

Indian Opinion

PUBLISHED WEEKLY IN ENGLISH, GUJARATI, HINDI
AND TAMIL.

No. 4—VOL. XII.

WEDNESDAY, JANUARY 28TH, 1914.

Registered at the G.P.O. as a Newspaper.
PRICE THREEPENCE.

A TRUCE WITH THE GOVERNMENT

THE following correspondence between Mr. Gandhi and the Government places on record the agreement arrived at as a result of a series of interviews with the Minister at Pretoria:—

Pretoria, Jan. 21, 1914.

"The Secretary for the Interior, Pretoria.

"Sir,—Before leaving for Phoenix, I venture to express my thanks to General Smuts for the patient and kind interviews that he has been pleased to grant me during this time of overwhelming pressure. My countrymen will remember with gratitude his great consideration.

"I understand that the Minister is unable to accept (with regard to the Indian Inquiry Commission) either (1) my suggestion that a member representing Indian interests should be co-opted when questions of policy are inquired into, or (2) my suggestion that a second Commission, with Indian representation, should be appointed to deal with those questions only, the present Commission in that case becoming purely judicial. I submitted a third proposal also, which, in view of the Government's decision, I need not state here. Had any of my suggestions been viewed favourably by the Government, it would have been possible for my countrymen to assist the labours of the Commission. But with regard to leading evidence before this Commission, which has a political as well as a judicial character, they have conscientious scruples, and these have taken with them a solemn and religious form. I may state briefly that these scruples were based on the strong feeling that the Indian community should have been either consulted or represented where questions of policy were concerned.

"The Minister, I observe, appreciates these scruples, and regards them as honourable, but is unable to alter his decision. As, however, by granting me the recent interviews, he has been pleased to accept the principle of consultation, it enables me to advise my countrymen not to hamper the labours of the Commission by any active propaganda, and not to render the position of the Government difficult by reviving passive resistance, pending the result of the Commission and the introduction of legislation during the forthcoming session.

"If I am right in my interpretation of the Government's attitude on the principle of consultation it would be further possible for us to assist Sir Benjamin Robertson, whom the Viceroy, with gracious forethought, has deputed to give evidence before the Commission.

"A word is here necessary on the question of allegations as to ill-treatment during the progress of the Indian strike in Natal. For the reasons above stated, the avenue of proving them through the Commission is closed to us. I am personally unwilling

to challenge libel proceedings by publishing the authentic evidence in our possession, and would far rather refrain altogether from raking up old sores. I beg to assure the Minister that, as passive resisters, we endeavour to avoid, as far as possible, any resentment of personal wrongs. But, in order that our silence may not be mistaken, may I ask the Minister to recognise our motive and reciprocate by not leading evidence of a negative character before the Commission on the allegations in question?

"Suspension of passive resistance, moreover, carries with it a prayer for the release of the passive resistance prisoners now undergoing imprisonment, either in the ordinary gaols or the mine compounds, which might have been declared as such.

"Finally, it might not be out of place here to recapitulate the points on which relief has been sought. They are as follow:

"(1) Repeal of the £3 tax in such a manner that the Indians relieved will occupy virtually the same status as the indentured Indians discharged under the Natal Law 25 of 1891.

"(2) The marriage question:

"(These two are the points, as I have verbally submitted, which require fresh legislation.)

"(3) The Cape entry question. (This requires only administrative relief subject to the clear safeguards explained to the Minister.)

"(4) The Orange Free State question. (This requires merely a verbal alteration in the assurance already given.)

"(5) An assurance that the existing laws, especially affecting Indians will be administered justly, with due regard to vested rights.

"I venture to suggest that Nos. 3, 4, and 5 present no special difficulty, and that the needful relief may be now given on these points as an earnest of the good intentions of the Government regarding the resident Indian population.

"If the Minister, as I trust and hope, views my submission with favour, I shall be prepared to advise my countrymen in accordance with the tenour of this letter.

"(Sgd.) M. K. GANDHI."

"Department of the Interior, Pretoria,
"Jan. 21, 1914.

"Sir,—With reference to your letter of even date, I am instructed by the Minister of the Interior to reply that you are correct in your statement that it is not proposed to make any alteration either in the personnel of, or the reference to, the Commission appointed to inquire into the recent Indian strike in Natal. The Minister regrets, but, of course, understands, that you are so far committed by your previous public declarations in regard to the Commission that you are precluded from appearing before it. He also recognises the motive which makes you

unwilling to revive old sores by courting libel proceedings before another tribunal.

"The Government repudiates as strongly and emphatically as heretofore the charges of harsh or improper action against the Indian passive resisters and strikers. But, as you and your friends have decided not to appear before the Commission and lead evidence in support of those allegations, it seems likely that there will be no charges for the Commission to investigate. The Government would regret the consequent absence of an opportunity to lead rebutting evidence in vindication of the conduct of its officers, but it feels that, unless it has a definite case to answer, any attempt to deal with the allegations before the Commission could only result in an unprofitable waste of time.

"The Government is anxious that any recommendations which the Commission may make on the larger issue of Indian grievances should be received at a sufficiently early date to enable proposals to be submitted to Parliament during the forthcoming session. It is hoped that those proposals, if accepted by Parliament, would ensure a satisfactory and permanent settlement. The Government considers that such a settlement of long-standing disputes is too important to justify any risk of endangering its achievement by delaying the proceedings of the Commission, already delayed through unforeseen circumstances, by an inquiry, which would now be necessarily one-sided, into points of minor and secondary moment relatively to wider issues at stake.

"If, therefore, the Indians decline to submit to the Commission any specific charges in connection with the treatment of passive resisters and strikers during the recent troubles, the Government will not think it necessary to take any further action in refutation of the allegations against it and its officers, but it reserves its right to ask the Commission to investigate the occurrences which resulted in loss of life at Esperanza and Mount Edgecombe.

"With reference to your prayer for the release of bona-fide passive resistance strikers from ordinary or compound gaols, the Department of Justice had already, previous to the arrival of your letter, taken steps for the release of the small balance of these prisoners kept in the gaols.

"In regard to the grievances which you have summarised at the end of your letter, the Government will, as already stated, await the recommendations of the Commission before taking any action.

"(Sgd.) E. M. GORGES,

Secretary for the Interior.

"M. K. Gandhi, Esq., Pretoria.

Basutoland Traders' Petition.

The petition of the undersigned, Indian Traders in Basutoland, South Africa, humbly sheweth that Indians have been granted trading privileges in Basutoland for about 30 years, and that your petitioners are at present licence holders and conduct businesses there.

That under the old Free State law, which is still in force, all Indians are prohibited from settling in the Free State or carrying on business there, but that up to a few months ago your petitioners were allowed to enter the Free State provided we held passes, which were granted to us freely on the same conditions as to the coloured races of South Africa.

That this privilege is absolutely necessary for the proper conduct of our businesses as your petitioners require to enter the Free State for temporary purposes, seeing that all the goods for our stores come by railway through the Free State, and that all our

payments are made through the banks there. We require also liberty to enter the Free State in order to rail our produce to the selling centres in the Union of South Africa, and further it is in the Free State that we dispose of our live stock. We are very large customers of the Union of South Africa in respect of these matters.

That under the new Immigrants' Regulation Act (No. 22 of 1913) and relative regulations we are in effect barred from entering the Free State through the Pass Laws being so stringent, and the conditions attached so burdensome. All applications for permission to enter the Free State have to be made to Pretoria, and money deposited and taxes paid, and this entails so great a delay that for business requirements the Pass Laws are absolutely prohibitive.

That the Union Government have power to refuse passes, and are doing so.

That the administration of the Immigration Law is harsh and unreasonable.

That facts can be adduced to prove these statements to demonstration.

That the Indians of Basutoland are now in a position infinitely inferior to that of the native races of Africa so far as access to the Free State is concerned.

That the native races come and go freely daily.

That we feel, as law-abiding British subjects of standing, we are being unjustly treated, and are suffering material loss and damage.

That we deserve better treatment from the Union of South Africa looking to the fact that we are good customers to the border towns, that we are very large contributors to the revenue of the Union in respect of railways and customs, and as produce and live stock sellers.

That the position between the Indians of Northern Basutoland and the Free State is peculiar, and we do not believe this was under consideration when the Immigrants' Regulation Act was framed. It arises through there being no banks and no railways, and no markets in that part of Basutoland, so that all traders, white and coloured, are absolutely dependent on the Free State connection.

That the points raised in this petition have nothing to do with the general questions raised by the Indians elsewhere in South Africa.

Wherefore your petitioners humbly crave for redress in the matter of entrance of a temporary nature into the Free State border towns to enable us to conduct our businesses in the same manner which was existent before the passing of the Immigrants' Regulation Act, and we would welcome an inquiry in regard to the above statements.

And your petitioners as in duty bound will ever pray.

Signed,

E. N. MAHOMED.
H. J. H. ESACK.
TAYOB ADAM.
T. N. MAHOMED.
OSMAN MAHOMED.
CASSIM JOOMA.
HESSIM JOOMA.
A. R. MANSOOR.
SALLY MAHOMED.
DADA ADAM.
OSAM SOKEBA.
MAHOMED BARICUT.
ISSA & CO.
MOOSA ISMAIL.
JOOMA MAHOMED.
ABDULLA SULEMAN.
ABBA AHOMED.
TAYOB SURTIE.
AJEM RASUL.
DADA VALLEY.
MAHOMED CASSIM & CO.
TARMAHOMED ISMAIL.

From the Editor's Chair.

THE PROVISIONAL AGREEMENT.

THE correspondence between Mr. Gandhi and General Smuts, following, as it does, upon a series of interviews and conferences, contains the main points of an agreement that, at least temporarily, avoids the terrible necessity of reviving passive resistance in its most painful form, and will, we hope and have reason to believe, remove altogether the causes that gave rise to the revival of last September. We believe that Mr. Gandhi has left Pretoria carrying peace with honour, and the Indian community, both at Johannesburg and Durban, has already endorsed his action and approved the terms of the agreement. Three matters of sentiment—of deep-reaching sentiment—emerge from the correspondence. First, the Government, with a clear realisation of the situation, express a strong desire to introduce legislation, early in the coming session, calculated to end the present controversy, and thus fulfil their solemn undertakings given to the Indian community and their distinguished countryman, Mr. Gokhale. Secondly, the principle of consultation which was, in effect, withheld from Indians when the Commission was appointed, is now admitted, and it will be for Indians themselves to maintain and develop it as occasion arises. Lastly, the genuineness and sincerity of the motives forbidding the Indian community to lead evidence before the Commission on the allegations of ill-treatment (though they will co-operate heartily with the Viceroy's representative, Sir Benjamin Robertson, should he so desire, and give him any information that he needs) are frankly acknowledged by the Government. We are of opinion that never in the history of the struggle have the principles of passive resistance been more vindicated, and we believe that the services rendered by Mr. Gandhi and by Mr. Andrews—whose wise counsel was equally availed of by all those concerned in the recent negotiations—are services rendered not merely to the Indian community, but to the entire Union and to the Empire at large.

THE RECENT IMMIGRATION APPEAL.

A SINGULAR fact revealed by the report of the recent appeal to the Supreme Court under the new Immigration Act, appearing elsewhere in this issue, is that, had not the Indian concerned secured an intervention of the Court that has now been pronounced to be unwarranted by the law, he would have been on his way back to India and deprived of his legal rights. The Court has administered a just rebuke to the Natal Immigration Department by its decision to refuse it costs, but, unfortunately, the question of whether an immigrant who has been declared to be prohibited by the Immigration Officer but not by the Appeal Board, and who has been sent away, retains or loses his right of appeal to the Board, should he subsequently return, has not been set at rest. We feel that if there is any doubt on the point, the law should be carefully examined by the Government, and, if found necessary, strengthened in favour of the immigrant.

A CORRECTION.

WE observe in several of the English Press cuttings recently to hand, and more particularly in the annual summary of "The Times," dealing with the South African Indian question, that it is generally believed that one of the causes of the revival of passive resistance is the maintenance, since Union, of the provincial barriers against the inter-provincial migration of the resident Indian population. No doubt this belief arises out of the quite different demand

made by passive resisters that entry for South-African-born Indians prior to the passing of last year's should be restored. We have pointed out that the present struggle has nothing to do with the new rights, but only with the obligations already entered into in relation of the rights that existed up to such as the Cape right. Whilst we is morally wrong to confine a growing population within restricted area, and we entirely sympathise with the protests that are raised from time to time among different sections of the Indian community, notably by a large number of Colonial-born Indians, who strongly and very naturally resent the idea of these restrictions, and whilst undoubtedly the ideal is the free right of travel through and residence in any part of the Union for all sections of the population, it should be recognised that the realisation of this ideal is not the subject of passive resistance, which has been organised for an entirely different purpose. We offer these few remarks in order to remove an impression whose continued existence may give rise to quite unnecessary difficulties in the way of a satisfactory settlement of the present trouble.

MAGISTERIAL BLUNDERING.

MR. GABRIEL ISAAC, it will be remembered, was in charge of the temporary settlement that was established recently at New Germany, for providing shelter and food for indigent passive resisters who were scattered about in Durban. The removal to the settlement took place on the 2nd inst., after due notice to the police. The men thus removed included indentured men also. They were arrested as deserters and duly sentenced. Every facility was given to the authorities to effect arrests. As a sequel to the convictions, Mr. Isaac was summoned to appear on the 26th inst. before the Pinetown Court, on a charge of harbouring indentured Indians. In view of the provisional agreement, Mr. Isaac asked for a remand pending the result of the communication which Mr. Gandhi was forwarding to the Government. The Magistrate, however, declined to remand the case and found Mr. Isaac guilty and sentenced him to two months' imprisonment without hard labour or to pay a fine of £10. Mr. Isaac, of course, elected to go to gaol. We congratulate him on his self-sacrifice and love for the community, and the latter in having in Mr. Isaac such a true friend. If ever there was a passive resister it is Mr. Isaac, and, therefore, in terms of the agreement, he should be discharged, and we have no doubt that he will be in due course.

SYMPATHY TO MR. ANDREWS.

THE Rev. C. F. Andrews has received a cable from Birmingham to the effect that his mother passed away peacefully on the 9th inst. Mr. Andrews had a letter last week preparing him for the news. But in the midst of sorrow, and although he had a touch of malaria, he insisted on attending the mass meeting on Sunday last. A deputation consisting of Messrs. Imam Abdul Kadir Bawazeer, Parsee Rustomjee, G. P. Gandhi and Moodley waited on the reverend gentleman with floral tributes to convey their sympathy. In common with the members of the community, we tender our sympathy to Mr. Andrews.

The charges against Messrs. P. K. Naidoo, Dukhee, and N. B. Naik, in connection with the movement at Maritzburg during the strike, have been withdrawn by instruction from the Attorney-General.

Great Meeting at Bombay.

The Town Hall, Bombay, was packed to its utmost capacity, says the "Bombay Chronicle," on Dec. 10 last, by a vast and enthusiastic audience, which met to pass resolutions in reference to the treatment of Indians in South Africa. Among those present were: H.H. the Aga Khan, the Hon. Sir Pherozeshah M. Mehta, the Hon. Sir Jamsetji Jeejeebhoy, Sir D. M. Petit, Sir Cowasji Jehangir, Sir Dorab and Lady Tata, Sir N. G. Chandavarkar, the Hon. Sir Ebrahim Rahimtoola, Sir V. D. Thackersey, Dr. Stanley Reed, Mr. D. E. Wacha, the Rev. Dr. Scott, Mr. H. A. Wadia, the Hon. Mr. G. K. Parekh, the Hon. Mr. F. M. Chinoy, the Hon. Mr. V. Patel, the Hon. Mr. Lallubhai Samaldas, the Hon. Mr. Manmohandas Ramji, Mr. B. G. Horniman, Mr. J. B. Petit, Sardar Feroze H. Dastur, Mr. H. M. Cama, Mr. Haji Usuf Haji Ismail, Mr. Mahomedbhai Currimbhoy Ebrahim, Mr. K. Natrajan, Mr. A. J. Billimoria, Dr. N. H. E. Sukhia, Mr. Purshotamdas Thakoredas, Mr. H. L. Cowlie, Mr. Smith, Dastoor Dr. M. N. Dhala, Mr. R. P. Karandikar, Dr. K. E. Dadachanji, Mr. Narotamdas Morarji Gokuldas, Mr. F. Sorabji Talyarkhan, Mr. M. C. Javle, Mr. V. A. Dabholker, Mr. H. P. Mody, Dr. S. S. Batliwalla, and others.

The proceedings commenced with the reading by the Sheriff, the Hon. Mr. F. M. Chinoy, of the requisition to call the meeting, which he said was signed by eminent citizens like the Hon. Sir Pherozeshah Mehta—(loud cheers)—the Hon. Sir Jamsetji Jeejeebhoy—(cheers)—and others. He asked the assembly to proceed with the election of the chairman.

Sir Cowasji Jehangir, proposing that H.H. the Aga Khan be requested to take the chair, said his Highness's election would not only be acceptable to all, but his presence there that evening would enhance the prestige of the meeting. (Cheers.)

The Hon. Mr. Manmohandas Ramji seconded the motion, which was carried with much enthusiasm.

After His Highness had taken the chair, Mr. J. B. Petit announced that messages of sympathy with the object of the meeting had been received from H.H. the Gaekwar, Sir Currimbhoy Ebrahim, Sir Chinubhai Madhavlal, Sir Bhalhandra Krishna, Mr. B. D. Petit, the Hon. Sir Fazulbhoy Currimbhoy, the Maharaja of Kuch Behar, the Raja of Bansda, the Rani Saheb of Panna, and from most of the important cities in the Presidency, including Ahmedabad, Poona, and Karachi.

H.H. the Aga Khan announced that H.H. the Gaekwar of Baroda had contributed Rs. 5,500 to the South African Indian Fund, and the Hon. Sir Pherozeshah Mehta announced, amid loud and continued cheering, that H.H. the Aga Khan himself had contributed Rs. 10,000.

At a later stage it was announced that Sir Dorab Tata had contributed a further sum of Rs. 5,000, and following the good example of her husband, Lady Tata also contributed another sum of Rs. 1,000.

The Maharajah of Cooh Behar and the Maharaja of Bhowanagar have each subscribed Rs. 1,000, and the Maharaja of Bansda Rs. 500.

THE CHAIRMAN'S SPEECH.

The Aga Khan was received with prolonged applause on rising to address the meeting. He said: As the chairman of this public meeting, it falls to my lot to echo the feelings of the people of India which the calamities that have lately occurred in South Africa have evoked throughout the length and breadth of this Empire. It is no exaggeration to say that in the modern history of India, it is impossible to find a parallel to the intensity of feeling to which Indians have been stirred by the painful occurrences in South Africa. The solidarity of public opinion in regard to this most difficult and vexatious ques-

tion is indeed striking, and the fact that the requisition to the Sheriff to convene the meeting is signed by representatives of all the communities furnishes eloquent testimony to the complete unanimity of opinion that prevails in India as to the unjust and harsh treatment to which our fellow subjects in South Africa have been subjected. If such treatment were meted out to Englishmen in any foreign country it would have been treated as a "casus belli." (Cheers.) If Disraeli, or Gladstone, or Palmerston, or Bright were alive they would have moved the whole of England by their earnestness and eloquence to see that the fair name of England for justice and equity was kept unsullied.

The loyal, patient, and silently toiling Indians expect that the fact of their being the subjects of His Imperial Majesty the King-Emperor should be a sufficient protection of their rights of citizenship in any British Colony. (Hear, hear.) The Indian leaders in South Africa are willing to recognise the delicacy of the relations between the Imperial and the South African Governments, but no question of difficulty should be allowed to stand in the way of elementary human justice being done. Public opinion in India cannot believe the statement that the Imperial Government is helpless in the matter.

AN IMPERIAL PROBLEM.

The problem has assumed an Imperial aspect, and what we desire the Imperial Government to do is to allay the feeling of injustice and humiliation which oppresses our minds. For years, the Indians in South Africa have approached some of the burning questions affecting their very existence in that country in a calm and dispassionate manner, free from prejudice and passion or opposition to authority in the hope that antagonism to their rights of British citizenship may be argued into moderation and persuaded into compromise. But the hope has not yet been realised, and their patience is exhausted. The very fact that my distinguished friend, the Hon. Mr. Gokhale, effected a compromise that was so moderate as to provoke the displeasure of some people in India proves how reasonable our fellow-subjects there have been. Our brethren in South Africa have been treated as if they were the worst type of Pariahs. Before the Boer War, President Kruger's Government chastised the Indians with whips, but, as "The Times" pointed out six years ago, the Transvaal Government were chastising the Indians with scorpions. As Lord Lansdowne has said, it was the ill-treatment of Indians before the war which called forth vehement protests from Englishmen and eminent statesmen in Great Britain. Not only have all the restrictions of Kruger's regime been maintained in all their severity, but additional and disagreeable disabilities have been imposed upon Indians, who have appealed in vain to all the elementary emotions of manhood and fellow-citizenship. It is painfully obvious that the conviction that Great Britain is unable or unwilling to protect her foster children must shake their confidence in the power of the Imperial Government, and deal a blow to the prestige of the Empire. We appeal to the sense of justice of the leading statesmen of the Empire to preserve the honour of British Indian subjects lawfully domiciled in a British Colony. The sentiment of Empire must begin to lose its meaning if the Indians in the Transvaal, who have the strongest claims upon British sympathy, find that England is unwilling and pleads helplessness to remove the injustice that is perpetrated on them owing to the colour prejudice of an autonomous Colony. (Applause.)

A NOTE OF WARNING.

Gentlemen, I cannot close this speech without once more appealing to you to speak and to act in a way

that will prove to the world that our loyalty is as sincere and deep-rooted as that of any white men, and that noblemen like Lord Hardinge, whose manful stand for justice has made a deep and profound impression on us, are the most precious asset of the Empire, and that, however terrible the attempt of one unspeakable wretch on his life, there are many of us ready and willing to lay down our lives for his. We must act in such a way that any representation which the Indian Government may make should receive the fullest weight that can be given only when the prayer is from a loyal people. It is men of Lord Hardinge's calibre who have made the Government of India possible as well as an example of upright administration in the eyes of the whole world and it is the presence in this country of such liberal-minded statesmen that renders the control and direction of 300 millions of people by what is comparatively a handful (about 200,000 all told) permanently possible. (Applause.)

SIR PHEROZESHAH MEHTA.

Sir Pherozeshah Mehta, who, on rising to address the assembly, was received with loud and continued cheering, which lasted for several minutes, said: I am entrusted with the task of moving the first resolution before this meeting. Let me assure you, ladies and gentlemen, that in proceeding to move that resolution I do not propose to make a long speech, for in the longest speech which I might make what could I tell you but the thrice-told tale of woe and suffering, of patience and resignation, and, above all, that blessed word—moderation—(cheers)—of our countrymen and women in South Africa, which has stirred the heart of this country to its very depths? (Hear, hear.) In this state of things I was surprised, and, I may be allowed to add, I was grievously disappointed, in reading in one of the papers, where, after referring to the project of a public meeting, the writer goes on to say, "this agitation has done one thing, and that is to show that there are political agitators who, whilst being far removed from the Extremists, are perfectly prepared to use all the means in their power to embarrass the Government."

I ask could there be a more unjustifiable aspersion on those who are toiling to keep this agitation within the limits of moderate limits in this country? Does the writer refer to my friend the Hon. Mr. Gokhale—(cheers)—who has devoted his whole heart and soul to this question—(cheers)—or to a mild Parsi like me—(loud laughter and cheers)—who, if anything, has been reproached with not being violent on occasions which would have justified wild language? But, gentlemen, the comment which I make on that observation is that the writer has utterly and entirely failed to realise the depth and intensity of the feeling which on this occasion pervades everybody in this country, high and low, rich and poor, young and old, however divided from each other by caste or creed, race or religion. He has utterly failed to measure the extent of the emotion which is agitating the whole country in consequence of the sufferings of our countrymen, and, above all, of our countrywomen in South Africa. (Hear, hear.) Ladies and gentlemen, what is it in the first place the Indians in South Africa have been fighting for, pleading for, praying for, with all the persuasion at their command? His Highness the Aga Khan has told you that there were some restrictions placed upon the Indians in South Africa during the Boer regime, but even the Boers by no means rigorously enforced the legal restrictions that were on the Statute book. (Hear, hear.) But when they treated the Indians in this mild manner, what did one of England's

great statesmen say on that occasion? Lord Lansdowne, then a responsible Minister of the Crown, said in the House of Lords in grave and forcible and emphatic terms that even that mild manner of treating the subjects of the British Empire could not be endured, and that such treatment was an adequate "casus belli" against the Boers. Now the Transvaal has passed into the British Dominions, and with what result? Have those restrictions been abandoned or repealed? Alas! for the loyal subjects of the British Crown, it is depressing, grievously depressing, to find that, far from being removed, they are being more rigorously enforced than before! ("Shame.") The argument has been brought forward that the mighty British nation which could make a "casus belli" of that treatment against the Boers, then a foreign State, could not interfere to prevent worse treatment in the Dominions over which the King-Emperor presides! What a deplorable admission to make that the British Government cannot repress the sort of treatment in their own dominions which they did not tolerate in a foreign State! I deplore such a statement, such an argument, for this reason—for the reason of the effect which it would produce on the minds of the loyal people of India—an effect which we can scarcely contemplate with equanimity in our full sense—I will not say loyal—of the benefits of English rule. (Hear, hear.)

RIGHTS OF BRITISH CITIZENSHIP.

These further repressive measures were undertaken in the time of the British occupation of that province. And what did Mr. Gandhi—(cheers)—and his associates do under these circumstances? They argued, they reasoned, they implored, they said: "Do whatever you will even in your might, but do not deny to those already settled in the country the simplest and the barest rights of ordinary citizenship of the Empire—the bare dignity of humanity. They begged and they prayed for this. The poor Indian had never commenced by taking up a defiant and aggressive attitude. He pointed out that he and his fellow-countrymen had been ready to help the British during the Boer War, and begged and prayed for nothing more than that those already settled there should be allowed the simplest rights of citizenship. No ear was given to what he urged until, utterly baffled, he resorted to one of the only remedies that remain open to a loyal subject of the Crown. For four years did that passive resistance last, from 1906 to 1910, and then people began to realise that the cause for which such sufferings could be endured by men like these must be just and righteous.

This was acknowledged, and a promise given that the simple rights demanded would be incorporated in the next legislative enactment. What were these claims? I ask you to remember this, I have all along held that a subject of the British Crown has a right of free entry and access to every part of the Empire. (Loud cheers.) I have always disagreed with some of my friends and have always said and maintained that Indians can never give up this great and vital principle of Imperial citizenship. (Loud and continued cheers.) What did Mr. Gandhi do? Did he ask for that? Never. He bowed to fate and said: "Very well, let immigration go. I only ask for a recognition of the legal rights of those settled there, of their social customs and domestic economy." All these were promised him, but when the legislation came, what was the result? It was an absolute negation of those promises. And still we are told that it is the Indians who should practice moderation and that the Boers should be satisfied that the demands are of a moderate character.

Finding that Mr. Gandhi was again at his old game of persuasion and reason and argument, I call this unpractical, and I disagree with this saintly character only here. I say it was a mistake that they asked for too little, and they failed because they did so. If he had asked for more, and if he had stuck out for that full demand, he would have got something. He would not have been told that because he had asked for so little, therefore he would get still less. That I think, according to my poor judgment, was a great blunder, but it illustrates the reasonable and moderate character of the campaign carried on by Mr. Gandhi. Surely, the South Africans ought to have recognised the extreme docility and moderation of these demands toned down to the lowest depths. I ask your attention to this because it is the Indians who have been charged with not exercising patience and moderation, and Mr. Gandhi was still at his old game of reasoning and persuading, with what result? Nobody listened, and up to the present nothing has been done, and still we are asked, and the Indians in South Africa are asked, to practise moderation. (Laughter). Now the situation has developed in a way which has caused intense pain and agony to people in this country. Look at the way in which this aggressive Union Government of South Africa treats the Marriage Laws of the Indians settled there, in their high superiority.

A MOST TOUCHING EPISODE.

Sir Pherozshah, continuing, said: As the chairman had said, there was a time when Indians were highly civilised, when Boers and Britons were unknown, and denying that everything must be recognised by religious custom, they say that Indians married according to their own rights and customs are not to be considered as married at all. (Cries of "Shame, shame.")

I tell you what I feel sincerely, that there has been no more touching episode in the whole history of this campaign than the conversation which Mrs. Gandhi had with her husband before she cast in her lot with him in the passive resistance movement. After the decision of the Supreme Court there denying the legitimacy of Hindu and Mahomedan marriages, she asked him: "Am I your wife or not? I am not your wife if this decision stands, and if I am not your wife, I am not a woman of any true womanhood in the estimation of my own sex, and my children are illegitimate." Mr. Gandhi must have known what it was to expose tender women to the hardships of the campaign, but in spite of his pleadings, that brave lady decided to cast in her lot with those men who were fighting for the cause. History records the deeds of many heroines, and I feel that Mrs. Gandhi will stand as one of the foremost heroines in the whole world.

But we are told: what can His Majesty's Ministers do in a matter of this character, which concerns the internal economy and discipline of a self-governing Colony? I entirely and absolutely agree with His Highness the Aga Khan that we are bound to speak with due respect for the Ministers of the Crown. But with all that it is impossible not to tell them that the people of this country cannot but consider that they have not extended that protection to the Indian subjects of His Majesty the King-Emperor which as Ministers of the Crown they were bound to accord to millions of his subjects in the Colony.

A GREAT AND NOBLE VICEROY.

It is a piece of singular good fortune that we have at the head of the Indian Administration a man who has proved himself one of the greatest and noblest of Viceroys—(cheers); a man cast in a large mould in every way—a high-minded, high-souled, and high-hearted statesman who fully realises that

no statesmanship can be high which is not based on justice, righteousness, and sympathy. (Cheers.) His Excellency the Viceroy has won the hearts of the people of this country, and done a great service to the Empire by his great speech at Madras. People in England do not realise the great service he has rendered by his words. Whilst we feel dissatisfied with the way in which great Ministers of the Empire have treated this subject, we are consoled with the thought that the Viceroy of this country, His Majesty's representative, is suffering in the sufferings and pained by the pains borne by our countrymen in South Africa.

I am afraid that I am belying the promise that I made at the beginning of this speech. I told you I was not going to make a long speech, but it is difficult to contain oneself under the circumstances, and, long as I have been already—I haven't kept my watch in my hand, as we do in the Legislative Council—(loud laughter)—I cannot help making a further observation that I think it is a wrong and a narrow-sighted policy which has allowed the larger question to be obscured, the question of the rights of Indians as citizens of the British Empire. As I said once before on a similar occasion in this Town Hall, it is not a good thing to set Asiatics and Indians to ponder too much on the question of open door and closed door. I think it is a blunder of a most serious character that we should be led to think that, while white races can claim by force and might to go everywhere and to enter the fairest places on the world's surface, at the same time they should lay down a principle that other races must not enter the place occupied by them. And though you may talk of Yellow Peril and Black Peril, by this conduct you bring out more and more the gravity and seriousness of the Yellow Peril and Black Peril; we cannot say what will happen in the future. But, I think, English and European statesmen had better take warning that, while they claim the right of going over the whole world, and of invading the North of Africa, it is a grave mistake to set down too definitely and too formally that they will prevent other races going to other parts occupied by the white races. I said that it was a piece of singular good fortune that we possess a statesman of the calibre of Lord Hardinge, who has fully realised the volume of the feeling in this country on the matter. Let us again go to him and implore him to approach—if necessary—even the foot of the Throne and implore the Crown that, under the circumstances which existed and have since developed, it would not only be a righteous but also a wise policy that if nothing else prevails the veto of the Crown be exercised. Was the veto given for nothing? Was it not given to preserve and maintain the Imperial interests? For, with all the talk of the discipline and internal economy of self-governing Colonies, are they not as much part of the Empire as any other part, and the veto can only mean that if the Colonies will not take care to preserve and maintain the Imperial interests involved, the Crown will step in and prevent them from doing irreparable injury and mischief to the Empire.

AN APPEAL TO THE CROWN.

We appeal to the Crown that, if nothing else prevails, its veto must be exercised. (Hear, hear, and loud cheers.) I mean to tell you one reason why we are feeling so intensely on the present situation. While we are speaking and speechifying, those mild and gentle women who have enrolled themselves with husbands and brothers under the banner of Passive Resistance are lying in gaols herded with common criminals. (Loud cries of "Shame, shame.") And surely, with all the advice about moderation dinned into our ears, does not our blood boil at the

thought that while arguments are being set forth and negotiations carried on, these women in South Africa are suffering the lot of ordinary criminals. And if a way is not found to end these sufferings, I will not say what the consequences might be. But, gentlemen, the Pagan and Greek theory of the Nemesis is founded on absolute truth, and acts like these must rebound on their authors, and therefore it is that we implore our rulers, in the interests both of England and India, to bring about a reasonable and speedy solution of the question. (Loud and prolonged cheers.) With these words I move the first resolution as follows:

"That this public meeting of the citizens of Bombay expresses its entire sympathy with its countrymen and countrywomen in South Africa in the sufferings and privations borne by them in their patriotic and united endeavours for the removal of the racial, social, and economic disabilities imposed by the recent Immigration Restriction Act; it promises them the whole-hearted support of the public of this city and of the Bombay Presidency in their righteous struggle against such disabilities, and particularly to secure full recognition of the validity of marriages contracted within or without the South African Union according to Indian religious rites; and to obtain the repeal of the iniquitous £3 tax in Natal on ex-indentured Indians and their wives and children; it exhorts the people of this country of all classes and creeds to subscribe liberally to the funds that are being collected to help their fellow-countrymen in their self-sacrificing campaign in vindication of India's honour and of her people's rights as equal subjects of His Majesty the King-Emperor; and it appeals to His Majesty's Government to intervene on behalf of His Majesty's Indian subjects, and to insist on the observance by the Union Government of those pledges and promises of which the non-fulfilment has compelled the revival of passive resistance; and, in the last resort, to exercise the right which vests in the Crown to veto the Act of which the results are certain to be most injurious to the best interests of India and of the British Empire."

(To be continued.)

A Letter from the Rev. C. F. Andrews

My Dear Friends,—As very many of you already know, on my return from Pretoria with Mr. Gandhi the news was brought to me at Durban Station that my mother had died. I was hoping to see her on my way back to India, and was going to England for that very purpose. Indeed I was already beginning to count the weeks till that day of meeting should come. I knew all the while how ill she was, and longed to be with her; but she had always told me that I must never neglect the call of duty for her sake; and indeed no one could possibly have been more unsparing of herself, for the sake of others, than my mother. I owe to her every blessing which I have received. I had the happiness of hearing from her, in one of her last letters, that she was deeply thankful that I had gone to South Africa, and that her sympathy and love was with me and with the Indian people who were undergoing such sufferings. She did not wish me to return till my work was complete. The happiness of this letter I would share with you, as I would also wish you to share my sorrow. I know how my friends in Pretoria and Johannesburg (whom I had just left), and also the friends whom I have made at Durban and Phoenix, will be with me and give me their hearts' affection at this time. I know also how very many, whom I have not yet met, but who are friends already in spirit, will render me their sympathy and support. I would thank all these beforehand and

ask them to accept my sincerest gratitude and affection.

The news about my mother's death came to me so suddenly that, for the moment, I could not think without confusion. The first clear gleam of light, which broke through the cloud of my sorrow, shone upon me when I saw the faces of the Indian mothers, recently released from prison, as they stood outside Durban Station offering me their pranams. Though they little knew what sadness was in my heart, I could feel their motherly love, when I looked in their tender faces marked by lines of suffering and pain. Later still, as I recalled the picture, the thought came to me with overwhelming power, bringing the tears to my eyes, that my own dear mother's love was henceforth to be given back to me in the heart sympathy of Indian mothers, who would look upon me now, no longer as a stranger and a foreigner, but rather as an adopted son of Bharat Mata—Mother India—herself; adopted by the two-fold pledge and bond of suffering and love. An assurance of the truth of this thought was given me by the fact that the first message of sympathy which reached me, after the news became public, was from an Indian mother, Mrs. P. K. Naidu—one of those very Indian mothers who had welcomed my sad home-coming to Durban that night, and the Indian mothers themselves came up to Berea to give me their sympathy and affection.

To-day I feel that not only in South Africa, but in India also, I shall have the sympathy of Indian mothers and Indian friends; for I know with all my heart the love which they have lavished upon me with such unspeakable generosity that it bows me down to the ground with humiliation even to think of it, so unworthy have I been to receive it. I do take it, however, even while I am humbled by it, knowing that true human love, as God's own love, is not of merit but of grace. And this gracious, generous love, which has been poured out upon me from Indian hearts, binds me to India, the Mother, with a debt which I can never hope to repay.

I shall take back to India the knowledge, gained from this deep experience, that Indian hearts in South Africa glow with the same fervour and devotion, the same tenderness and love, that has made the Motherland herself, even in her darkest days, the home of noble mothers and heroic men.

In deep gratitude and affection,

C. F. ANDREWS.

The Powers of the Immigration Officer.

At the Civil Sessions of the Durban Circuit Court on the 20th inst., says the "Natal Advertiser," his Honour Mr. Justice Broome gave judgment in the matters of Dawad Suleman and of Daya Pashotan v. the Chief Immigration Officer.

Mr. C. P. Robinson appeared for the first-named appellant.

Mr. A. R. Michel appeared for the second. The latter case was similar to, and parallel with, the former, and was argued at the same time.

The Attorney-General (Mr. Douglas) appeared for the Crown.

In giving judgment his Lordship said:—

"On the 9th inst. application was made to me without notice for an order interdicting the respondent from deporting the applicant. A rule nisi was granted to operate as an interim interdict. Next day, on it being represented that the mail steamer in which the applicant had arrived and was about to be deported might be delayed, the order was varied so as to direct the Chief Immigration Officer to land the applicant and keep him pending the hear-

ing of the rule. This was done, and the steamer left at once. The applicant claimed to be domiciled in Natal, and to hold a certificate to that effect. Some time before October last he had visited India, and on his return, on the 11th of that month, he was declared to be a prohibited immigrant in terms of Act No. 22, 1913, which had then come into force, and, not having availed himself of

THE RIGHT TO APPEAL

to the statutory Board which he had under Section 19, Sub-section (2) of the Act, he went back to India. He returned in the S.S. Lindula on the 8th inst., and was again declared to be a prohibited immigrant. It appears that no opportunity was then given him of appealing to the Board from this second order, the view taken by the Immigration Officer being that, having failed to prosecute, within the prescribed time, his appeal from the order made in October last, he could not exercise the right of appeal from the prohibition order of Jan. 9, the period of three days within which such appeal was competent having expired on or about Oct. 16 last. The grounds upon which the action of the Immigration Officer was based were not known to me until the return day of the rule nisi. At the hearing it was intimated by the Attorney-General that it had been found upon inquiry that the applicant was not, in fact, liable to be declared a prohibited immigrant within the Statute, but was entitled to enter Natal by virtue of a former domicile in this Province. He had accordingly been allowed to be at large without any restriction, and an undertaking was given by the Attorney-General that he would not be the subject of further proceedings under the Act, and that the security deposited on his behalf would be returned.

"This being the position, the rule was discharged by consent. The question remained as to whether the rule and interdict had been properly granted, having regard to the provisions of Section 3:

"No Court of Law in the Union shall, except upon a question of law reserved by a board, as in this section provided, have any jurisdiction to review, quash, reverse, interdict, or otherwise interfere with any proceeding, Act, order, or warrant of the Minister, a board, an immigration officer, or a master, had, done, or issued under this Act, and relating to the restriction or detention, or to the removal from the Union or any Province, of a person who is being dealt with as a prohibited immigrant."

"I gathered the Attorney-General's contention to be, substantially, that, while there might be extreme cases in which the Courts would interfere, such, for instance, as corrupt or clearly malicious proceedings, the protection given by the Statute precluded such interference where something had been done for which the Act gave no sanction or which was even at variance with the express provisions of the Act. On the other hand, the view taken by the applicant's counsel was that a 'proceeding' 'under' the Act meant something lawfully done under the authority of the Act, and that the section could not be construed so as to protect the Immigration Officer if he had refused to the applicant the right of appeal specially allowed by Section 19, Sub-section (2), of the Act. A decision upon this point would not have been necessary, seeing that the applicant had been freed from all restriction, if the question of costs had not arisen. It becomes necessary, therefore, that I should give an opinion as to whether the interdict and rule nisi were properly obtained, in view of the protection given by Section 3 (1) of the Act.

"The fact that but for the interdict the applicant, though entitled to enter Natal, would now have been well on his way back to India, has no bearing upon

this part of the case, though I shall have to take it into account in dealing with the question of costs.

"Now, at first sight, the expression 'had done, or issued under this Act,' might appear to exclude everything not authorised by the Statute. But, in construing an Act of Parliament, the

MORE LITERAL CONSTRUCTION

ought not to prevail if it is opposed to the intention of the Legislature to be gathered from the Act itself. If effect were given to what might be the more literal construction of the words in question, the protection intended to be given would be reduced to a nullity, because, to give an example, it would always be open to the Courts of Law to inquire whether a person did, in fact, come within the provisions of the Act, so as to be liable to restrictions as a prohibited immigrant. Such a result would clearly be repugnant to what the Legislature intended.

"It has been held in a series of cases, of which *Nermann v. Seneschal* (32, L.J. C.P., 43), *Roberts v. Orchard* (33, L.J. Exchg., 65), and *King v. Chamberlain* (40, L.J. C.P. 273) are the leading ones, that the true test in such cases is whether the person who purports to proceed under the Act honestly believed in the existence of a state of facts which if it had existed would have justified him in doing as he did, without reference to the reasonableness of such belief. The first of these cases related to proceedings under the Coinage Act, and the second and third to charges preferred under the Larceny Act. Both these Statutes require notice to be given of any action to be brought for anything done 'in pursuance of' the Act, and I can see

NO REAL DISTINCTION

in meaning between the expressions 'pursuant to,' 'in pursuance of,' 'under,' or 'by virtue of' in a similar context.

"The matter, therefore, resolves itself into a question of bona-fides or honesty of belief, in estimating which the question of reasonableness may be material, but only to determine whether the belief is bona-fide or not. As to this, want of bona-fides is not alleged against the Immigration Officer, and there is nothing in the record to suggest such a state of mind on his part. As regards the reasonableness of such belief, if, as is probably the case, the belief were induced by a mistaken reading of the Act, in regard to the applicant having lost his right of appeal or as regards his domiciliary rights, that would not make it dishonest. Nor to my mind is the position altered by the inference that there must have been something short of a full inquiry and consideration of the applicant's legal position, in view of his former domicile in Natal. There is much to be said, however, in condemnation of anything like hasty action in deporting an immigrant who is lawfully entitled to enter the Province. The

LIBERTY OF THE SUBJECT

ought not to be lightly interfered with.

"The attitude to be taken by the Court in entertaining appeals from the decisions of a Licensing Board under the Act 18, 1897, has been settled in a number of cases, from *Solnath v. Durban Corporation* (19, N.L.R., 70), down to *Haffajee v. Licensing Board*; *Richmond* (29, N.L.R., 587) and still later cases. The Court does exercise its power of review in such cases to see that no grave irregularity takes place, that an applicant gets the appeal provided for him by the Act, and that the Board has not limited or exceeded its jurisdiction, or acted corruptly. But irrespective of later legislation as to renewals, the Court will not entertain any appeal upon the merits. It is necessary, however, to examine the language of the Licensing Act (No. 18,

1897), and to compare it with that of the Act now in question as regards the ousting of the jurisdiction of the Court.

"The Licensing Act provides (Section 5) that 'A licensing officer shall have a discretion to issue or refuse a wholesale or retail licence . . . ; a decision come to by a licensing officer as to the issue or refusal of a licence shall not be liable to review, reversal, or alteration, by any Court of Law or otherwise than is in the next section provided.' Section 6 gives a right of appeal from the Licensing Officer to the Town Council or other local authority. Now, this is

VERY DIFFERENT LANGUAGE

from that of Section 3 (1) of the Immigration Act. That Act provides not merely that there shall be no appeal from the decision of the Immigration Officer in declaring an immigrant prohibited; it extends to every proceeding, Act, order, or warrant had, done, or issued under the Act, and relating to the restriction or detention, or to the removal from the Union or any Province, of a person who is being dealt with as a prohibited immigrant.

"In the view I take of this section I must hold—though I do it with reluctance—that the interdict and rule nisi were not competent in the circumstances, and that the interference of the Court was erroneously invoked.

"The Court, however, has a discretion respecting costs which is not taken away by any such provision as Section 1 (b) of the Public Authorities Protection Act 1893 (56 and 57 Vict. c61).

"In view of all the facts, and especially of what I cannot but regard as undue haste on the part of the Immigration Officer in dealing with the applicant, there will be no order as to costs (see *Cree v. St. Pancras Vestry* (1899), 1. Q.B. 693)."

His Lordship stated further that the reasons enounced in the foregoing were applicable to the case of Day and Parshotay, and the decision would be similar.

Indians in British Columbia

The "Morning Post," after announcing that, on the 8th ulto., the Dominion Government dealt with the difficulties of the labour situation in British Columbia by passing an Order in Council prohibiting the immigration of artisans and labourers into that Province at coastal or boundary ports of entry until March 31 next, says:—The Order in Council is of general application, and is not restricted to persons of any particular race or coming from any particular country.

This action on the part of the Dominion Authorities of Canada, who are said to be in sympathy with the Provincial Government of British Columbia in the latter's policy of restriction of coloured immigration, was anticipated by the announcement made a few weeks ago that new restrictive regulations affecting Asiatics were under the consideration of the Dominion Government. It was understood that the new restrictions would be of such a general character that they would be applicable to any class of immigration, irrespective of colour or nationality, and that in this way the difficulties of discrimination would be avoided. It is now stated that these new regulations are the result of several conferences between the Premier of British Columbia (Sir Richard McBride) and the authorities of the Colonial Office, India Office, and Foreign Office on the occasion of the Premier's visit to England two or three months ago. The terms agreed upon, which concerned not only Indian but Japanese and Chinese immigration into the Canadian Dominion, were communicated to the Prime Minister of Canada (Mr.

Borden) by Sir Richard McBride, when passing through Ottawa in October. The nature of that communication has not been officially disclosed, but the general impression was that the Imperial authorities had stipulated that provided the restrictive regulations which it was then proposed to enforce were of such a comprehensive character that they would be capable of application to immigrants from the British Isles equally with those from India or Japan or China, there would be no objection to them. The Order in Council referred to in the above message from our Ottawa correspondent would appear to have been drafted in accordance with this understanding. Artisans or labourers from the United States or the United Kingdom seeking entry into British Columbia by way of any one of the coastal or boundary ports of that Province will be subject to these restrictive regulations until March 31. Indians coming under them will therefore be in no worse position than other British subjects of the artisan or labouring classes. As far as Chinese or Japanese are concerned, they not being on the same national footing as British Indians, are subject to even more restrictive provisions. In the case of the former they must pay an entrance fee of £100 per head, while the Japanese, although not compelled to pay poll-tax, are subject to the terms of certain Treaty obligations between the British and Japanese Governments under which the latter undertake to restrict emigration from Japan to Canada.

The later developments which followed on Sir Richard McBride's interviews with the British authorities in England were practically the result of the comparative failure of certain restrictive regulations adopted by the Dominion Government of Canada in the interests of British Columbia two or three years ago. Their then purpose was to prohibit the landing of Asiatics immigrants who had not journeyed directly from the land of their birth on a steamer ticket purchased there. Up to this time there had been a considerable overflow of Asiatics from the States of Washington and California as the result of the anti-Asiatic agitation in the Western States of America. This overflow was checked, but the recent opening up of two direct lines of steamship communication between British Columbia and Asia afforded unanticipated facilities for direct migration from Asiatic ports. Further restrictive measures therefore became necessary. In February last the Premier of British Columbia declared that the policy of his Province was the "absolute exclusion of Asiatics," and as far as that policy was applicable to Japanese and Chinese there were no insuperable difficulties in the way of its enforcement. But it was a different matter when British Indian subjects were involved. The Canadian immigration authorities have insisted upon the deportation from British Columbia of Indian immigrants for certain reasons which did not apply to immigrants of European nationality, but the Canadian Courts of Law have interpreted the law and the regulations thereunder in favour of the Indians on the ground that the attempted deportation involved an invidious discrimination between British Indians and other subjects of the Empire on their entry into Canada. It is said to be the purpose of the new Order in Council to effect restriction without discrimination.

A Canadian authority in London informed a "Morning Post" representative that a general policy of exclusion of all classes of artisans and labourers, whether European or Asiatic, would not involve British Columbia in any inconvenience for the four months during which the Order in Council was to operate, for the reason that there must be a general slackening during the coming winter of railway construction, housebuilding, and even agriculture and horticulture. "But," he added, "the whole trouble will come up again after March 31, when British Columbia will want white labour."

The Soorzai Death Inquiry

The adjourned hearing in the above matter took place on the 15th inst., before Mr. Th. McDonald, at Verulam.

Elizabeth Maria Molteno adhered to a statement made at Bloemfontein on the 18th December, that she was at the Phoenix Settlement on the 27th November, and saw the marks on Soorzai's back, which showed that he had been beaten. She saw him again the same day when the mounted policeman wanted to remove him. Soorzai said he could not walk, as he was feeling ill. Miss Molteno also stated that Soorzai seemed paralysed down one side, his appearance was very distressing, and he looked shaken and completely unnerved. A fortnight later she saw the dead body of this man in the hospital at Verulam.

Cross-examined by Mr. Britter: When she saw Soorzai he was wearing a jersey which was rolled up so that she and others could see the marks. There were five or six long ridges. She could not say how they were inflicted—not by a fall, but by some direct blows.

By Mr. Dickinson: Her impression was that the ridges were red and raised up, but not much. The marks extended across the back at right angles to the spine. She did not see whether the skin was broken. It was a hurried glance. She did not feel like making a close examination.

Dr. Fisher, Deputy District Surgeon, said that he attended the post mortem, along with the other doctors. He had no report to make. Dr. Hill made the examination. He agreed with the doctor's report which was handed to him to read. The report stated that the deceased died from exhaustion and softening of the brain. Deceased gradually became weaker and then unconscious and died at 10.30 a.m. on the 10th December. There was no evidence of external violence. There was an old scar in the brain, but no sign of recent haemorrhage.

Cross-examined by Mr. Dickinson: There were no marks of violence either outside or inside. He would expect to find marks, if the man had been thrashed fourteen days previous. There would probably be found effusion into the muscles and marks on the skin too. If the flesh was raised he would take it to be a severe thrashing. He saw deceased in gaol. He did not know then about the alleged flogging, or he should have examined him. He did not think that, by the body lying on the back, the marks would be pressed out. Deceased was lying on his back in gaol also. He did not think, if he had received a severe thrashing, that he would have lain on his back. If the marks had disappeared, there should still be found stains in the tissues under the skin. Any excitement would bring on exhaustion.

By Mr. Britter: Deceased was not a strong man. He had a predisposition to further trouble in the brain. Assuming he was sjamboked, it would have accelerated his death. Assuming he was shoved down, picked up by the left arm and shoved down again, falling bodily, it might help to bring about his death. And if, on the top of that, he was arrested and marched off to gaol, he would be under undue excitement all the time. Assuming that deceased had been sjamboked, pushed, shoved, knocked down, arrested and put in gaol, such a condition of affairs would be the very opposite to the peaceful life he would recommend to a man afflicted as he was. In his opinion, a fall on his left side could cause two circular bruises under the shoulder. Any excitement would accelerate the conditions. It was quite consistent with truth that there could have been a thrashing, provided the victim had on a jacket and jersey, and for the marks to have disappeared a fortnight later.

Dr. Hill, District surgeon, put in his written report already referred to.

Cross-examined by Mr. Dickinson: He saw deceased in hospital two or three days previous to his death. He was admitted from gaol. Deceased was predisposed to brain trouble. Any undue excitement, such as thrashing, a fall, imprisonment or even the abnormal circumstances of the strike itself would have been detrimental to him and might have caused his death. It would depend on the severity of the thrashing and the man's state of health whether evidence of such thrashing would be found under the skin fourteen days afterwards. There should be staining of the tissues underneath even though there were no marks on the skin. He could not conceive, if there had been a flogging which had caused red ridges, that all traces would have disappeared in a fortnight. The deceased was not constitutionally strong. He had the man under treatment about three years ago. He then was suffering from haemorrhage of the brain and corresponding partial paralysis of the left side. He did not know what was the cause of the first attack.

By Mr. Britter: When he attended deceased three years ago, he would have recommended a peaceful life, free from excitement, with only light work to do. Assuming that deceased had been shoved down by a fairly strong man, picked up by the left hand and shoved down again, he would say that would form a part of the cause of death and would be favourable to the condition which it was desirable to avert. If he had been sjamboked, that would be undue excitement and would cause both physical injury and mental excitement. He did not think bruises would have disappeared in a fortnight, but nothing was impossible. He admitted that a thrashing could be administered, if slight, over heavy clothing, which would not leave marks a fortnight later, provided that there were no contusions. Even a slight thrashing that would leave no marks after a fortnight might accelerate death under the conditions of deceased's brain. Laying the body on its back would not tend to remove the marks; it would be more likely to increase the appearance, but not necessarily so. A fall which produced two bruises would tend to increase the bad condition of the man's health. All these events would tend to increase the condition which it was desirable to avert. If all these events happened simultaneously, they would constitute a danger to his life.

This completed the evidence of the witnesses called for that day, and the Magistrate adjourned the further hearing for a week. In the meantime he would consider whether further evidence should be taken, including that of the wife of the deceased.

By mutual arrangement later the further hearing was adjourned to the 28th inst.

Release of the Transvaal Ladies

After serving three months' imprisonment, the eleven Transvaal ladies who were arrested at Newcastle during the strike, were released from the Durban Gaol, as briefly reported in our last issue, on the 20th inst. Owing to the existence of martial law, only a small party of friends was permitted to receive them at the gaol gates. At about 9.30 a.m. Mrs. N. Pillay, Mrs. P. K. Naidoo, and Mrs. K. Murugasa Pillay were released. Miss Schlesin, on behalf of the Transvaal Indian Women's Association, presented the ladies with beautiful bouquets. The "ex-prisoners" then drove to Mr. Rustomjee's residence at 110, Field Street, where a large company of Indian ladies and others were waiting to meet them. Here, as they entered the doorway, they were garlanded by Imam A. K. Bawazeer, on behalf of the Natal Indian Association, and presented with bouquets by Mr. Parsee Rustomjee on behalf of the Zoroastrian Anjuman. Lovely bouquets were also presented on behalf of the Natal Indian Women's Association and Christian Indian

Women's Association. The remaining eight ladies had been detained by order of the Chief Immigration Officer, who served on them a notice to the effect that they were considered to be prohibited immigrants, and unless they exercised their right to appeal to the Board forthwith, they would be deported from the Province of Natal. Mr. Polak communicated with the Chief Immigration Officer, who informed him that he had telegraphed to Pretoria about the ladies. It was, therefore, uncertain whether they would be released.

Meanwhile refreshments were served to those assembled by Mr. Rustomjee. A few speeches followed. Mrs. Polak opened the proceedings with a few words of welcome. She was followed by Miss Moodley, who read an address in Tamil from the Natal Indian Women's Association. Mrs. Manika Pather then addressed the gathering in Tamil, and Mrs. V. Lawrence said a few words in English. Miss Molteno was asked to speak. She said she was glad to find that women were always ready to suffer for what they believed to be right. She hoped that, in the coming nationality which was being formed, consisting of English, Dutch, native, Indian and other races in South Africa, women would take a prominent part. Miss West, who was also called upon to speak, said that she considered that the Indian women were fighting not only for India but for the whole world. Messrs. Imam Abdul Kadir Bawazeer, Parsee Rustomjee, Ambaram Maharaj, and Polak then briefly addressed the gathering. Mr. Kallenbach said that in the passive resistance movement the women had taken a great part. They had led the men and shown the utmost bravery and perseverance. After Mr. C. V. Pillay had spoken in Tamil, Mr. Shaik Mehtab and his pupils sang a Hindi song specially composed in honour of the Transvaal ladies. Mrs. N. Pillay then thanked those present for their kind reception. In view of the deaths which had occurred, she thought that it was a time for mourning. She and the other ladies were ready to suffer again when necessary. Mr. Beethasee Maharaj translated the substance of the speaker's remarks into Hindi.

At about 11 o'clock Mrs. Bhawani Dayal was released, and about an hour later the remaining ladies—Mrs. Thambi Naidoo, Mrs. N. S. Pillay, Mrs. M. Tommy, Mrs. Chinsamy Pillay, Mrs. Perumal Naidoo and the Misses Baikum Murugasa Pillay and Minachi, who were the recipients of like floral honours. On their arrival at the reception hall, further speeches of welcome and congratulation were made, the speakers being Messrs. Omar H. A. Jhaveri, Goolam Hoosen, C. V. Pillay, and the Rev Baillie. Mr. Shaikh Mehtab and his pupils repeated their song and then Mr. Polak, Mrs. N. Pillay, and Mr. P. K. Naidoo said a few words. The final touch was given by the singing of "Bande Mataram" in Tamil by the Misses M. and T. Moodley, the Misses D. and C. Naidoo and Miss Marimuthu Naidoo. There must have been over two hundred present, the majority being ladies, the officials and members of the Natal Indian Ladies' Association. The six baby passive resisters must not be forgotten, who shared their mothers' imprisonment. They are: Misses Seshuma Naidoo, Rajuma Pillay, Angela Pillay, and Masters Sababady Pillay, Rambdat B. Dayal, and Veloo Naidoo. The oldest is under two years and the youngest five months old.

Mrs. Gandhi and all the other ladies who were recently discharged from prison were also present at the gathering.

At Paulpietersburg recently, General Botha is reported to have said that they (the Government) would never give in on the "coolie" question where it was opposed to the interests or the wishes of the white race of South Africa, and would allow no interference from any other country.

The Commission of Inquiry

The Indian Inquiry Commission opened its first sitting in Durban on Monday morning, in the Law Courts. The Commissioners were:—Sir William Solomon (chairman), Mr. E. Esselen, and Mr. J. S. Wylie. Mr. C. de Villiers appeared as counsel for the Government. There were also present: Sir Benjamin Robertson, representing the Government of India; Captain Clarke-Kennedy, Staff Officer to General Lukin; and Mr. Polkinghorne, Protector of Indian Immigrants. The chairman said he had received copies of the correspondence which had passed between the Government and Mr. Gandhi, in which the latter stated that he would not give any evidence before the Commission. It was an unsatisfactory position. There had been reports of ill-treatment, and if no evidence was offered nothing could be done. No specific charges had been lodged and therefore there was nothing to investigate. He did not know how far Mr. Gandhi represented the Indian community. They were open to receive evidence from any one who cared to bring it forward.

Mr. De Villiers said that he was prepared to lead evidence in regard to the affrays at Esperanza and Mount Edgecombe, at both of which places lives had been lost.

Sir William Solomon said that if evidence was brought forward only by the police, it would be one-sided. It was necessary to have Indian evidence also. The Indians were in the position of accusers. They had charged officials and the police with using more force than was necessary. If no evidence was forthcoming from the Indian side there would only be the evidence of those who used the force. Unfortunately the Indians had not come forward. They had no power to subpoena witnesses, and if they could, they could not compel the witnesses to speak.

In reply to the Chairman, Mr. De Villiers said that he did not intend to lead any evidence regarding the grievances. Counsel then proceeded to give a resume of the events at the commencement of the strike—the march across the border, the arrest of Mr. Gandhi, return of the strikers by special trains, the spread of the strike to the sugar estates, and other incidents. He then referred to the affray at Mount Edgecombe on the 16th November, and to those at Illovo, Avoca, and Esperanza. He then went on to the happenings on the 27th November at Hill Head and Blackburn.

Lieutenant Clark gave similar evidence to that given in the recent inquiry held before the Magistrate at Verulam.

Corporal Edward Conquer also gave evidence regarding the firing at Hill Head and Blackburn.

A LETTER FROM THE LEADERS.

The following letter, dated the 26th inst., has been addressed to the chairman of the Indian Grievances Commission, Durban, by Messrs. Gandhi, Polak, and Kallenbach:—

"We understand that our discharge from imprisonment, on the 18th ulto., before the expiry of our respective sentences, was due to the recommendation of the Indian Grievances Commission, to enable the Indian community to have such assistance as we were able to give in order to prepare and place its case before the Commission. It is, therefore, a matter of deep and sincere regret that we are unable, for the reasons already set forth in the correspondence between the first undersigned and the Minister of the Interior, with whose tenour we understand the Commission is already acquainted, to avail ourselves of the opportunity for which we are indebted to it.

"We earnestly trust that our refraining from appearing before the Commission, in the circumstances therein described, will not be regarded by it as an act of discourtesy."

Durban Supports Mr. Gandhi

A mass meeting of Indians, numbering over 3,000, was held, by permission of the Martial Law authorities, on the Indian Football Ground, Durban, on Sunday, under the auspices of the Natal Indian Association, to discuss the details of the provisional arrangement between Mr. Gandhi and Mr. Smuts, and to take action thereon. Mr. Imam Abdul Cadir Bawazeer was elected chairman, and amongst those present were: The Rev. C. F. Andrews, Messrs. W. W. Pearson, H. Kallenbach, H. S. L. Polak, A. H. West, and G. Isaac.

Mr. Gandhi, before proceeding to explain the terms of the provisional agreement, announced that Mr. Andrews had received a letter from England preparing him for the death of his beloved mother, whom he had expected to meet on his arrival in England. He also added that Mr. Andrews was suffering from fever due to the strain under which he had worked in Pretoria in connection with the agreement. Notwithstanding these facts, Mr. Andrews had insisted on attending the meeting.

Mr. Gandhi addressed the meeting at length, both in English and Hindustani, his remarks being subsequently rendered into Tamil. Mr. Gandhi said that those to whom he was addressing his remarks in English would, he hoped, have read what had been published in the papers, but he would give them the purport of the agreement with the Government. At the first interview he had had with General Smuts, he had placed before him three propositions, the acceptance of any one of which would have enabled the community to lead evidence before the Commission without violating the solemn declaration made some time ago on that very ground. These alternatives were that either the Government should appoint another Commission and restrict the scope of the present Commission purely to a judicial inquiry into the allegations that had been made as to ill-treatment and cruelty, while the other should go into the question of grievances, when the community would be able to lead its evidence before both; or that a member should be co-opted to the Commission to represent Indian interests who would sit specially on the Commission hearing the statement of grievances as apart from the allegations of cruelty, so that the functions of this Commission could clearly be divided into judicial and political; or that the scope of the present Commission should be restricted purely to a judicial inquiry, and that before the community's appearance before it, the Government should grant the community's request in terms of Mr. Cachalia's letter, namely, the five points (1) the repeal of the £3 tax; (2) the restoration of the status of Indian wives as it existed before the Searle judgment; (3) the restoration of the right of South African-born Indians to enter the Cape; (4) the removal of the little difficulty that still exists with reference to the racial bar regarding the Orange Free State; and (5) the question of the just administration of existing laws with due regard to vested rights. The last three points could be dealt with administratively; the first two only by amending legislation, and he had ventured to submit to General Smuts the easiest and the quickest way in which the matter could be dealt with. General Smuts had said that he would consider the matter, and, after he had considered and conferred with the Cabinet, he said, in the presence of Mr. Andrews, that the Government were willing to grant these things, but wanted the Commission to sift them, and that they could not possibly, though they would gladly have met the community, meet them at that stage with reference to its propositions regarding the Commission.

Of course, that would create a deadlock, and that meant either passive resistance and all that that meant, or it meant a suspension of passive resistance until the Government had had a chance, until the Commission had had a chance, of doing what

they proposed to do, and he had had no difficulty in coming to the conclusion, after consultation always with Mr. Andrews, that the community could fairly suspend passive resistance, seeing that the Government had taken up the, what he considered, reasonable attitude, and seeing also that the Government were prepared to understand and appreciate that the community was bound by its solemn obligation not to take part in the Commission, and not to resent that attitude on the part of the community, and, as against that, he had suggested to General Smuts that, if the community suspended passive resistance, it was only fair that the Government should release the passive resistance prisoners then undergoing imprisonment. There then remained the very serious questions of the allegations of cruelty. What was to be done with regard to those if the community was not to lead evidence even with regard to the judicial aspect of the Commission, and yet it seemed clear that in the present circumstances they could not lead evidence. It then meant that they should publish a book containing the whole of the evidence in their possession, and challenge anybody who wished to bring libel proceedings against the community, so that in defending the charge the community could prove its case. As a passive resister, it immediately occurred to him that there should be no difficulty in dropping those proceedings. That would avoid all irritation, and in the estimation of those who might think for themselves and who knew the history of Passive Resistance the community would stand justified. In any case, if the community could stand justified in the estimation of the Government, and if the community could ask the Government to appreciate its motive in not challenging libel proceedings, he felt that the community could ignore what the world might say as to its being afraid now of coming to a court of law because it had really no evidence, and that it had simply taken allegations to India in order to work on feeling there. They must tolerate such criticism from the world, for the world would have something to say against the best actions, but, if the Government appreciated the community's attitude, he felt that, as passive resisters, it became them to act in that manner. They were not passive resisters of the purest type. They had, for example, taken advantage of law and defended actions in law courts; pure passive resisters would not have done that. But they had not yet reached the purest stage of passive resistance. They must, however, keep such an ideal actively before them and, perhaps, one day, they would have made such an approach to that state that they would be considered perfect passive resisters. Till they had reached that stage, they could not call themselves perfect passive resisters, but they need not therefore remain stationary, and he had felt that they might take that step in advance, and he had come to the conclusion that that was a proposition that might be submitted to the Government. The net effect of the letter written to him by the Government and their reply was, in his opinion, that they had accepted the principle of consultation, that they had recognised the motive of the community in dropping the question of the allegations altogether, that they recognised the community's motive in not leading evidence before the Commission, that they had given an assurance that they wished to settle the matter in accordance with the community's submission, and they wanted to do this through the Commission, but they felt that the community's demands were so reasonable and had been so sanctified and strengthened by the suffering that it had undergone during the past months, that there should be no difficulty in securing the recommendation from the Commission. They felt, he thought, also confident because of the presence of Sir Benjamin Robertson and because of the prestige that was behind Sir Benjamin Robertson, that he came not in his individual capacity but as the representative of the Viceroy, that as such his

testimony before the Commission was bound to carry its due weight. And under those circumstances they need not worry themselves, thinking or fearing what might happen; and why need a passive resister ever fear so long as he had the purest weapon in the world at his disposal? The future lay entirely in their own hands, and, holding that future as firmly as ever, he had no hesitation in recommending the adoption of the agreement, and he hoped that the meeting would approve the action they had taken. At the same time he had not bound the community. He had bound the community on occasions when he had gone with a clear mind and when he had known what the community had already asked for, but on this occasion a new situation had arisen, and for that situation he certainly required the ratification of the community. He could not possibly bind the community with reference to this matter which he had not himself contemplated. He had therefore stated to General Smuts that he was prepared to advise his countrymen in accordance with the tenour of his letter, but he had not bound the community, so that they were free agents entirely and might dismiss the agreement from their minds if they wished, but he believed that they might accept it—it was perfectly honourable, dignified, and would save an amount of misery. What was more, they wanted, if they possibly could, to conciliate the Viceroy. He had said that, Viceroy or no Viceroy, Mr. Gokhale or no Mr. Gokhale, no matter what friends or the world said, if their consciences did not approve, if their oath did not approve, they could not accept their views, but when it was possible for them to keep their oath to satisfy their conscience, he thought that then they should go to the utmost length in meeting the wishes of their friends, and such a noble Viceroy, for whom, perhaps, there was no equal except perhaps Lord Ripon and Lord William Bentinck; and he did not know what the Viceroy might still have in store for them. But that was the picture one formed of the Viceroy, and that had been strengthened by what Mr. Andrews had told him of his noble qualities. They ought to take into account the Viceroy's wishes at that stage, seeing that it was possible for them to do so without violating their oath. Their distinguished countryman, whom India had idolised, to whom they offered reverence, who, while lying on a sick bed, had yet worked for their cause and made it world-wide and had made India ring from end to end with that and nothing else—Mr. Gokhale—also desired it. Lord Amptill also had been saying: "They had a noble cause, they were bound to win; let them now stay their hand; they had made sufficient demonstration; they had aroused the conscience of the United Kingdom; let them now even give their evidence under protest before the Commission." That view they had been unable to accept, but they could accept the present arrangement. From every point of view, the agreement was good, dignified, and worthy of acceptance.

Mr. Andrews said that he wished, first of all, to speak about the great sorrow which had come to him, but the love which he had for the people of India, his own people who were there, was so great that he could not stay away from them and wanted to be with them. In connection with the visit to Pretoria, there were two things he wished to speak about specially and assure them on. The one thing was that in that agreement and in all that had been done and in all the interviews they had had, one thing had been kept throughout, and that was the honour of the Indian community. That had never at any single point been sacrificed to expediency, but all through, from beginning to end, had ever been the first consideration. Otherwise, he would not be able to stand there before them, who had suffered so much, and speak to them. But because he knew that at Pretoria their honour had been

kept throughout, he was ready to stand there before them and urge them and ask them to accept the agreement and to carry it out as it had been proposed before General Smuts, and he could assure them that in no point whatsoever in that agreement had there been any sacrifice of honour or self-respect to any Indian in the whole of South Africa. The second point was that, whatever might have happened in times past, on the present occasion there was the greatest consideration shown to their leader by every one who met him there. In spite of the general strike which was on, in spite of the immense difficulties of finding time, General Smuts and others did their very best to give every opportunity for the grievances of the Indian community to be brought before them, and again and again Mr. Gandhi met General Smuts, when he was invited to be present. It was for those two reasons—because their honour had been preserved and because such great earnestness had been shown by the Ministers at Pretoria—that he hoped that now a time had come when a settlement might be reached of the grievances which had so long been distressing the whole Indian community. He trusted that they would accept the proposed Commission freely and heartily, and that through accepting it something else might come, and that was a settlement of all their difficulties, and he trusted that that might come in a very short time.

Mr. Polak said that, as one of the signatories to the letter to General Smuts, a little while since, immediately after their last great meeting at that place, he strongly approved of the terms of the provisional agreement and strongly recommended it for their acceptance.

Mr. Kallenbach said that he had also been asked to give his opinion about the provisional agreement, and he wished to say that he fully agreed with it.

Mr. Parsee Rustomjee moved the following resolution, which was seconded by Mr. Lazarus Gabriel, supported by Messrs. Omar H. A. Johari, P. K. Naidoo, C. K. Thumbi Naidoo, and Lalbahadursingh, and carried unanimously: "This mass meeting of British Indians, held under the auspices of the Natal Indian Association, after having heard the terms of the provisional agreement arrived at between the Government and Mr. Gandhi, hereby endorses Mr. Gandhi's action, and earnestly and respectfully hopes that the prayer of the Indian community, as set forth in Mr. Gandhi's letter, will be granted."

The Indian Goldsmiths of Durban held a reception on Sunday morning to the Rev. Andrews and Mr. Pearson. Mr. Gandhi was present, and received from Mr. Ambaram Maharaj, on behalf of the goldsmiths, a purse containing £26 5s. 3d., being the amount of a collection for the passive resistance fund.

Next week we hope to give reports of several functions at Pretoria held in honour of Mr. Andrews, including an important speech at one of them. We also intend to reproduce a portrait of the poet-laureate of India—Babu Rabindranath Tagore.

The following were the conditions of Martial Law under which the Mass Meeting was held last Sunday:—

"No inflammatory language is to be used or language calculated to provoke to a breach of the peace.

"No criticism of the Government's past action is permitted.

"The discussion must be confined to the policy to be adopted arising out of the correspondence between Mr. Gandhi and Mr. Smuts."

The Armstrong Case.

The preliminary examination into the charge of assault brought against Mr. W. G. Armstrong, of Verulam, was concluded on Wednesday last before M. Th. McDonald, Acting Assistant Magistrate. A native named Masuku Ngcobo gave evidence that he saw a number of natives chasing an Indian who was dressed like an Arab. He also saw Mr. Armstrong drive up in a carriage and afterwards strike the Indian. He was standing about 150 yards away at the time. Maula Bux, Indian police constable, gave evidence that he was married on the 22nd November to the daughter of Dadoo Sahib. He engaged one priest, and his father-in-law called in Mahomed Seepye from Maritzburg, to assist. His duty would have been to register the marriage under Mahomedan rites. Seepye was not at the wedding. He heard he had been assaulted, and the following day he saw the priest.

Dadoo Sahib stated that he asked Mahomed Seepye to come to perform the marriage ceremony of his daughter. When the priest arrived about 3.30 in the afternoon of the 22nd November, he said that he felt giddy and upset with the train journey. He sat down for about half an hour and then said that he would take a short walk and return. Mahomed Yusuf accompanied him. The ceremony was to take place at 10 p.m. He heard of the assault and ran to see what had happened.

Samshay Khan, a boy of about nine or ten years, stated that he was the son of Mukdoon Khan, and was playing on that afternoon near some bamboos not far from the corner of the road leading to Mr. Armstrong's mill, when Mahomed Yusuf came and told him that Mahomed Seepye had been arrested. He reported the matter to his father.

This closed the examination.

Asked by the Magistrate whether he wished to say anything, Mr. Armstrong said: "I reserve my defence. I admit a common assault under great provocation."

Mr. Armstrong was committed for trial under the same bail of £100, on a charge of assault with intent to do grievous bodily harm.

News in Brief

Speaking as the guest of the Imperial Union Club, Glasgow, on Dec. 11, Lord Lamington, an ex-Governor of Bombay, said that there was also the difficulty as to the position of Indians in South Africa, Canada, and elsewhere. It was not so much the material issues at stake, but it was the fact that the literate classes of India felt bitterly the racial distinction enforced on them by the white population in other parts of the Empire. It was a most difficult problem, and had had a very bad effect in India. He trusted some solution would be found to remove a very anxious question from the minds of our Indian fellow-subjects.

In a letter to the "Daily News and Leader," Sir Wm Wedderburn says: "In his speech at the National Liberal Club, Mr. Bryce lamented the ill-feeling aroused in British Colonies by the immigration of other races, and asked whether it would not be better 'to induce each race to stay within its own country?' Yes, certainly. But what is to be the inducement? No doubt Indians, whether cultivators, traders, or students, would willingly accept Mr. Bryce's 'stay at home' recommendation if only that 'home' represented for them fair means of livelihood. It is starvation that expatriates the Indian cultivator. Give him a few acres, watered by well or canal, and he will gladly remain in his beloved Mother Country. The remedy is to be found in honestly carrying out the policy of India for the Indians."

Referring to the East Indian indentured immigrant as a labourer in British Guiana, Sir Everard im Thurn, in a recent lecture on that Colony delivered under the auspices of the West India Committee, expressed the view that the coolie was not of much service save on the sugar estates. Sir Everard, while admitting that indentured labour had in the past saved the situation for the sugar planter, pointed out that for the more arduous work outside the sugar area upon which the future development of the country depended, this form of labour was unsuited. It has, he said, been found in practice that the East Indian, good as he was as a sugar labourer, was perfectly inadequate for labour in the interior, on the mines, or in any work of that sort. The difficulty of supervising him made him unsuitable. Where the labour to develop the interior of Guiana was to come from was a question he was afraid no man could answer.—"Home and Colonial Mail."

A Central News telegram states that, in a striking speech delivered at Madras, on Dec. 16, at a public meeting called for the purpose of expressing thanks to the Indian Viceroy for his attitude in regard to the treatment of Indians in South Africa, the Bishop of Madras, after eulogising Lord Hardinge's outspoken protest, said that when tyranny was masquerading as law resistance became a virtue and not a crime. When the Union Government said: "We cannot consider your grievances until resistance to the law has ceased," the Indians had far more reason on their side in saying: "We will cease our resistance to your laws when you cease to make them the instruments of oppression."

Mr. Woollatt, a candidate for the Natal Provincial Council (Division of Estcourt), is reported to have said that the Indian question was one to be decided by Natal. At Weenen, Mr. Chadwick expressed himself as being in favour of the withdrawal of the £3 tax. He (the speaker) emphatically said "No." (Applause.) The Indians clearly understood the situation; there was no breach of faith or unfairness. This was Natal's trouble. Should they withdraw the tax they would be overrun by an Indian population. (Cries of "No" and dissent.) They had trouble enough with their natives, and they must let Government know certainly that the tax must be retained. The agitation had been brought about by Indian traders, who wished to increase their trade at their expense.

English-speaking men, who ordinarily are given the preference on civic work these days, are scarce among the gangs putting in sewer connections in Fourth Avenue West, Vancouver, preparatory to paving, and, according to the City Engineer, they will not work in the same way as the foreigners do. "The 'white' man won't stay on the job," the City Engineer is reported as saying. "They complain of taking rheumatism when working in the trenches, and all want jobs on top. Even if they get that they only stay a few days and then quit."—"Vancouver Province."

In 1912 as much as £47,000,000 worth of vegetable produce was supplied by horny black and brown hands towards the world's comfort! Nearly one-half of this finds its way in thousands of tons either to our bathrooms, or to our breakfast, dinner, and supper tables. These products (says the "Economist") hail from lands the white man cannot till, from the land of the East Indian, of the African negro, of the Malay, and the mixed races of the islands of the sea. As the years pass, the brown man and the black man will become more and more indispensable to Britain, and if they are to continue to minister to the world's comfort, statesmanship must hasten to remove the injustice from which they too often suffer.

Eord Ampthill, writing to "The Times," says:— It cannot be too much insisted that the Indians in South Africa are not making any unreasonable demand or asking for anything which cannot quite conveniently be conceded to them. The proof of this is that they are only asking for the fulfilment of promises which have actually been made to them. If these promises had been kept and if the Indian community had been treated with ordinary honesty and good faith there would not be a trace of this long-standing trouble at the present moment either in South Africa or in India. On the other hand, there is no excuse for thinking that the present alarming situation was unexpected and could not have been foreseen. It was foretold by all those who have interested themselves in the question and who have any knowledge at all of Indian character.

Apparently, according to the "Deutsch-Ostafrikanische Zeitung," the immigration of unemployed Indians into German East Africa continues unhindered by the immigration laws, which have been promulgated. The majority of them, it would appear, came over from Zanzibar with a passport enabling them to remain in German East Africa a few days, but once landed, it is suggested that they do not leave the country. The newspaper urges that stronger measures should be taken to guard against the Indian evil.

Writing in the December number of the "Empire Review," Lord Ampthill condemns the attitude of the Imperial Government with regard to the situation in South Africa. He says the Government are no doubt congratulating themselves that Parliament is not now sitting, for if it were they would find it difficult to prove that the present deplorable situation is not due to their own indifference and incompetence. The present Colonial Secretary and his two immediate predecessors have one and all failed to understand that the solution of this problem is of vital importance to the Empire, and the Government have treated the question in a most perfunctory manner.

The Indian Association of Vereeniging has telegraphed congratulations to Mrs. Shaikh Mehtah for the bravery she has shown in the present struggle.

On Friday last, Mr. M. P. Fancy, the hon. secretary of the Hamidia Islamic Society of Johannesburg, left for India with his family by the S.S. Palaukota. Mr. Fancy has done important work in connection with the passive resistance struggle, which the Hamidia Islamic Society throughout has performed distinguished service. Its chairman, Imam Abdul Kadir Bawazeer, has been in Durban for some time serving the cause to the best of his ability. We wish Mr. Fancy a safe return. Mr. Fancy, before his departure, collected in the Transvaal and in Natal a sum of about £1,500 for a girls' school and the restoration of the ancient Mosque at Rander, his native town.

On the 21st inst. Messrs. Brijmohan, Somar, Sheikh Farid, Ram Parkas, Chinappan, Bagerty, Ramkelawan, Keeshun, Muthoo, and Gokul were released from the Durban Gaol; on the 23rd inst. Messrs. T. Poonsamy Naidoo, Pappiah, P. Ramkissen, R. Pillay, Ramsamy Govinder, and Anthony Sebastian, and on the 26th inst. Messrs. Manilal Gandhi, Veera Francis, Bhaga Mancha, Supiah Pillay and Annamaly. They were met at the gaol gates by friends, accorded the usual floral honours and taken to Mr. Rustomjee's house, where refreshments were served.

Two well-known passive resisters, Messrs. S. Muthukuwara Padiachy and Arumuga Padiachy, left for India on the 24th inst., per S.S. Umfuli, on a short visit. The former served four terms of imprisonment during the last campaign—one at Johannesburg and the latter three terms at Pretoria.

On the 18th inst., Mr. G. M. Moodaley, of Umgeni, held a reception at his house to enable Mr. Pearson to meet the farmers of that district. Among those present were Messrs. Gopa Maharaj, Bujarangi Maharaj, Nyanah Raj, Veloo Moodaley, Chunsamy Moodaley, and Gurusamy Moodaley. After luncheon, Mr. Pearson visited the farmers of Sea Cow Lake, and thereafter drove to the Phoenix Settlement.

A Cruel Case

Mr. Cassim Karodia, a British Indian, the owner of landed property in Dordrecht, the holder of a general dealer's licence, a registered voter for Parliamentary, Provincial Council, and Town Council representatives, paying from £60 to £70 monthly to the Government for railage on goods, had to undergo, during the month of December last, a strange and painful experience. He is now in Durban. He holds domiciliary rights both in the Cape and in Natal. He wanted to pay a visit to Durban in December last on special business. No Indian had ever any difficulty in passing through the Orange Free State by train. Mr. Karodia held a return ticket to Durban, and, on the 26th December, he reached Ficksburg, where he was rudely taken down by the Immigration Officer. Mr. Karodia protested and said that he did not want to get out of the train at any stations in the Free State, and that his destination was Durban, where he had a legal right to go. The Immigration Officer would not listen to Mr. Karodia, who was a second-class passenger. Mr. Karodia was locked up at the Charge Office. The Immigration Officer wired for instructions, we suppose, to the Minister of the Interior and, after three days, a reply was received to the effect that Mr. Karodia was to be put across the border and returned to the Cape Province, which was done. He was, therefore, obliged to take the steamer to Durban from East London in order to get here. No wonder that there is amongst the demands of passive resisters one for a just administration of the existing laws with due regard to vested rights. The Union Immigration Act was intended to be a liberal measure, and not designed to disturb existing legal rights or practice, but it has succeeded in disturbing both.

Mr. Richard Jebb writes in the "Morning Post" that a short way out of the whole Indian trouble would be to transport the community to British Guiana, where Indian coolies are a regular part of the industrial population. But apart from the fact that British Guiana could not at the moment accommodate so large an additional population, those Indians in South Africa who have worked their way up from being coolies to professional or commercial life would certainly not consent to revert to the manual status of their parents. Here, indeed, is the beginning of a worse grievance, says the "Saturday Review." The alternative suggestion that the Indians should be sent to the Northern territory of Australia—Australind, as it was once marked upon the maps—is equally impossible. The Commonwealth would not have them. The exclusion policy of Australia, unlike that of South Africa, has always been clear and definite, and there is no reason whatever why it should change because South Africa is in difficulties.

It may not be advisable, says the "East Anglian Daily Times," to permit an unchecked flow of Indian immigration into such a comparatively sparsely populated country as South Africa. But to impose on Indians degrading disabilities, and to make them the victims of harsh and unjust laws is to cast discredit on Imperial Government, and to weaken British influence in the great Indian Empire itself. . . . The recently issued Blue Book on the Natal Indian questions proves conclusively some of the gravest contentions of leaders of the present agitation, for it shows that even unindentured Indians occupy a semi-servile status which is as injurious to the "amour propre" of the educated as it is unjust. . . . As for the use of mines and compounds for the purpose of imprisonment, with "at least one trained warder in charge" and the rest of the prison guards unofficial—that is to say members of the mine staffs, under whom prisoners perform hard labour—this very closely borders on slavery. It is scarcely to be wondered at that public opinion in India is immensely inflamed, and that there is a demand for an immediate, impartial and searching inquiry.

English Press Opinions

It is obvious (says the "Alnwick Gazette") that the solution cannot be the forcible deportation of the entire Indian population of South Africa, which is now very large, nor can it be the taxation of that population until it disappears from the country. Those are methods which do not consort with the freedom which the white population itself enjoys, and the influence of the British Government will be consistently directed against them.

The truth is (says the "British Weekly") that the system of indentured native labour is unsuitable for a world-wide Empire which unites many races under its flag.

The situation in Natal, where the strike of Indians is assuming serious proportions, and threatening the valuable sugar crop, forcibly illustrates the dangers of tampering with principles evolved through generations of study and experience in the task of governing so-called subject races (says the "Economist"). The policy which has guided the Indian administration in the emigration of coolie labour has always been that of permanent colonisation. This view was forcibly set forth by Lord Salisbury when, as Secretary of State for India, he wrote in 1876:—"Above all things we must confidently expect, as an indispensable condition of the proposed arrangements, that the Colonial laws and their administration will be such that Indian settlers who have completed the terms of service to which they agreed, as the return for the expense of bringing them to the Colonies, will be in all respects free men, with privileges no whit inferior to those of any other class of Her Majesty's subjects resident in the Colonies." The present difficulty has arisen because South Africa—but Natal in particular—now refuses to abide by the "indispensable condition." Natal, like most British colonies, greatly desires the native coolie as a cheap indentured labourer. The only use Natal has for him as a free man is immediate shipment back to India.

Referring to the Natal indentured system, the "Yorkshire Daily Observer" says that when a coolie has finished his time he usually finds himself deeply in debt to his employer, thanks to a cunning manipulation of the truck system, and the only alternative open to him is to reindenture or starve. This is the characteristic feature of what in South America they call "peonage." A good, plain English word for it will occur to anyone.

The course of events in Natal can only be described as perilous in the extreme—and its perils attack the welfare of South Africa much less than they do the peace of our Indian Empire, thinks the "Pall Mall Gazette." The South African Union has laid upon it in this problem of the Asiatic community a responsibility far transcending its own borders. Its difficulties we do not minimise for a moment. Theories of civil rights are in conflict with some of the hardest of racial and economic facts. But we must earnestly hope for a statesmanship that will realise the vast Imperial interests at stake and the duty of shaping South African policy so that it will not provoke convulsions of which the reaction must be almost literally world-wide.

It is impossible that the Imperial Government can look on at this movement without the gravest concern. It is answerable to India, and it cannot escape responsibility for what is done in South Africa. The people of India do not understand and will not accept the plea that it is unable to persuade the South African Government to accept the Imperial view of the case. If disorder spreads, it may presently be asked to permit Imperial troops to be employed in controlling the strikers; and though it may protest that it is concerned simply to protect life and property, it will certainly be supposed in India to have taken sides against the Indians. Of course we ("Westminster Gazette") do not pretend that the Indian question will be settled by either the removal of the tax or the removal of the restrictions. An enlightened and humane policy will need to be worked out quite apart from restrictive measures. Though further immigration is stopped, the Indians in South Africa are a large and increasing number, and they cannot be forcibly deported or taxed out of the country. The danger that they may lower the standard of life is certainly no idle fear, but it can only be removed by a serious effort to raise their standard and to educate their children to a level of existence which is comparable to that of the European.

The Liberal Press (says the "Morning Post") are at present using hard language about the treatment of the Natal coolies. They should remember that South Africa was granted its present Constitution by the present Imperial Government, and that that Constitution contained no safeguards either of native or Imperial rights. Neither the native nor the British Indian was in any way protected when the Liberal Government had the power to protect him. With credulous optimism and an entire oblivion to the history of South Africa all these rights and interests were left unguarded. One chicken is now coming home to roost, and there is the usual violent outcry when vigilance no longer avails.

It is to be hoped that the fact (if we may accept it as a fact) that the Indians in South Africa are resuming work will not delude the Union Government into supposing that the trouble is ending, says the "Star." Although the Indians may be frightened back to work, there will be no lasting peace until their admitted grievances are righted.

The question of the Indian immigrants' grievances has reached a phase of acute difficulty and danger, thinks the "Daily Telegraph." There are those who seriously tell us that the feeling awakened in India by the treatment of Mr. Gandhi and his followers in the recent protest movement is as dangerous as anything known since the Mutiny. The campaign of the Indians in Natal and the Transvaal constitutes one of the most grave complications of Imperial interests that have ever arisen; and it is strange and deplorable to see the Government of the great Dominion concerned unable to face the situation, absorbed in the public washing of its party's dirty linen at the Capetown Congress. . . . The complaints of the Transvaal Indians against the restrictions of the new Immigration Law, and of the Natal Indians against the £3 poll tax, are urged with passionate sincerity and full readiness to face the extreme consequences of resistance to law. They declare that definite pledges given to their leaders have been deliberately broken; and the intensity of sympathy with which their protests are regarded in India raises the matter to the highest plane of Imperial significance. It behoves General Botha's Government to act promptly, and with a full sense of responsibility to the Empire, as well as to South Africa.

The treatment of indentured coolie labourers by the Natal authorities amounts to a scandal (says the "East Anglican Daily Times") and has caused strong feelings not only among Indians in that Colony but also in the great Eastern Empire whence they come. The misbehaviour and cruelty of certain employers towards their men have helped to foment the feeling which has arisen on several of the plantations, mines, and compounds, and it has been plainly shown that there is one law for the men and quite another for the masters.

General Botha and his Cabinet have shown a very decided lack of statesmanship in dealing with the question, is the view of the "Newcastle Daily Chronicle." If the promises made to Mr. Gokhale had been redeemed, the present disturbances would never have occurred, and the responsibility for them rests, therefore, rather upon the Ministry than upon the malcontents. . . . The British Indian population has, on the whole, behaved itself admirably. Its conduct during the recent labour troubles was characterised by restraint and discretion, and that it has justice on its side is testified by Lord Amphill and others whose opinion carries weight.

These planters apparently, says "Vanity Fair," look upon our Indian fellow subjects as mere bits and scraps of human machinery—chunks of flesh and bone which can be brought from our greatest overseen possession, scattered over the fields, or thrust down into the mines, and kicked, cuffed, thrashed and knocked about until their period of indenture is over and they have made 300 per cent. or 400 per cent. profit for their master, when they may be packed like sardines in a tramp steamer and dumped on India again.

We are not dealing here with an inferior race but with people of high intelligence and civilisation. They ought to be—and, if properly treated, would be—a source of strength and prosperity to South Africa, and it is, in fact, their industry and commercial aptitude, their very virtues as settlers and traders in a semi-tropical climate, which create the jealousies and ill-feeling with which they are regarded, says the "Oldham Evening Chronicle." They are in no sense a danger to the community, though their effective competition in various walks in life is feared. That they are British subjects, and, as such, entitled to the privileges of British citizenship, makes a powerful appeal to our Imperial instincts. If the British Empire is to be anything more than a swaggering sign of power, an imposing symbol of Imperial bluster flaunted in the face of the world, it ought to afford effective protection to its citizens everywhere throughout the Empire and ought to be so welded together in real unity that no part of it should be able to injure and oppress the citizens of any other part. The recognition of equal rights for British citizens everywhere ought to be the keystone upon which it is founded, or Imperial unity becomes little more than a name. Recent events in Natal and the deliberate and continued degradation of British-Indian subjects should show that we are a long way yet from realising this idea of Imperial unity and consolidation.

We ("The Times") fear, however, that the present relaxation of tension is only temporary. The sole prospect of a stable settlement lies in a determined effort on the part of the Imperial Government. The question at issue concerns equally the national sentiment of South Africa and of India. South African opinion is articulate and responsible. Indian opinion is less easily ascertained and consequently more vehemently expressed by those who claim to represent it. But its existence cannot be denied. This is the essence of the difficulty and the real obstacle to a permanent solution of the Indian question in South Africa. It is peculiarly the function of the Imperial Government to act as arbitrator in a case of this kind, yet we see few signs that the Cabinet has recognised its responsibility in the matter. We gladly recognised the admirable reply of Lord Crewe to a deputation of Indian sympathisers some weeks ago, but that speech did not absolve the Prime Minister and his colleagues of their collective duty. The Indian question in South Africa involves on the one hand the claim of a self-governing dominion to manage its own affairs; on the other hand, it affects the rights of His Majesty's subjects in India as British citizens. These issues are vital to the Empire, and no Government which calls itself Imperial can afford to adopt a merely negative attitude towards them.