that the names were conveyed to them within a few hours of the appointments having been made. Moreover, Mr. N. V. Naidoo was arrested after the Government had published its denial. Thus, as conscience doth make cowards of us all, General Smuts has made open confession of his fear lest the true facts of the Transvaal scandal should become known to the world, and has sought to stifle investigation and burke inquiry.

THE NATURE OF PASSIVE RESISTANCE.

The weapon that the Transvaal Indians have employed has become known, for want of a better term, as "passive resistance." They have, in point of fact, accepted Tolstoy's interpretation of Christ's injunction, "Resist not evil", as the non-resistance of evil by evil. They have deliberately pitted soul-force against

brute-strength, and they have been assured of the final triumph of their cause by a consistent display of spiritual energy. They have determined to sacrifice everything to the demands of conscience. They feel that the injunction has been laid upon them to render unto Cæsar that which is Cæsar's and unto God that which is God's. Their bodies, accordingly, they have surrendered to the Transvaal Government to work their will upon, but they have reserved their consciences for the service of their Maker. They have felt, with Thoreau, that "a very few, as heroes, patriots, martyrs, reformers in the great sense, and *men*, serve the State with their consciences also, and so necessarily resist it for the most part; and they are commonly treated as enemies by it"; and they have likewise felt with him that "under a Government which imprisons any unjustly, the true place for a just man is also prison." It was a recognition of this last truth that led several of the Indian merchants and one of the priests, when they learn that their poorer brethren were being arrested and imprisoned for trading without licences, to apply for hawkers' licences, which they knew would be refused to them, and then they commenced hawking fruits and vegetables in the sight of the licensing officials and the police, to court arrest and so share the imprisonment of their less highly-placed fellow-countrymen.

EUROPEAN SYMPATHY.

And the action of the Transvaal Indians, in resisting the inhumanity and injustice of the European Colonists, has met with the warm approbation and secured the energetic co-operation of not a few prominent Europeans in the Colony—for, for the fair name and honour of his countrymen, the writer is proud to assert that many of them, privately and publicly, have denounced the action of the Transvaal authorities, from which they have explicitly dissociated themselves. The most influential of these gentlemen is Mr. William Hosken, ex-President of the Association of Chambers of Commerce of South Africa and a member of the Legislative Assembly of the Transvaal. He is the Chairman of the Committee of European sympathisers that has been formed to mediate, if possible, between the Government and the Asiatic communities. The committee

is composed of clergymen of various religious denominations and professional and commercial men of standing, representing what is most thoughtful and advanced in the European section of the population. But it must be admitted, with profound regret, that these distinguished gentlemen form a noticeable exception in the Transvaal, and their advocacy, in season and out of season, of the British Indian cause has brought upon their heads the anathemas of the majority of their European fellow-colonists, even the Press not sparing its abuse of them.

WHAT ARE THE TRANSVAAL INDIANS FIGHTING FOR?

What, in brief, is it that the Transvaal Indians are fighting for? Not that they shall not be registered. Almost all the men who are in gaol to-day, and they number some 200 including some of the most distinguished Indians in South Africa, are registered, having given the most complete means of identification. Not to flood the Transvaal with fellow-countrymen who have no right of pre-war residence entitling them to be in the Colony. They admit the right of the Transvaal, in existing circumstances, to say who shall and who shall not be allowed to enter the Colony, to form part of its permanent population. They realise that colonial prejudice against the unrestricted immigration of British Indians is too strong to be successfully opposed. But they assert—and who can deny the justice of their claim?—that those who are already resident in the Transvaal should have their rights safeguarded and should be granted full civil rights, including the right to develop all that is best in themselves as a self-respecting and honourable community. They demand:

(i) *the repeal of Act 2 of 1907,*

A law which insults their very manhood and their most intimate religious conceptions; which is based upon a foul allegation of communal fraud and public dishonesty; that has confessedly failed of its purpose and is claimed by the Government to be a dead-letter; that, in its essential requirements, namely, those of identification, has been replaced by the far less objectionable Act 36 of 1908, which is admitted by Government to be sufficient for their purposes;

a law that is the subject of a broken promise of repeal ; that condemns British Indians, as a class, to the opprobrium of every honest man, and brands them and their children, from infancy upwards, as criminals ; and that degrades them to a status inferior to that of the aboriginal native ; and

(ii) *the removal of the race-bar that forbids the most cultured Indian to enter the Transvaal on equal terms with the cultured men of any other race, for the sole reason that he is an Asiatic.*

THE NEED FOR CULTURED MEN.

In regard to the last, the resident Indian population requires for its communal growth and development the introduction of a certain limited number of highly qualified men of Indian race, who are of the highest status from a European stand-point. They will not compete with the European population, but will maintain their existence solely through the good-will of their compatriots. The present Immigration Law restricts generally all immigration into the Colony whether European or Asiatic. By itself, it contains no racial bar, but read in conjunction with the Asiatic Act, it excludes all Asiatics, and regards the most highly-cultured man of Eastern origin as a prohibited immigrant. The Indian community demand, then, that the cultured men of their race should be allowed to enter, after having passed the tests of the General Immigration Act, as of right and not as of grace. General Smuts himself admits the needs of the Indian community, by offering temporary permits, which, of course, confer no rights but merely suspend penalties, and may be revoked at the will of the issuing officer. As against this demand it has been urged that there is no way to prevent half-educated men from Natal entering the Transvaal and competing in every field of commerce and industry with the European population. In order to allay this suspicion, the Indian leaders have agreed that, whilst there must be no specific legislative disability, there may be even very stringent administrative discrimination. Transvaal Indians are content that future Indian immigration may be restricted (not excluded), by administrative methods, such as increasing the severity of the education test, to a nominal figure in any one year, and that these new extrants shall be only of the most cultured class, university graduates, pro-

essional men, and religious teachers. Even this mild demand the Transvaal Government refuse to concede, though the community has shown that, in Natal, where the educational test is comparatively simple, no more than 103 Asiatics entered under the educational test during the year 1908, and that, after many years' freedom of entry, there are only two doctors and one lawyer from India in that Colony; whilst, at the Cape, where the education test is still simpler than in Natal, only 115 Indians entered under the education and every other test, in the same year, and there is not, to-day, more than one cultured Indian in the whole Colony. The position of the Indian community in the Transvaal is exceptional. Unlike that of the Cape Colony, it has no Parliamentary franchise; unlike that of Natal, it has no Municipal franchise. Constant attacks are made upon its few remaining civil rights, and the need for leaders and teachers is emphatic. Indian children receive practically no secular education (the amount of money expended by the Government upon the education of the children of the Kaffirs, who number about a million, is less than that devoted annually to the upkeep of the Pretoria Zoological Gardens); it is obvious, then, that there is urgent need for Indian teachers. Indian lawyers, too, will be needed, in the future, to aid the community in criticising and opposing hostile legislation, and to protect Indian commercial interests; Indian doctors are required for the physical needs of the community, and Indian priests are necessary to their moral and spiritual welfare.

THE TRANSVAAL'S ATTITUDE.

But the Transvaal replies :—“ You are a cancer in the community. We are determined to eradicate you. If we cannot drive you out, we will compel you to go apparently of your own free will; in this way, we shall not be obliged to give you compensation. Should you determine, in spite of this, to remain, we shall make you hewers of wood and drawers of water.”

The following is a translation, appearing in the *Star*, of what was written in a recent editorial of the *Volksstem*, the Government organ:

“ It must not be so easy to be delivered from the Asiatics. What exertion did it not cost us to be delivered

from the Chinese (labourers)? And did that exertion not make our people stronger? The same will have to be the case in connection with the Asiatics. That South Africa will free itself from this exotic element, there can be no doubt. But it will yet cost many a drop of perspiration. When at last the Asiatic has been driven out, South Africa shall be all the better and more robust for it."

A little while before this, Mr. Joubert, Government member of the Legislative Assembly, speaking at Volksrust before an audience composed of his constituents, said, in reply to a question regarding the Indians, that "some years ago, they were weak, but now they were giving a lot of trouble. They could not be thrashed out of the country, as they were under the King and were British subjects." Mr. Robertson, Government member of the Legislative Council, who followed, made the matter still clearer. He said that "the Government was anxious to get rid of as many of them (Indians) as possible, but there were great difficulties in the way. It was no fault of the Government that the matter was still going on."

Nor must it be assumed that the Dutch alone are concerned in this organised attempt to crush the Transvaal Indians. The Progressive Party, representing mainly the old Uitlander population, is equally responsible. It numbers amongst its adherents most of the British Indian's trade-rivals. Many of these are of low degree and foreign extraction, and have only recently acquired British-citizenship. But they have cunningly contrived to divert popular resentment against their own business methods—very often extremely questionable methods, by laying the blame therefor upon the shoulders of the Indian trader, and, exciting the ever-present race-hatred and colour-prejudice that have so strong a hold upon the thoughtless majority and upon the Dutch population, they kill two birds with one stone by endeavouring to secure the removal of their dreaded competitors.

THE OBJECT OF THE STRUGGLE.

The Transvaal Indians are, however, not fighting a merely selfish fight, for the preservation of their own personal rights. No doubt, by surrendering at the present time,

they would be able to obtain a temporary respite, which would secure to them opportunities of realising their assets and so, perchance, avoid ruin. But rather than betray themselves, their children, and their brethren, they have steadfastly declined to use that discretion which, with moral cowards, is the better part of valour. They have preferred to abide by their principles, to retain their national honour, and be true to their Maker. And they have not failed to realise that far wider issues are involved than their own preservation. In an article contributed to the columns of the *State*, the organ of South African Closer Union, Mr. Patrick Duncan, the late Colonial Secretary of the Transvaal, who introduced the Asiatic Law Amendment Ordinance into the Legislative Council, says: "Now, at the instance of the Transvaal, they (the Imperial Government) have openly accepted the position that a European community, enjoying self-Government, may, in order to keep the country open for the future expansion of a European population, exclude Asiatic immigrants altogether." Elsewhere, he says: "The Imperial Government have, at our request, made a momentous departure from their traditional Colonial policy, in allowing a European community, numerically small, to lock its doors against Indian immigration, on the ground that South Africa is fitted for and will be made the home of a great European nation." So that the Transvaal example is held out for the rest of South Africa to follow, the hint being given that the principle of total exclusion—the locked, barred, and bolted door—been conceded by the Imperial Government, who are the traditional custodians of the interests of the unrepresented or misrepresented peoples of the Empire. And, with the coming of South African Union, when the four South African Colonies will speak with one powerful voice, who is so optimistic as to believe that, when South Africa follows the Transvaal's example, as it assuredly will, if the gallant little band of passive resisters is permitted to be annihilated, the Imperial Government will refuse what they have not dared to decline upon the demand of the Transvaal alone?

WHAT WILL INDIA DO ?

And what has India to say to all this? That is the question asked by these poor wretched strugglers for right and liberty in the Transvaal. What does India think of it all? How does their Motherland appreciate the self-sacrifice, the

sufferings—the terrible sufferings—of her sons and daughters during these last three dreadful years? What has she to say to the decimation of the Transvaal Indian community, to its reduction from 15,000, before the war (when, as Mr. Lyttelton has pointed out, “the treatment of these fellow-subjects formed part of the British case against the late South African Republic”) to less than 6,000 to-day (when “the treatment of these fellow subjects” no longer forms “part of the British case” against the Transvaal, and when the Imperial Government have notified their assent to a policy that places an insult upon the 300 millions of India, the crown and glory, the dome of the Empire, “the keystone of the arch of our world-wide dominions,” as Lord Curzon has called the Indian Motherland? What has India to say to the 2,500 sentences of imprisonment of hard labour? What has she to say to the unnumbered deportations of domiciled Transvaal Indians (without the right of appeal to the Supreme Court of the Colony), through the agency of a foreign Government, but with the concurrence of the Imperial authorities! What has she to say to the tortures inflicted by the penal system in force in Transvaal gaols, the starvation, the lashes, the handcuffs, the humiliation and degradation of it all? What to the women and children who have been widowed and orphaned by a Government seemingly oblivious of the usages of civilisation? What of the terrible sufferings of unhappy mothers who have, in the sorrow and agony of uncertainty and hardship, given birth to still-born children? What of the children delivered over to a life of ignorance, shame, and crime by a type of legislation that brands them, from birth, as criminals? What of the ruin that has been wrought to many a thriving business, many a happy home, during these three dark years? What of this dreadful tale of loss and impoverishment? What of the Government servants dismissed from their posts, not because of infidelity or because they did not loyally perform their duties, but because, as intelligent men, they warned their brethren against acceptance of a law aimed at their very manhood? What of the priests who, because they have, from a deep sense of religious duty, preached against a law hostile and insulting to religion, were ordered to leave the Transvaal at a moment’s notice? What of the exclusion of Asiatic culture and the race-insult imposed thereby? What of the arrest of delegates appointed to voice the grievances of the Transvaal Indians to their brethren

in India? Have all these things no lesson for India? Are all these things, is all this heroic suffering, in vain? Do the names of Gandhi, Dawood Mahomed, Rustomjee Jeevanjee, Cachalia, Aswat, Thambi Naidoo, Vyas, Imam Abdul Kadir Bawazeer, and a host of others, not call forth the flush of shame and indignation upon the cheek of the leaders of Indian thought and life, that these men should have done so much for India, and they so little for their humble suffering brethren in the Transvaal? Mahomedan, Hindu, Parsee, Christian, Sikh, lawyer, priest, merchant, trader, hawker, servant, soldier, waiter, poor man, rich man, grey-beard, child, men, and women have suffered alike in this gigantic struggle to maintain the national honour unsullied. The Transvaal Indians have understood that upon their efforts depended whether or not this race-virus should infect the rest of South Africa and the rest of the Empire, whether India herself would not have to suffer and drink deep of the cup of humiliation. What of all this has India realised? Have the bitter cries from the Transvaal Indians penetrated to the ears of their brethren in the Motherland? Has the example, too, of the European Committee of sympathisers no echo in India? Resolutions, meetings, protests, scattered all over the Indian Peninsula have to a slight extent heartened the struggle in the Transvaal. But it is all a mere drop in the ocean. There is no cohesion, no co-operation, no coherence in all these protests. India does not understand, else were the trouble in the Transvaal long since ended. Is not the soul-force of the mighty Indian people greater than the brute-force of the selfish colonists of the Transvaal? May not the millions of India be heard in the councils of the Empire equally with a Colony whose inhabitants forget, in their anxiety to build up a white South Africa, that no stable nation can be built up on a foundation of cruelty, ignorance, and injustice? In the days before the War, the British Agent at Pretoria intervened when the Kruger Government sought to impose fresh hardships and disabilities upon the resident Indian population. To-day, the Imperial High Commissioner, perhaps from constitutional considerations, appears to side with those who long for the day when the British Indian may be cast out. The Transvaal Indians have, during three long, weary years, endeavoured to induce the Imperial Government once again to realise the responsibilities of their trusteeship, to re-awaken the old British sense of justice, and now look to India to support their efforts,

They have tried to do their duty to the Empire to which they belong, by offering men and money at the Empire's need, by recalling the Empire to her better self, by appealing from Philip drunk to Philip sober. And finally, the Transvaal Indians have sought, prayerfully, patiently, patriotically, to do their duty by their Motherland. What is India's response? Is she prepared to sacrifice for *them*? Is she prepared to do her duty by *them*?

The writer ventures to suggest the following as among the means that may be adopted to secure the rendering of justice to the Transvaal Indians, and the prevention, so far as possible, of the recurrence of the evil in the future. Public Meetings should be called at the earliest moment all over the country, whereat the situation should be effectively explained, and an expression of opinion should be evoked, protesting against the action of the Transvaal, encouraging the Imperial authorities in their efforts to procure a satisfactory settlement, and making it clear that the people of India will not accept the principle of differential legislation within the Empire, based upon considerations of race. The meetings should pass resolutions to this effect, and authorize the despatch, by cable, of their tenour to the Imperial authorities through the Government of India, whose warm co-operation is already assured. The press should agitate the question in season and out of season. Every aspect of the problem should be placed, simply and succinctly before the people, so that public opinion is educated. A central body, with branches in every important city of India, should be organized, which would be occupied in collecting information and collating facts concerning the treatment of Indians resident outside of India, but specially in the Transvaal and other parts of South Africa, where the problem is acute. Such an organisation would be able to make powerful representations to the Government of India and to the Imperial authorities, based upon accurate and well-established facts. Sub-committees of energetic public men could be formed in all the chief cities of India, who would specially study the question and make it their own, so that they would be in a position to assist in the education of public opinion, and ventilate the grievances in an authoritative manner, in the press. A Conference of Indian leaders, from all over India, might be convened, to devise ways and means of assisting the Imperial and

Indian Governments. The Government of India should be asked at once to stop the recruiting of indentured labour for Natal, for many reasons, but, for the purposes of this struggle, to indicate to South Africa (for the Transvaal will shortly be a portion of a South African Union) the nature and depth of India's feeling. Steps should also be taken to prevent the encouragement and expansion of nascent Transvaal industries for whose products an opening is sought in India, such, for instance, as the coal-trade. Many prominent Transvaal Europeans have asked in all seriousness why India, for the sake of a few rupees, develops the industries of those who countenance the ill-usage of her sons in that Colony. The matter should constantly be agitated in the British press by Indians whose names are well-known to the British public, by whom they are held in high esteem. Above all, it must be borne in mind that now, and now only, is it still possible to assist the Imperial steersmen to keep the ship of State off the rocks of racialism. The above suggestions are thrown out for what they are worth, but it should not be beyond the powers of the accumulated intelligence of India to deal practically with a situation that is fraught with so much danger to the Empire.

ON 10/10/1914



APPENDIX.

The writer reproduces from *Indian Opinion* brief biographies of his co-delegates, who were arrested shortly after their names had been announced, and who are now addressing their compatriots from within the Transvaal goals:—

PERSONNEL OF THE INDIAN DEPUTATION.

MR. NADIR ARDESHIR CAMA was born in Bombay, in the year 1870. He is the son of a well-known Parsee gentleman of that city. Mr. Cama was educated at the Free Church of Scotland School and College, under Dr. Mackichan, where he studied for six years. He matriculated at Bombay University in the year 1888, and, in the following year, passed the Previous, now Intermediate, Examination of the University. From 1891 to 1895, Mr. Cama was an official of the Bombay Port Trust, and, in 1895, came to South Africa. For a few months, he held a position with Messrs. Dada Abdulla & Co., of Durban, but, early in 1896, shortly after the Jameson Raid, he came to Johannesburg, where he was appointed to a position in the Post Office. Prior to the war, he took some part in the Indian public affairs of the Colony, and remained in the Transvaal during the war. In 1906, he became a member of the Committee of the British Indian Association, at the time of the passive resistance struggle, in which he has taken a very prominent part. When the situation became acute, at the end of 1907, he was informed by the Government that his services were dispensed with, as he refused to register, and, at the beginning of 1908, he was arrested. On the 27th January, the Magistrate ordered him to leave the Colony within fourteen days, but, three days afterwards, the compromise was arrived at and, as a result of negotiations on the part of the British Indian Association, Mr. Cama, together with other Government employees, was reinstated in his old position. When the struggle revived, in the latter half of last year, Mr. Cama again threw himself into the breach, and, in September, he was once more dismissed. On the 17th February last, he was arrested, and immediately sentenced to three months' imprisonment with hard labour, for failing to produce a certificate of registration on demand, and refusing to give means of identification. He served for three months, and, less than a month after his release, he has again been arrested on a similar charge and is once more serving a similar period of rigorous imprisonment. Mr. Cama is married, and has five children, the youngest of whom was

born whilst he was serving his last sentence. His family is in the Transvaal. Mr. Cama has, on many occasions, boldly and courageously denounced the action of the Government in fluent speeches, and it is probably on account of his uncompromising attitude towards the breach of faith on the part of the Government that he has been specially singled out for punishment.

MR. EBRAHIM SALEJI COOVADIA was born at Ghala, in the Surat District, Bombay Presidency, in the year 1878. He is the third son of Mr. Saleji Hassanji Coovadia, a merchant of that place. He studied in the Vernacular School at Ghala, and, as a young man, came to South Africa, in the year 1889, with his brothers, Moosa Saleji and Amod Saleji. The three brothers settled in Natal, and opened business at Ladysmith, Newcastle, and Charlestown. In the year 1892, they came to Johannesburg, where they have since been carrying on large business transactions. In 1897, replacing his elder brother, Mr. Coovadia was appointed Treasurer of the Johannesburg Indian Committee, of which, at that time, Mr. M. H. Nazar was Secretary. Upon the outbreak of war, Mr. Coovadia went to Durban and thence to India, where he worked hard in order to secure a post-office and a library for his native place, the efforts of himself and his colleagues in that direction meeting with success. He returned to the Transvaal in 1902, and the business of himself and his brothers was resumed. In 1904, he was appointed Treasurer of the Transvaal British Indian Association, and, in 1907, of the Hamidia Islamic Society, of which Society he is a foundation member. Mr. Ebrahim Coovadia has been one of the staunchest passive resisters, and has set a magnificent example to the community. When the Natal leaders came to Transvaal in August of last year, he was one of the brave band of ten who crossed the border at Volksrust with the intention of sharing imprisonment with them, but instructions were sent to the officials at the border not to arrest, and Mr. Coovadia's mission was doomed to disappointment. Upon the arrest of Mr. Ebrahim Aswat on the 2nd March last, Mr. Coovadia was appointed acting Chairman of the British Indian Association, but he had held the position for scarcely a day when he, too, was arrested on the charge of failing upon demand to produce his registration certificate and give means of identification, and eight days thereafter was sentenced to three months' imprisonment with hard labour, which period he served at the Johannesburg Fort. Upon his release, he threw himself once more into the struggle, and, on the day of the mass meeting summoned to approve of the nominated delegates to England and India, he was arrested in the offices of the British Indian Association, having been re-appointed Acting Chairman of the Association only the day

before, upon Mr. Cachalia's imprisonment. On Wednesday, the 23rd ultimo, he was sentenced once more to three months' imprisonment with hard labour, which, of course, he cheerfully accepted. Mr. Coovadia has three children—two boys and a girl—who, together with his wife, are to-day in the Transvaal.

MR. N. VENOOGOPAL NAIDOO is the son of Mr. M. Narayanasamy Naidoo. He was born at Papanasain, Tanjor District, in the Madras Presidency, in 1873, where his father was at the time carrying on the trade of a brass-monger. In 1880, on the death of his mother, Mr. Naidoo migrated to Mauritius, with his father. Here he resided until 1898, with the exception of one year, which he spent in Madagascar. Mr. Gopal was educated at the Flaqq School and at the Normal School in Port Louis. He served for a time with the firm of Messrs. V. Subraya Chetty of Pondicherry and Mauritius, and in 1894 opened business on his own account. In 1898, he removed to the Transvaal *via* Port Elizabeth, where he has remained ever since. Mr. Gopal has always taken a keen interest in public affairs affecting his community, and was for a time Honorary Secretary of the Pretoria Branch of the Tamil Benefit Society. He has thoroughly identified himself with the passive resistance movement in connection with the Asiatic Act of 1907, and has been to gaol twice—the first time, in January, 1908, when he was sentenced to a term of three months' imprisonment with hard labour for not being in possession of a registration certificate under Act 2 of 1907, but was released five days after his arrest, on account of the compromise entered into with the Government; and, the second time, in February, 1909, for failing to produce a registration certificate under Act 36 of 1908, when he was illegally ordered to be deported to Natal by Major Dixon. He returned immediately, and was sentenced at Volksrust to a term of three months' imprisonment with hard labour, an alternative fine being imposed, which he declined to pay. He was finally transferred from the Volksrust to the Houtpoort prison, Heidelberg. Mr. Gopal Naidoo is a member of the Theosophical Society. During Professor Parmanand's visit to South Africa Mr. Gopal became his disciple. On the 18th June, almost on the point of departure for India, Mr. Gopal was again arrested, and he, too, will speak to India from a Transvaal prison.
