

Indian Opinion

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THE LEADERS SENTENCED

WE give below the report of the Court proceedings in connection with the conviction of Messrs. Gandhi, Kallenbach and Polak:—

Reuter's report of the case before the Volksrust Court on the 14th instant states that Mr. Gandhi appeared in Court before Mr. Jooste, Assistant Magistrate, charged under Section 20 of the Immigration Regulation Act. He pleaded guilty, but the formal evidence of a resister named Poldat was called.

Witness stated he belonged to Ballengeich Mine, and remembered during the current month proceeding with a number of Indians into the Transvaal. Poldat said Mr. Gandhi was leading them from Charlestown to Johannesburg. Poldat recognised Mr. Gandhi as the leader. Poldat knew he had no right in this Province, because he was a prohibited immigrant.

Mr. Gandhi said he would like to ask witness two questions. Why did Poldat enter the Transvaal?

Poldat said he entered the Transvaal as a protest against the £3 tax.

Would Poldat have gone back to the mines if that £3 tax had been repealed?

Poldat said yes; if the Government had agreed to repeal the £3 tax, he would have gone back.

Mr. Gandhi was asked if he wished to make a statement.

Mr. Gandhi then addressed the Court. He said he advised not only the last witness, but hundreds of other Indians whom he knew to be prohibited immigrants, to cross the border into the Transvaal. Of his intention to do so he gave the Minister of the Interior due notice, and he specially interviewed the immigration officer at Volksrust, and informed him even of the date on which he proposed to cross the border. He told both the Government and the immigration officer that in doing so his only object was to make a demonstration against the £3 tax, which was weighing heavily on those who were affected by it, and to court for himself and the party which crossed with him imprisonment. He assured them that nothing could be further from his wish than to desire that a single one of those men who crossed the border should remain in the Transvaal and settle there. He might say also that with such a large number crossing with him, he might be totally unable to prevent them for all time from roaming about the country, and that therefore, he hoped the Government would take charge of the men. Throughout the march into the Transvaal he endeavoured to keep the men under control, and to prevent them from dispersing, and he claimed that not a single Indian left the following, if it could be so called.

Continuing his statement, Mr. Gandhi said he heard something at Heidelberg about the meeting of vigilants, whose aim, he understood, was to make the Government enforce the Immigration Act. There was, therefore, common cause between the Vigilants' Committee

and himself and his co-workers. To the Court he begged to give the assurance that the present movement had nothing whatsoever to do with the unlawful entry for purposes of residence in the Transvaal of a single Indian. He thought that he might fairly claim that his whole career in the Transvaal had been actuated by the motive of assisting the Government in preventing surreptitious entry and unlawful settlement. But he had pleaded guilty, as he knew he had committed an offence on a vast scale against the section under which he was charged. He was aware, too, that the steps he had taken were fraught with the greatest risks and intense personal suffering by those who had accepted his advice, but after very mature consideration, based on twenty years' experience of South Africa, he had come to the conclusion that nothing short of such suffering would move the conscience of the Government, as also of the inhabitants of the Union, of which, in spite of the so-called breach of the statutory laws of the Union, he claimed to be a sane and law-abiding citizen.

The Court then adjourned for a quarter of an hour for the Magistrate to consider his decision.

On resuming, Mr. Jooste passed sentence of three months' imprisonment.

Mr. Kallenbach's Case

Mr. Kallenbach's case was in the Public Prosecutor's hands earlier than was expected, and when he was informed to this effect he, at his own request, appeared at the Court on the 15th instant instead of on the 17th, to which date his case had been remanded. He was charged under Section 20 of Act 22 of the Immigration Restriction Law, and pleaded guilty. Mr. S. A. Poole prosecuted for the Crown. Mr. Kallenbach conducted his own defence. Three witnesses were called, Rifleman B. J. Meyer, a Newcastle Indian, and Mr. H. Treble, the Immigration Officer at Volksrust.

They all identified Mr. Kallenbach as having taken an active part in the proceedings on November 6th, when nearly 3,000 passive resisters crossed the border. Mr. Kallenbach did not wish to put any questions to any of the witnesses, and stated that he assisted Mr. Gandhi in conducting the resisters through the town.

The Public Prosecutor drew attention to the section which had been contravened, and said that the accused had broken this section deliberately and knowingly. He asked the Court to impose the highest penalty.

Mr. Kallenbach remarked that he supported what the Prosecutor had said, namely, that the highest penalty should be given.

Mr. Jooste, the Assistant Magistrate, in sentencing the accused to three months' imprisonment without hard labour, said that it was regrettable that the law could not deal with political offenders, one of which he believed Mr. Kallenbach to be. He also said that

he believed the accused acted according to the dictates of his conscience.

Mr. Kallenbach, at a previous stage, read the following statement to the Court: "I am, and have been, an intimate friend of Mr. Gandhi for many years, and so have had the opportunity of studying the Indian question in all its aspects. I conscientiously believe that the South African Indians are suffering under a number of real grievances which the Government have not remedied. Twice the Government have given pledges to do so. I know all the circumstances which surrounded these promises at the time of their happening, and believe that serious breaches of faith have occurred on the part of the authorities which must harm any Government, and lower the prestige of the white race in a country of such a mixed population as that of South Africa. The Indian community, being voiceless and witless, has tried by numerous deputations, petitions, and other representations, to obtain redress of its grievances. Mr. Gandhi, their leader, after exhausting all other means, then introduced what I consider the only effective means of securing redress, viz. passive resistance, a means in which I, for many years a disciple of Tolstoy, thoroughly believe. Passive resistance, in my opinion, is a weapon which can never be adopted successfully by a party that is in the wrong. It is a weapon which means self-suffering, which does not inflict suffering upon others—a weapon which does not imply the use of physical force against anything or anybody. I wholeheartedly agree with this mode of moral fighting, and at this, the third stage of the movement, after having assisted to a lesser degree in the first two struggles, I decided to throw myself heart and soul into this third passive resistance campaign."

"Notwithstanding any judgment against me, I wish to declare—and I ask your Worship not to take this as a discourtesy to the Court—that I shall continue to employ the means of passive resistance against the Government, and I conscientiously believe that not only am I not opposing the Government by assisting any person or party to enter into this moral and ethical warfare, but that in so doing I am aiding the Government and my fellow-colonists in the solution of a most difficult problem.

"As a European I consider it a privilege to have been associated with this movement, and thus to have been able in a tangible manner to share to a certain degree the sufferings of the Indian passive resisters, and I have no hesitation in inviting my fellow-Europeans to study the question, when I have no doubt that they will feel as I do, and assist the Indian inhabitants of South Africa in their righteous struggle for liberty and self-respect.

"Even at this eleventh hour the Government will be putting themselves and my fellow-Colonists in South Africa in the right by making a statement to repeal the £3 tax, which alone has caused these helpless men and women to abandon their all and suffer to the uttermost."

Mr. Polak Sentenced

Mr. Polak appeared before Mr. Jooste, assistant magistrate, on the 17th instant, charged under Section 20 of Act 22 of 1913 (the Immigration Act). Mr. Polak declined to plead to the charge.

The evidence of five witnesses was called, including Messrs. Gandhi and Kallenbach.

Rifleman Joubert stated that he had seen Mr. Polak ask Mr. Gandhi for instructions at Balfour, and he thought Mr. Polak was one of the leaders of the movement.

Constable Kneen stated that Mr. Polak had addressed the Indians, and advised them to return to Charlestown.

Mr. Kallenbach said that Mr. Polak's intention had been to return the same night to Durban. His purpose was to discuss certain matters with Mr. Gandhi, which had reference to Mr. Polak's impending departure for India.

Mr. Gandhi gave evidence that the march to the Transvaal was fixed without consultation with Mr. Polak, who intended leaving for India on November 14th, and he knew all arrangements had been made for Mr. Polak's departure from Durban. Had it not been for witness's arrest before reaching Greylingstad, Mr. Polak would certainly have left at that station. Under the circumstances, Mr. Gandhi thought Mr. Polak should lead the column to its destination, so that the men would not disperse. In Mr. Gandhi's opinion, if Mr. Polak was guilty of aiding and abetting, so also were the troopers who guided the column on its way. He considered that Mr. Polak had rendered service to the State, and to his race, by acting as he had. The men had been handed over to Mr. Polak because Mr. Cashel had not been arrested on the scene.

The Public Prosecutor, after making out the section contravened, asked the Court to find accused guilty and give him a three months' sentence.

The Magistrate found the accused guilty, and sentenced him to three months' imprisonment, without hard labour.

The Court was crowded to its utmost capacity during the proceedings.

Mr. Polak had previously addressed the Court as follows:—

As an officer of this Court, the Court is entitled to know from me the extent of my association with the Passive Resistance movement and my reasons therefor.

I have, for many years, made a most intimate study of the Indian question in South Africa, both as a private citizen and as the Editor of INDIAN OPINION, and I claim to be as closely acquainted with the Indian problem in this country as any European here. From this study I have convinced myself that the Indian community is labouring under a number of most serious grievances which, unless they are speedily removed, will result in its material ruin and its moral degradation.

As an Englishman, a Jew, and a member of the legal profession, I have felt impelled to do my utmost to prevent such a calamity both to the Indian and the European population. As an Englishman, it is impossible for me to sit silent whilst the Government of the Union, claiming to speak in my name, repudiate, as they have twice done this year, their solemn pledges towards my fellow-British subject of Indian nationality, in defiance of what is best in British public opinion, and regardless of Imperial obligations and responsibilities towards the people of India. Moreover, as a European I cannot contemplate, without serious alarm, the effect upon the coloured population of this country as it becomes known that pledges made to a section of the coloured community by the Government of the Union are not only not redeemed but are even positively denied.

As a Jew, it is impossible for me to associate myself, even passively, with the persecution of any race or nationality. My co-religionists to-day, in certain parts of Europe, are undergoing suffering and persecution on racial grounds, and, finding the same spirit of persecution in this country, directed against the Indian people, I have felt impelled to protest against it with every fibre of my being.

As a member of the legal profession, I have made a declaration of loyalty to the Crown and to do my duty as an Attorney of this honourable court. In taking the part of the Indian passive resisters, loyal subjects of the Crown, in their demand for justice, I claim to have proved my loyalty in the most practical possible manner, and, as an Attorney, I claim to have given the only advice to them possible to me as an honourable man who places justice before loyalty and moral law before human law.

Lastly, I have the privilege of the intimate friendship of the Honourable Mr. Gokhale, who has publicly declared that a promise of repeal of the £3 Tax was deliberately made to him by the Ministers whom he met at Pretoria a year ago. In spite of the official denial of that promise, I am bound to believe in the truth of my

friend's statement. I know that his mere word is accepted not only by millions of the people of India, but also by the Indian and Imperial Governments, and I should have failed in my friendship had I not used my most strenuous efforts to ensure that effect should be given to this promise.

I regard the £3 Tax upon those Indians liable to it as a blot upon the good name of the British Empire. It is, in my humble opinion, a relic of barbarism. Its direct effect is to drive the tax-payers back to conditions of servitude, dishonourable to British traditions of freedom, or to expel them from this country, which has reaped the fruits of their labour for a period of years. From my own personal investigations both in India and in South Africa, I positively deny that the vast majority of the tax-payers, in entering upon their contracts, had any knowledge of the true nature of those contracts, which have been made between unequal contracting parties, one of whom was wholly ignorant of conditions of life in South Africa. In repudiating their liability to the tax, and in demanding its repeal, my entire sympathies have been with these fellow-subjects. Knowing as I do that all other constitutional means of securing redress of this most bitter grievance have failed, I felt it my duty, as a convinced passive resister myself, who have taken a prominent part in the Indian movement for many years, to counsel those liable to this iniquitous tax to adopt passive resistance to that end and I claim to have the authority of General Smuts himself in describing passive resistance as a perfectly legitimate and constitutional method of peaceful protest, especially when adopted by a voiceless and voteless community such as these unhappy people. I admit that I have advised and counselled passive resistance whenever, in my opinion, it has been necessary. I admit myself having acted as a passive resister on many occasions.

With reference to the present charge, the facts are as follows:—Being about to proceed to India on the 14th instant, at the cabled request of the Honourable Mr. Gokhale, in order to co-operate with him in placing the facts of the present situation before the Indian and Imperial Governments, I desired to confer with my friend, Mr. Gandhi, on certain points relating thereto, and, on the 7th instant, I telegraphed from Durban to him, informing him of my wish. I received a reply stating that I might meet him at Greylingstad, but that I might be arrested also. Though I entirely approved of the movement, I then had no connection with the march of the passive resisters into the Transvaal, beyond having been instrumental in forwarding food supplies to Charlestown, where the people had been concentrated, my work, anticipating my visit to India, lying in Durban. I decided, however, to proceed to the Transvaal, and, if the Government desired my arrest, to afford them the earliest opportunity of securing it. I reached Volksrust on Sunday morning, the 9th instant, and learnt that I should probably be able to meet Mr. Gandhi near Teakworth Halt. I accordingly descended from the train at this place, and sent on my effects to Greylingstad station, intending to return from there to Durban by the corridor train the same night. I met the column on the road near Teakworth Halt, and walked in Mr. Gandhi's company, discussing a number of matters with him, for about half an hour, when we were met by two policemen, accompanied by Mr. M. Chamney, the Chief Immigration Officer, and Sub-Inspector Fall, who arrested Mr. Gandhi and removed him at once by cart to Greylingstad Station, and thence, via Balfour, to Heidelberg.

The police did not in any way arrest, control, or assume responsibility for the maintenance and welfare of the column of nearly two thousand Indians, whom I admit I knew to be prohibited immigrants in the Transvaal Province, I think it was Sub-Inspector Fall who asked me what I proposed to do. I replied that I understood that it had been Mr. Gandhi's intention to lead the men to Greylingstad to camp there for the night, as it was the only convenient place to obtain a

good water-supply for so many people, and to take them the next morning to Balfour, where a food-depot had been established. As the men were free to roam about the country, I determined with a view to prevent this to become responsible for the discipline of the column, and, as a humane measure, to take them to the places where they would obtain water and food. I accordingly informed Sub-Inspector Fall that it was my intention to take the men as far as Balfour, and I explained my reasons. He replied advising me not to take them further than that place. I told him that I could give him no assurance to that effect, as their further movements would depend upon circumstances, but that I was entirely at his disposal, and would be glad to discuss matters at Balfour with him and Mr. Chamney.

Next day, Monday, at Balfour, both of these gentlemen invited me to a consultation, and informed me that they had received instructions to examine the men as to their qualifications to enter the Transvaal, and, if found to be without these, to deport them by train at once to Charlestown. They asked for my co-operation to entrain the people peacefully, and so avoid the intervention of the police force that had arrived from Heidelberg. I asked what would happen at Charlestown to the people. Mr. Chamney replied that he understood that the Natal authorities would there arrest them and assume charge of them. I then said that, in that event, my responsibility towards the men ceased, otherwise I should have felt it my duty to continue the march with them towards Lawley, until either I was arrested or they were. In the circumstances, I said that I would cordially co-operate with Messrs. Chamney and Fall to secure the peaceful entraining of the men; and that I would use my best efforts to that end, at the same time placing myself at the Government's disposal, if it were their desire that I should be arrested. Both gentlemen assured me that my arrest was not desired. I then said that, though it was quite likely that the people would want to receive the instruction to entrain from Mr. Gandhi personally, I would endeavour to make them realise what was their duty in the matter.

After rations had been distributed, at Mr. Chamney's request I called the people together in groups, and he then investigated their claims, declared them to be prohibited immigrants in the Transvaal, and ordered them to be arrested and entrained for Natal. As they were not quite clear as to the situation, at Mr. Chamney's further request I explained the matter to the people, and urged them, as passive resisters, to co-operate with me in entraining, reminding them that the Government had now done what all along the Indians had asked them to do, namely, arrested and assumed responsibility for the column. Several of the more ardent spirits amongst the men commenced to resume the march towards Lawley, and seeing that the others were likely, in the excitement of the moment, to follow their example, I ran at once to the head of the column and urged the men not to do this, but to accept my advice. A few moments of confusion followed, and at length, Sub-Inspector Fall advised me to walk through the middle of the crowd towards the Station. This I did, calling upon those who knew me to follow me. The move was successful, and gradually the remainder changed their minds and proceeded to the Station. In order to avoid delay, I went back repeatedly and brought batch after batch to the station till all were entrained. It had been my intention to proceed from Balfour to Durban by the night corridor train in order to catch my steamer on the 14th, but, not knowing exactly what might happen at Charlestown, I decided to accompany the first of the three trains as far as there, so as, if necessary, to co-operate there with the authorities. Before I left, Sub-Inspector Fall thanked me for my co-operation in securing the entraining of the 2,000 Indians almost without police intervention. Whilst waiting at Charlestown Station for the other two trains, I was arrested on the present charge and removed to Volksrust. On Tuesday, I telegraphed to the Minis-

ter of the Interior, stating the above facts and those of my intended visit to India, informing him that, if it were the intention of the Government to proceed with the case, I would gladly stand my trial and take the consequences, in which event I should have to inform Mr. Gokhale of my change of plans. The Minister's reply was that, in his opinion, the case should proceed.

These are, so far as my recollection carries, all the facts relating to my association with the Indian marchers. If, upon them, the court is satisfied that I have committed the offence with which I am charged to-day, I am fully prepared to submit myself to whatever penalty the court may impose. I plead nothing in mitigation or extenuation of what I have done. I feel that I have performed a humane duty that I was compelled to perform. I do not regret one single thing that I have done in connection with this movement. I am absolutely unrepentant. Did the circumstances arise again, I would repeat my actions. If I am now convicted as one who has counselled and advised to passive resistance, it is but just that I should receive as severe a penalty as any person who has been sentenced as the result of this movement, which I feel I may be able to serve even better in gaol than by going to India. I shall, so soon as my period of imprisonment, if any, expires, proceed exactly as I have done in the past. If I am to-day released, my conduct will not alter one iota from what it was prior to my arrest. So long as I am in this country, and, in my humble opinion, the necessity exists for passive resistance against intolerable laws against my Indian fellow-subjects, with whom it is my greatest privilege to serve and upon occasion to suffer, I shall be a passive resister, I shall advise passive resistance, and I shall be prepared, by way of protest against laws that injure me as they injure them, to accept all the consequences of breach of those laws.

Open Letter to General Smuts

The Editor of the *Pretoria News* (Mr. Vere Stent) writes as follows in the Editorial columns of his paper:

My dear General,

It is some time since I have distinguished you by adding an open letter to your voluminous correspondence, but I feel I must send you a few words of warning particularly with regard to the Indian trouble which is rapidly developing.

Don't beat about the bush. Don't quibble. You know that you gave Mr. Gokhale to understand that the £3 tax would be remitted and that the consulting of the Natal members was merely a formality. You know another thing. You know that the Natal members were not unanimous. Some of them were not present at the meeting which you called to consider the tax and even at that meeting the majority against remission was only one.

There is something else you know and that is the real reason why some of the Natal members do not wish the tax taken off. It is this. They want to force the Indians to re-indenture. They daren't say this in public because they know it to be a disgraceful motive but they say it in private and they think it and they mean to keep the tax in existence so long as they can for this purpose and for none other.

You have told us there is nothing in the tax from a revenue point of view. You admit that no serious financial sacrifice would be involved if it were given up but yet you shelter yourself first of all behind those Natal members whose motives are base and sordid and secondly behind the plea of a weak man that to remit the tax now in the face of the strike would be construed as weakness and would be highly impolitic.

Now, sir, surely after what happened at the Carlton Hotel, upon the 5th of July last when you made terms with the miners, not in the face of a peaceful strike or a campaign of passive resistance, but in the face of revolution, with its arson, its magazine pistols, its riot and its contemplated murder—surely if you were strong

enough then to take what was undoubtedly, at that moment, the right course, if bloodshed was to be prevented, you are strong enough now to do a simple act of justice and not to be afraid that it will be misconstrued into an act of weakness.

You were upon dangerous ground. The Indian will argue this way. He will say, we have struck peacefully, contemplating no injury to property or to human beings, we are well within the law, we do not create a riot, nor do we interfere with any who wish to work. We do not "strike march," we do not "pull" people out. We are quiet and law-abiding and the result is our demands are ignored. Then will come to him the thought that after all an appeal to physical force pays. The revolutionists won. That is a dangerous thought, as I have said before, because you are dealing with fanatics, religious fanatics, and one might even say political fanatics. If they do make up their minds to appeal to force, of course, it will be quite easy to reply with force. But we don't want any more shooting in South Africa for a bit, do we? and I imagine fear of death would not stop them.

Then, again, remember your friends; the Liberal Government. They've been very good to you. They jerrymandered the Transvaal constituencies in the first instance and handed South Africa back to you to govern. You owe them something. Their position is very difficult at the present moment. The Ulster trouble is looking very ugly, they don't want trouble with India as well, and you are going to make trouble with India if you get to shooting British Indians in this country. I am no believer in encouraging violence. I realise that if the Indians are foolish enough to take the sword they must perish by the sword. But the responsibility of the trouble will be upon your head. As a matter of fact your sympathies are with the Indians but you have yielded to the sordid desire of Natal to get more indentured labour.

You are the slave of circumstance. The exigencies of the political situation are too much for you. The Indians have no vote and so they don't count upon your chess board. They are not even pawns. You have yielded to the Free State and its disgraceful colour prejudice. You have pandered to the intolerance of Transvaal. That may be politics, General; it may be very *slim*, but it's not Statesmanship. It is not the sort of action that sends a man's name down to posterity enshrined in honour. It brings a success for the moment, but that is all. I make one final appeal to you. Show yourself strong enough and big enough and sufficiently self-confident to do what you know to be right, to release these Indians from an extortion and to meet Mr. Gandhi upon the other points in dispute. Don't forget it is better to do justice now gracefully than to have it wrung from you as it was before. You have pitted yourself against the philosophic element of the Orient. You were beaten to a frazzle last time. You cannot afford to be beaten this time. If you do what is right now there will be no question of being beaten, but if the struggle is prolonged and bitter no one knows what may happen. Don't be obstinate; obstinacy is the last refuge of a fool and the Lord knows you are not a fool.

Believe that I address you with affectionate regard, speaking not threats, but words of warning, and permit me to inscribe myself a very sincere admirer of your brain who only regrets that it is not tempered by a little intrusion of the heart, a little emotion even if there were less reason and logic.

The "Mercury's" Suggestion

The policy of maintaining the tax is a question on which the Government have no settled convictions, (says the *Natal Mercury* in an editorial on the 14th instant.) They were willing to leave the Natal members of Parliament to decide whether it should be repealed or not. It is not publicly known whether an actual majority of these members of Parliament were in favour of retaining the tax—some of their number say they

were not consulted on the point. We know for a fact that at least eight Natal members of the House of Assembly are definitely in favour of repeal, while the attitude of others is doubtful. At the utmost there can only be a majority of one amongst the Natal members of the Assembly in favour of the continuance of the tax. While we are firm in holding that the first duty of the Government is to maintain order, and that the strike is a mistake, from the Indian point of view, would it not be a wise thing for the Government to institute a departmental inquiry into the whole matter in relation to the tax? As far as we know, the Government are simply maintaining a *laissez faire* attitude although various suggestions have been made by correspondents in our columns for some move that would lead to an amelioration of the difficulty which the tax law in its present form has helped to create.

[NOTE: One of these suggestions was that those who had been fifteen years in the country should be exempt; another suggestion has since been made by an Indian correspondent that the tax should be suspended:—Ed. I.O.]

From the Editor's Chair

WHAT IS REQUIRED

As there are indications of a desire on the part of Natal members of the Legislative Assembly and others to bring about a settlement of the strike, it is necessary to make the position quite clear. The term "£3 tax" is misleading if it gives people to understand that the price of the tax is the root of the matter. The removal of the tax without doing away with the necessity of taking out an annual licence to remain in the country would not be sufficient. If the tax alone were repealed, the position would be that the licence would still have to be taken out if the people wished to remain as free men. Now there can be no use in asking them to do so. Apart from the hardship of having to pay the £3 it is unjust that these poor people, who have enriched the country by their labour, should be compelled either to return to India, with their scanty earnings, or re-indenture themselves continually. It is said that the Indians, before they left India, perfectly understand the position and agreed to the conditions. We strongly deny that these people were able to realise what they were agreeing to. Glowing accounts of a land flowing with milk and honey were given by the recruiters who were paid according to the number of recruits secured. We have personally investigated cases where the people have stated that they were deceived, and instances of kidnapping are not unknown. A contract of this nature is no contract at all, the parties thereto not being on anything approaching equal terms. The imposition, as we have so often pointed out, is immoral, and there is not a good word to be said for it.

ALLEGATIONS OF ILL-TREATMENT

The demand for an impartial inquiry into the allegations of flogging and other forms of ill-treatment by mine managers and European employees is imperative. It is unfortunate that the report went forth that the Indian named Nagdu had died as the result of flogging. Mr. Ritch has stated that such was not the case. But the matter does not end there. A large number of sworn statements have been made regarding brutal assaults and these are at the disposal of the Government. The parties who made statements that serious assaults have taken place are prepared to stand by what they have declared. A Magisterial inquiry is not sufficient, and Lord Gladstone's despatches will not convince, because, as Mr. Gokhale pointed out to Reuter's Agency in India, he is "the mouthpiece of the Union Ministers without the means of making an independent inquiry." The Viceroy considers the matter of such

grave importance that he has urged on Lord Crewe the importance of a thorough impartial inquiry by a strong Committee on which Indians should be fully represented. We hope that the Union Government will lose no time in acting on this excellent suggestion. We are quite sure that nothing short of this will satisfy the Indian community of South Africa, the people of India or the inhabitants of Great Britain, to say nothing of a large body of Europeans in South Africa.

THE LEADERS IN PRISON

THE arrest and imprisonment of Messrs. Gandhi, Kallenbach and Polak was a blow at the movement which was, no doubt, expected to damp the ardour of the passive resisters. To be deprived of the leadership of three such men at a critical moment was certainly enough to make the stoutest heart quake. But what do we find? As soon as the news reached the ears of the huge mass of employed on the sugar estates, it acted like a spark to a hay stack and the whole of the plantations were quickly affected. At the present moment there must be no less than 20,000 Indians on strike along the Coast. The Government have to thank the imprisoned leaders themselves for the convictions. As Mr. Polak points out in a letter to the press, Mr. Gandhi was convicted at Dundee on his own evidence, after having pleaded guilty to a badly drawn indictment. By itself, the Prosecution would have failed to secure a conviction. Similarly at Volksrust, Mr. Gandhi pleaded guilty to a charge which was proved against him only by witnesses that he had, at the request of the authorities, furnished them at Kromdraai, and by his own evidence. Mr. Kallenbach was convicted because he pleaded guilty; he gave evidence against himself, and evidence was provided against him for the Crown by Mr. Gandhi. At Balfour Mr. Polak was specially asked by the authorities to use his influence with the 2,000 Indians, most of whom he had never seen before, to induce them peacefully to submit to arrest, and to entrain for Natal. It is safe to say that, but for the assistance he rendered to the Government on that occasion, it would have been impossible to prevent the spread over the Transvaal of 2,000 prohibited immigrants. Finally, the Magistrate who convicted Mr. Polak at Volksrust pointed out that he had, whilst refusing to plead, been convicted by his own evidence and that of Mr. Gandhi, rather than by the Prosecution. Had any real attempt been made by any of these three persons to avoid conviction, there is little doubt that they would to-day be free men.

Allegations of Ill-Treatment

We have made careful inquiries into the matter of the allegations of ill-treatment on the mines, and we are satisfied, in spite of the denials of officials, that serious assaults have taken place. It is unfortunate that the rumour was spread that an Indian named Nagdu had been flogged to death. Mr. Ritch made it his business to investigate this matter and he engaged Dr. Sutherland to make an examination of the body with the result that it was found that the immediate cause of death was lung disease. There were no marks which would indicate that the man had been severely beaten.

In regard to the allegations of whipping, striking with sticks and the forcing of men underground, we are in possession of several sworn statements, and we understand that there are many others available, in which detailed accounts are given of brutal assaults by the mine managers and police. The European employees on the mines have been enrolled as special constables and, with the exception of one or two warders and the native police, they are in charge of the prisoners. The mines in which they are imprisoned have been proclaimed as outstations to the Dundee and Newcastle Gaols. Men were brought back from

their march into the Transvaal, and they were quite prepared to go to prison, but when the Ballengeich men were brought to their own mine and saw the wire lying on the ground ready for the making of the fence which they themselves were to be compelled to erect to form a prison, they naturally objected, and it is stated that 200 of them commenced at once to march away in the direction of Newcastle gaol. It was then that the serious assaults complained of and described by many different witnesses took place. It was admitted to Mr. Ritch by Mr. Hutt, the manager of the Ballengeich mine, that he took part in this cruel work of thrashing the retreating Indians. Still the Magistrate of Newcastle denies *in toto* all the allegations of ill-treatment and states that the trouble commenced by the Indians attacking the Europeans. The "attack" appears to have taken the form of the waving of sticks and a general excitement. In the disturbance the manager received a cut across his hand which may or may not have been caused by someone striking him. The Protector of Indian Immigrants, whom we interviewed in the matter, appears to be satisfied that the Magistrate's view is the correct one. His jurisdiction, however, ceased as soon as the men were safely locked in these temporary gaols. In view of the conflicting statements regarding these allegations it cannot be expected that anything short of a proper inquiry by the Government, when all the witnesses can be called and at which the Indians are represented, will satisfy the community.

Progress of the Strike

It was roughly estimated that there were 7,000 or 8,000 Indians on strike in Durban alone on Tuesday night, the 18th instant, and the strike, says our Durban morning contemporary, was about as complete as it could be, and not a single Indian hawker or farmer's cart attended the market. The authorities commenced to take definite action and 133 strikers, chiefly railway employees, were arrested, at the instance of the Chief Magistrate who went to the barracks accompanied by Captain King and a body of mounted police. Eye-witnesses state that there was brutal treatment on the part of the police who dragged the people from their rooms. Some of the men were so severely injured that they had to be treated by a doctor. The Protector informs us that the men first attacked the Magistrate and police, whilst the chief of the police flatly denied any ill-treatment of the Indians. We leave our readers to judge for themselves between these conflicting reports.

At Ladysmith, on Tuesday, about 1,000 Indians from the Elandsplaagte mine, who with their wives and children had marched into the town, were addressed by the Magistrate who advised them to return, but they refused to do so. Another body of 150 strikers came along and joined those assembled in the Court-house yard, when, it is stated, a general riot took place and the police and strikers fought with sticks. A desperate fight ensued, so the report goes. The Deputy-Mayor published a request for volunteers with firearms to assemble in front of the Town Hall to make a demonstration, and a body of Europeans gathered together, armed with revolvers, shortguns and other weapons. The strikers, however, remained quiet and no further trouble occurred. It is stated that the strikers agreed to return to the mine.

On Wednesday, at the Durban Court, the 133 Indian strikers, arrested the previous day, were brought before the Court. First a batch of 120 of them were charged with being absent without leave. They were defended by Mr. Michel.

Evidence supporting the charge was given by Mr. V. Fenton, labour clerk for the Province of Natal for the South African Railways. He had interviewed the men in the barracks, he said, and tried to persuade them to return to work. They replied that their "king" had told them to strike; that their "king" was now in prison, and that they would not return to

work till he was released. They also wanted to have the £3 tax repealed.

Mr. Michel, in speaking on behalf of the accused, referred to the circumstances which had led up to the strike, and suggested that force had been used to compel these men to work. Mounted police had been brought in, and he thought that the Government had no right to compel them to work. There had been no riot, the accused had been merely passive, and he contended that the use of force had done more harm than good. One man had been injured. He said that the men had acted in opposition to the law, but they believed that they had been doing right. They hoped by their action to induce the Government to redress their grievances. He entirely deprecated the use of armed and mounted men to suppress the strike.

Addressing the accused, the Magistrate said they had refused to work, although they had no grievance against their employers. They had been addressed by the Chief Magistrate, and their employers had done all they could to induce them to return to work, and they still refused. The accused, being indentured Indians, were not subject to the £3 licence. They had come from India, and agreed to work for a certain period, and at the end of that time they could return to India. But they had broken their contract, and thus rendered themselves amenable to the law, which provided a penalty of seven days' hard labour for their offence.

The Magistrate then sentenced the accused to seven days' hard labour.

The remainder of the 133—a batch of 13 free Indians—were brought into Court on a charge of neglecting to perform their stipulated duties. They were also defended by Mr. Michel. Three of them gave reasonable excuses, and were discharged, and the remainder were fined £2.

A party of 41 from South Coast Junction were then marched into the Court, and charged with being found without passes. These men, who were indentured Indians, were found more than a mile from their quarters, and a fine of 10s., or seven days' imprisonment, was inflicted on them.

All the above prisoners were afterwards marched off to gaol.

The *Transvaal Leader* reporter made a journey along the North Coast on Wednesday. His estimate of the number of strikers on the plantations was 10,000. Amongst other items of information, he states that the owners of the sugar plantations seem to be keen on sustaining the harmonious relations which have subsisted between them and their Indian employees. Rations are in all cases being issued to the men on strike, the sole stipulation being that they shall not leave their own estate without a permit.

We are not in a position to judge the extent of the keenness to sustain harmonious relations, but we know that the statement regarding rations is incorrect.

The reporter observed how easy it would be to set the cane fields ablaze, but he saw no reason for an alarmist view, for, if the fields are to be burned, the business is so simple that it would have been done before now.

In regard to the collision with the police on Sunday, the 16th instant, the reporter states:—

Alarmist accounts of this affray were spread, and in Indian quarters in Durban I heard that three coolies had been killed. Subsequently the fatality list was reduced to one, and it is because I have information that news of this fatality has been cabled to India and England that I mention it. When I reached Verulam to-day, I interviewed Dr. Hill, the District Surgeon. He also had received the report that an Indian employed at the Natal Estates mill had succumbed to injuries sustained in Sunday's affray. Within 10 minutes of that collision, Dr. Hill had been on the scene, and had attended to the injured Indians—16 in all. At the time, he did not regard any of them

as having been dangerously wounded, though some injuries were serious.

However, on receipt of the news of this Indian's death, he motored, without delay, to Avoca, where, at the local hospital, the Indian in question had expired. "I found," said Dr. Hill, "that death was due to natural causes. He died from pneumonia and chronic kidney disease. He had also an enlarged heart. There was no sign of violence, either internal or external. The lung condition was secondary to the heart trouble."

We must say that we cannot quite understand Dr. Hill's report that there was no sign of violence, either internal or external, in face of his statement that he attended 16 injured Indians, one of whom was the deceased. This matter is still under investigation.

Alarmist reports (continues the reporter) have been spread that the situation on the North Coast is so serious that the womenfolk on the cane fields became so agitated over the disturbances that they fled to Durban for protection. In only one instance can I discover that a female relative of a North Coast planter took train to Durban when she saw the smoke from a neighbour's cane field.

Arrest of Leaders

On Thursday morning warrants were issued for the arrest of several members of the Natal Indian Association and later in the day Messrs. A. M. Moosa, Abdul Hack Kajee, I. M. Lazarus, Arjoon Singh, and S. Emamally appeared before the Assistant Magistrate (Mr. Robert) charged with contravening Sections 1 and 2 of Chapter 5 of Ordinance II of 1850, which refer to "any person who shall, by violence to the person or property, or by threats, or intimidation, or by molesting, or in any way obstructing another, force or endeavour to force, any servant or apprentice to depart from his service or work," etc., and the penalty is a fine of ten pounds or three months' imprisonment. The case was adjourned for a week, bail being granted in sureties of £100 each.

Indentured Men Go to Gaol

The same day 264 Indians from the Harbour were brought before the Court. In the first batch, 200 Indians were charged with absenting themselves from roll-call without leave. When the charge was interpreted to them, with one accord they sung out that they were guilty. This was confirmed by the individual pleas.

The men were not represented, and had nothing to say.

The Magistrate (Mr. B. Hodson), addressing the prisoners, told them that there was no excuse for their having refused to work. The Chief Magistrate had addressed them, and their employers had done all they could to induce the men to return to work, but they had refused. He pointed out, too, that, as they were indentured Indians, they were not affected by the £3 licence. Their refusal to work was an offence against the law, and they would be sentenced to seven days' imprisonment, with hard labour.

Some of the men said something to the effect that they were willing to go to prison, and that they were prepared to keep going to prison till the £3 tax was repealed.

They filed out into the Court-yard, and their places were taken by another smaller batch, who were also charged with absenting themselves from the roll-call without leave. The proceedings in this case were very brief. With one accord they all pleaded guilty, and when they were asked if they had anything to say there was a confused mumble from three or four of their number. At length one man stepped forward, and said in Hindustani that he wanted to speak on behalf of the others.

"The £3 tax presses heavily upon us," he said. "We want the Magistrate to endeavour to get the £3 tax removed, and also to get Mr. Gandhi released from prison."

The Magistrate told the prisoners that these matters had nothing to do with them. The £3 licence was not pressing on the prisoners, because they were indentured Indians, and were not liable to pay it.

The spokesman rejoined that he would be liable to pay it as soon as his indentures expired.

"Then why don't you go back to India?" said the Magistrate.

When this was interpreted to the prisoner, he said, doggedly: "If you don't want us here, send us back now."

The Magistrate replied that there was no excuse for the accused's refusal to work. They had been given every opportunity of returning to work, but, as they did not do so, they would be imprisoned for seven days, with hard labour.

"We prefer to go to gaol rather than do any more work," added the spokesman as he was passing out with the rest.

Altogether, 264 strikers and five leaders went to gaol.

Out of 1,300 Indian employees at the Durban works of the South African Railways, about 100, it was reported, returned to work on Thursday. Some of the Corporation employees, including the sanitary men, also returned to their work.

"A Meritorious Piece of Work"

The way in which the Corporation Barracks were surrounded by the police in the early hours of Friday morning constitutes, says the *Mercury*, quite a meritorious piece of work. The description of the manoeuvre reminds one of a well-planned attack upon an army of trained soldiers instead of, what it really was, an act of coercion against a number of defenceless labourers who simply claimed the right to refrain from work as a protest against the £3 tax.

At daybreak there assembled in a lane near Greyville 56 mounted police, 12 European constables, and about 170 native police boys, and their attention was fixed upon the Indian quarters at the Magazine Barracks, Eastern Vlei. There the Corporation Indians were accommodated. The huts in which they live occupy some 14 acres, and the object was to surround the whole of the space before the Indians were astir, and then ascertain who were willing to work and who were not. Fifty of the mounted police, under a lieutenant, belonged to the Transvaal; six were Durban Borough Police. The 12 European constables had with them 120 Durban native police boys, and there were 50 more native Transvaal boys, under a corporal. The whole force was under the command of Inspector Alexander, and at a given order from him the men chased along the three sides of the triangular piece of ground and hemmed in the Indians. The whole of the manoeuvre, from the time the order was given, occupied exactly 30 sec.; which was really a fine performance. The Indians, numbering about 500, came out, surprised to find that they were surrounded. Inspector Alexander, through an interpreter, addressed the crowd, saying that those who desired to work would receive a police escort into town, and the others would be arrested.

About 100 of the coolies refused to go to work, and were at once taken prisoners. Together the whole of the 500 were marched to Durban; the prisoners were lodged in the Gaol, and the others sent to work. The result of the police action thus was to compel the majority of the Corporation Indians to return to work. In fact, about the only ones away are those who are now in prison. The prisoners were tried before Mr. B. Hodson, in the Court. Eighty-six indentured Indians, who pleaded guilty to refusing to work, were imprisoned, with hard labour, for seven days; 13 were discharged upon reasonable excuses. Eighteen free Indians, who were similarly charged, were fined £3, or six weeks' hard labour. The men stood in batches in the Court, and were not legally represented. They had nothing to say.

More Leaders Arrested

Messrs. Sorabji Rustomjee, A. Christopher and R. Bhugwan were arrested on Friday and brought before the Magistrate charged with the same offence as the five leaders arrested on the previous day. These were also remanded until the 27th instant on bail of £100 each.

There was a fight reported at Avoca between the police and strikers. The press report states that the Indians commenced destroying property in the neighbourhood of the barracks, some pigsties being demolished. Our own information is that it was a question of fuel starvation. The men had no fuel and they were prevented from going away from the barracks to search for it. Consequently they took what they could find. Eventually 23 men were arrested.

The whole of Messrs. Reynolds Bros.' Indians, numbering about 3,000 struck work on Friday morning, and others also in the district followed suit.

The Chief Magistrate of Durban has been going about the estates trying to persuade the strikers to return to work and on Saturday he visited Reunion and Illovo. In all his addresses he has particularly emphasised the futility of the strike; and the determination of the Government that there could be no discussion on the points at issue so long as the strike existed.

Batches of from ten to forty strikers were arrested in various places during the day, and it was reported that there was a collision with the police near Park Rynis.

Strike at Maritzburg

The chief event of the day was the commencement of the strike in Maritzburg. A mass meeting was held which was addressed by Messrs. Thambi Naidoo and P. K. Naidoo, two well-known passive resisters, and a resolution was adopted declaring a general strike as from Saturday afternoon, but a definite stipulation was made that the sanitary, Hospital, electric light department, and Asylum Indians should remain at their posts, and continue to carry on the work, in order to obviate the obviously disastrous consequences which would be resultant on these men joining the strike.

The meeting which was attended by 4,000 to 5,000 Indians, was at times characterised by scenes of acute excitement.

Mr. T. Naidoo towards the close of the meeting was notified of the arrival of a member of the C.I.D., who held a warrant for his arrest. Mr. Naidoo announced to the crowd that a warrant had been issued at Durban at 1 o'clock that day for his arrest, but he exhorted his hearers to have no fear, as he was not afraid to go to gaol for the cause. A sensation was created by the announcement, and Mr. Naidoo proceeded to warn the crowd not to initiate any acts of violence, but to remain passive resisters and obey the commands of law and order. Let them, he said, suffer for the cause, but on no account resort to acts of aggression or violation of the law.

Can the Government Deport?

A new phase of the position as affecting the Indian question came to light in the First Criminal Court on Saturday (says the *Natal Mercury*), when Canni and Kanniappa Reddy, two of the strikers, were charged with desertion. In withdrawing the charge, Sergt. Mallinson said he wished to make a statement. They refused to work, and the Protector of Indian Immigrants had power in these circumstances to cancel their contract. This the Protector had done, and the Government was to send the two accused back to India. The Protector has since contradicted the above statement regarding deportation and points out that he is not an immigration officer.

People have been coming into the Phoenix settlement since Saturday last, asking for protection and stating that they were afraid of being thrashed. Mr. West immediately after the arrival of the first batch telegraphed to the Magistrate of the Division, informing him of the arrival of the men, and that they re-

fused to return to work, but were quite willing to be arrested, and also communicated with the manager of the estate to which these people belonged. On Monday men, women and children from different estates kept pouring in until midnight and on Tuesday they were still coming. On Tuesday morning, no reply having been received from the Verulam Magistrate, Mr. West addressed the following telegram to the Minister of the Interior, directing a letter in similar terms to Mr. Binns, the Chief Magistrate of the Durban Division.

'Hundreds starving Indians coming to the settlement seeking protection and food. We are allowing them to remain on understanding that they are liable to arrest. Most of people belong Natal Estates and they declare that they are driven away. Suggest Government allow people remain quietly here until disturbance is over, Government to supply food and take charge camp. Anxious assist Government keep order and avoid injury or loss of life. We have hundred acres land and water supply. On Saturday, when ten people arrived, informed Campbell and Magistrate Verulam stating people willing to be arrested but afraid ill-treatment. Assistant Managers came and asked people return, but they refused. Magistrate has not replied Saturday's telegram.'

A reply was received to this telegram to the effect that there was no foundation for the fear of ill-treatment.

Mr. Thambi Naidoo was arrested at Maritzburg on Saturday on a warrant from Durban, where he is presently bail having been refused as he declined to give an undertaking that he would refrain from taking part in the passive resistance movement while out. His case will be heard with the others to-morrow.

Mr. Gandhi is still at volksrust.

A most brutal assault was perpetrated on Saturday last by a planter upon two Mohammedan gentlemen at Verulam who were out for an afternoon stroll and one of whom was a Moulvi and had but just arrived from Maritzburg to officiate at a marriage.

The Marriage Question

Reuter cables from London that Mr. Lewis Harcourt, the Colonial Secretary, replying to representations made to him by the London branch of the Moslem League regarding the effect of the recent judgment of the Natal Division of the Supreme Court of South Africa on Indian marriages, points out that the judgment is concerned with the interpretation of one section of the Immigrants Regulation Act. This provides that certain persons are not deemed to be prohibited immigrants, and does not appear to restrict the power of the Executive of the South African Government to admit Indian women.

Mr. Harcourt explained that he understands that the South African law never recognised polygamous marriages, being identical in this respect with the law in Great Britain, and recent decisions in the Courts have not altered the law in any way.

Mr. Fischer Interviewed

On arrival at Capetown on the 4th instant the Right Hon. Abraham Fischer, Minister of the Interior, was interviewed by a representative of Reuter's Agency. Referring to the Indian question, the Minister, on being informed of the present position, expressed the opinion that the Indians were adopting a very foolish attitude in fighting for theoretic rights. He had discussed the Indian question with responsible officials in England, and he had no reason to believe that the latter would not do what was fair to South Africa under the circumstances. In regard to the Indian marriage question, Mr. Fischer emphasised that it was impossible in the Immigration Law to alter the Marriage Law. If a European came along and demanded recognition

for his wife, he (the Minister) would demand to see his marriage lines.

Questioned in connection with a recent judgment in the Supreme Court at Maritzburg on monogamous marriages Mr. Fischer pointed out that it was simply the Roman-Dutch law, and it had been decided by the Courts. The Indians were simply creating new grievances, and if they took up a fighting attitude they could hardly expect the Government to give in.

How the £3 Tax Works

A Government official in Durban gave to a pressman some details regarding the reasons that led up to the £3 tax being imposed, and the effect it has had upon the question of Indian labour. In 1894, when Natal was given responsible Government it was noticed during the elections that several speakers made the point that the Indians must not be allowed to maintain themselves in the Colony, and run the risk of Natal becoming an Indian country. It was the desire of the Indians to be allowed to indenture for five years, and then to be allowed to remain in the country without any restrictions whatever. The Natal Government agreed to send a Commission, consisting of Sir Henry Binns and Mr. L. H. Mason, to India, to consider with the Indian Government as to what restriction should be placed upon the Indians remaining in Natal. The result of the Commission was the passing of Act 17 of 1895, which laid down the condition permitting the Indians to remain in Natal, which was that Indians, upon completing their indentures, shall either re-indenture, return to India, or pay a £3 tax for remaining in Natal as free Indians, and those conditions were approved of by the then Indian Government. Before an immigrant left India for service in Natal, he or she were given a form, provided by the Indian Government, written in three native languages as well as English, giving full details of the conditions of service, and the form clearly states that "after the expiration of this contract of five years, every emigrant who shall fail, neglect, or refuse to return to India, or to become re-indentured in Natal, shall take out year by year a licence to remain in the Colony, to be issued by the Magistrate of his district on payment of £3 annually. Such immigrants as have taken out licences to remain in the Colony shall bear their own expense to return to India." It was pointed out that by signing this agreement before leaving India, the immigrants knew perfectly well the conditions relative to their being allowed to remain here, and they came here quite prepared to pay the £3 tax if they so desired to remain. Had Act 17 of 1895 not been passed, Natal would have been flooded with Indians, and special stress is laid upon the point that that Act was approved of by the Indian Government, acting in the interests of their people. As far as the Indians are concerned, it is claimed there is no injustice to them whatever, for they have two alternatives, re-indenture, or a free passage back to India.

It is also claimed that the tax is merely a question of policy, and is serving its purpose well. Last Thursday 700 Indians were taken back to India, and altogether this year about 1,500 have returned rather than remain here. This year has shown an increase in the numbers returning, and this year the percentage of re-indentured Indians is 90 per cent., against 96 per cent. last year, which shows that last year employers of Indian labour lost 4 per cent. of their employees, and this year 10 per cent., pointing conclusively to the fact that the Indians are going back to India. As showing the mind of the Indians, our informant stated that whilst some immigrants were waiting at the depot for a boat to take them to India, they told him that if the Government took the £3 tax off they would not go back. They were asked what they would then do, and replied: "We will stop here and be our own

bosses," and this, of course, is exactly what the "tax was imposed to defeat, and is defeating.

Mr. Merriman on the Indian Question

Capetown, November 13th (Reuter). Mr. J. X. Merriman, speaking to-night at the Colston banquet, held under the auspices of the Society of Old Bristolians, in Capetown, referred to the Indian question. He said we ought to take into most serious consideration the question of our relations to British Indians in this country. (Hear, hear.) He viewed with horror the fact that he saw the stormy petrel that took such a large part in the disturbances of last July in Johannesburg coming forward as the patron of British Indians. (Hear, hear.) These unfortunate people were being misled. It was pitiful to see the things that were going on, and to read of the miserable attempts at processions and strikes, because they could lead to nothing but evil for those concerned and to us in our position as the dominant race. It was very pitiful that we could not settle a question that was not only an unfortunate thing for South Africa and a stumbling block in the way of the Union, but it was far more than that. What we did to the Indians in this country had an echo elsewhere. It would be used in India by agitators there who were hostile to the British rule as an argument and weapon against the Empire. No greater blow could be inflicted on the Empire than the encouragement of anything of that sort. We were very fond of talking about loyalty, but loyalty was not one-sided, and if we were really loyal we must be prepared to make some sacrifices for our loyalty. The King had given certain solemn assurances to the people of India, and if we were by our actions to lend colour to the idea that these promises were of no avail, we should place in the hands of the agitators in India, who were hostile to British rule, one of the deadliest weapons they could have. We were all anxious to support the Navy, and there was a strong section in favour of giving a larger contribution. But there was no contribution to the Navy which could possibly wipe out the evil that could be done by placing in the hands of agitators in India a weapon of the sort he had mentioned.

A Member of Parliament Speaks

In the course of a speech to his constituents at Maritzburg, on the 13th ulto, Mr. T. Orr, M.L.A., is reported by the *Natal Witness* to have said:

Another important matter, which had been causing considerable anxiety, was the Immigration Restriction Act. Speaking for himself, he did not think a good case had been made out for the whole of that Act. Had the session lasted a little longer, Parliament would have probably given effect to some modification. It was time that the £3 Indian licence disappeared, if only for the reason that special differentiation in taxation between coloured and white British subjects would always be a bone of contention between the Union and the Indian Government, which would always create the maximum of friction. They knew that the licence had not been regularly collected for a number of years. Spurts were made in the collection, and these died away, and he believed that the time had come when the Indian licence should disappear, and with it a fruitful source of friction. Another point on which the Indians felt sorely was that they had no votes and no direct representation, and for that reason they, the white people, must be scrupulously fair and just in all their dealings with the Indians. (Hear, hear.)

It was unfortunately true that a recent decision of a Natal Court had cast a slur on Indian women even when they were the single wives of an Indian by dubbing

them polygamous because they came from a polygamous country. He was quite sure that that was not the intention of Parliament when the Act was framed, and he hoped that in the course of the next session the Government would find an opportunity to make the position clear. They must give justice to these people. They were in the country, and they formed a difficult problem because they were multiplying faster and faster, and exceeding the numbers of the white people. They must never have such direct representation as would give them a power over the whites, but the whites must give every fairness and justice that the case demanded.

News in Brief

The Chairman of the British Indian Association, in a letter dated the 18th October, draws the attention of the Resident Magistrate, Volksrust, to the following most grave matter:—

"Mr. Badat, the well-known merchant of your town, informs my Association that, on Monday last, he was summoned to the local Charge Office to take charge of the young son of Mrs. Sheik Mehtab, who was about to be sentenced under the Immigration Act. While Mr. Badat was there, the Sergeant—an officer newly appointed I understand—desired the lady to give her finger-impressions. This she declined to do, whereupon the officer roughly addressed her, seized her by the arm and pushed her forward so that she almost fell. Mr. Badat remonstrated, saying that that was not the way to treat a prisoner. Upon this the officer ordered Mr. Badat out and closed the door behind him."

The Association requests that the fullest investigations should be made into the matter.

The Magistrate passed the matter on to the District Commandant of Police at Wakkerstroom who made an inquiry. In a letter, dated the 27th ultimo, he states that the Sergeant asked Mrs. Mehtab to give her thumb-impression, but she did not appear to understand what was wanted. The Sergeant took hold of her wrist to take her thumb-impression, but when she understood what was required, she pulled her hand away, and was not pushed as stated.

The *Star's* report of General Smuts' speech at Pretoria contains the following:—

There was not one Indian in Natal who on entering that country had not agreed to pay the £3 poll tax on the conclusion of his contract as an indentured labourer. He wished to warn the Indian population of Natal that their position was not so secure that they could play with the laws of the country. If they were not careful they would find themselves in the wrong box.

The Pretoria Socialist Society has sent the following telegram to Mr. Gandhi:—"Pretoria Socialist Society sends sympathetic greetings to Indian strikers, wishing them success."

At Dannhauser Branch Court on Friday last, the Magistrate sentenced two Indian boys of eleven and thirteen to receive seven lashes each because they refused to go back to their work. The Newcastle Committee lodged notice of appeal.

Mr. Ephraim writes that, whilst the town of Newcastle was crowded with strikers, "We had to house them here there and everywhere. We lodged them in private houses, sheds, stables, sample-rooms and certain houses that were placed at our disposal out of kindness and pity. Mrs. Smith, proprietress of the Bridge Hotel, gave us a nice large hall free of charge. We haven't been on any occasion but one refused any house that was empty either by Europeans or Indians."

The Newcastle Committee engaged Dr. Cooper to attend some patients among the strikers.

At the Newcastle Court on the 4th inst., Mr. Liggett, compound manager of the Durban Navigation Collier-

ies, was fined ten shillings for assaulting an Indian woman named Kathija.

A staff writer in the *Advertiser* says: Our alleged South African statesmen are so painfully pusillanimous that, having once assumed an attitude, they dare not retreat from it, not because they are in the right, but because they fear—actually fear—the ridicule of the people, if they stepped down and made any concessions. What says the gallant Smuts? "The Government feel that a promise of repeal under the present state of affairs would be a 'public disaster,' the consequences of which none can foresee, and are not disposed to consider it." In other words: "We don't care a rap about the tax, and would have repealed it long ago, but we messed the thing up as usual, and now we are afraid to give in to a handful of Indians, because of what the public would say."

The *Bombay Chronicle*, says Reuter, comments upon the action of the Union Government in forcing passive resisters to work in the mines, and says that, if this continues one day after it comes to the notice of the Imperial Government, every self-respecting Indian, instead of desiring to assert British citizenship, will cease to regard it as an honourable thing. The paper has started a fund in aid of the Indian movement in South Africa.

The Hon. Dadabhai Naoroji, in his letter of thanks for birthday greetings, writes on the 22nd September:

"Once again, the situation of our countrymen in the Colonies, and particularly in South Africa, stirs us with deep emotion. They have suffered long and suffered much, and have so borne their misfortune as to entitle them to the better regard and protection of His Majesty's Government. I have viewed with deep concern the indifference of the Imperial Government in regard to the recent Act in South Africa. But I still hope for justice and action."

Reuter's correspondent in Victoria, British Columbia, telegraphs to London that 15 more Hindus have been ordered to be deported, and 39 are now awaiting deportation. The Hindu population in British Columbia is arranging mass meetings to protest against the treatment of their compatriots. Under the law in British Columbia, no Hindu is allowed to land unless he arrives on a steamer direct from India. As there is no service of steamers running between the two countries, it forms an effective bar in many cases to their claim to be allowed to land.

A school history reader contains this thought-inducing sentence:—"It has been wisely said that when an Englishman and a Chinaman meet for the first time, he who smiles first at the appearance of the other is the barbarian." You can apply that maxim to more things than dress, and to people who are not Celestials.—*Star*.

Mr. M. R. Greenlees has resigned from the Immigration Board at Pretoria and Mr. J. N. van Alphen has been appointed for a period of four months.

The New South Wales Assembly by 28 votes to 23 has (says Reuter) rejected a Bill providing for the compulsory vaccination of infants. The voting was on a non-party basis.

Latest Information

At 4.30 yesterday afternoon on the eve of going to press, our Acting Editor, Mr. West, was arrested at his home at the Phoenix Settlement, charged with 'harbouring indentured people'. He was taken away in a motor and was unable to inform his co-workers of his arrest.

We have received a telegram from Maritzburg that 5,000 strikers are out there, that the enthusiasm of the people is wonderful, and that General Lukin was expected there with 300 men.

The people at Phoenix were removed by the police late yesterday afternoon.