

Indian Opinion

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COLONIAL SECRETARY AND CONGRESS

THE following is the statement submitted by the Natal Indian Congress to the Rt. Hon. J. H. Thomas, P. C., Secretary of State for the Colonies on his recent visit to South Africa:—

Sir,—We, the undersigned for the Natal Indian Congress as representing the British Indian population of the Natal Province, venture hereby respectfully to lay before you a statement of grievances under which that population labours at the present day.

It would be well nigh impossible to understand the Indian situation presently obtaining within this Province unless the past in a measure be understood. We would therefore crave leave to briefly trace the history of Indian settlement in this outpost of the Empire. More than sixty-four years ago, Sir George Grey, the then Governor of the Cape paid his first official visit to Natal. The Corporation of Durban presented the distinguished visitor with an Address of Welcome, and if that historic document could now be resurrected from the Municipal archives, it would be found to contain this memorable request:—“Independently of measures for developing the labour of our Natives, we believe your Excellency will find occasion to sanction the introduction of a limited number of coolies or other labourers from the East, in aid of the new enterprises on the Coast lands, to the success of which sufficient and reliable labour is absolutely essential; for, the fact cannot be too strongly borne in mind that on the success or failure of these rising enterprises depends the advancement of the Colony or its certain and rapid decline. Experimental cultivation has abundantly demonstrated that the issue depends solely on a constant supply of labour.”

In response to the fervent prayer, Indian labourers landed in the infant Colony on the 16th day of November 1860, and in view of the Centenary recently celebrated of European settlement in Natal, it may be observed incidentally that a few years passing the Indians themselves would celebrate their own “Centenary” in South Africa.

As stated, British Indians landed on the shores of Natal so far back as in the year 1860; and what that advent has meant to Natal, let one of her own illustrious sons speak. Speaking in the old Natal Legislative Assembly in July 1908, Sir Liege Hulett thus delivered himself:—“The condition of the Colony before the importation of Indian labour was one of gloom, it was one that then and there threatened to extinguish the vitality of the country and it was only by the Government assisting the importation of labour that the country began at once to thrive. The Coast had been turned to one of the most prosperous parts of South Africa. They could not find in the whole of the Cape and the Transvaal what could be found in the Coast of Natal—10,000 acres of land in plot and in crop—and that was entirely due to the importation of the Indians. Durban was absolutely built up on the Indian population.” Testimony respecting the worth and value of Indian introduction into this Province might be quoted *ad infinitum*. It is incontrovertible that but for the introduction of Indian labour, Natal would hardly

ever have experienced her undoubted prosperity and progress of the present day. Her name of the “Garden Colony” and the “Brighton of South Africa” have been gained for this Province and this town, by the Indians and the Indians alone. But times have changed and men and manners have changed, and the man who has by the sweat of his brow, supplied the essential life blood for the redemption of a primeval wilderness to civilisation stands to-day bereft of the very character of a British Citizen.”

We would crave your attention to a study of this transformation—how the pioneer Indians from being subjects of His Majesty the King, with capacity to attain in this part of his realms, to the fullest stature of citizenship, to-day stand deprived of their capacity.

It will be within the knowledge of the present Imperial Secretary for the Colonies as also the members of the Empire Parliamentary Delegation, how at the Imperial Conference of Premiers held in London in the year 1921, a resolution according equal citizenship to British Indians in the Dominions was unanimously accepted, South Africa alone dissenting, her rejection of the resolution being expressed by no less an authority than the Union ex-Premier, the Rt. Hon. J. C. Smuts.

It now remains for us to analyse briefly how one particular representative of this Commonwealth of the Empire has been able, as with one stroke of the pen, to denude the entire Indian population of this Dominion of the very character and capacity of British subjects. The developments leading to this loss of status by the South African Indians are deeply interesting. South African Indians have for long now existed as independent subjects of the South African Union, not from their own choice, however, but by compulsion. In handing over this sub-continent to South Africans on the consummation of the Union, Great Britain simultaneously passed over her quondam Indian subjects, body and soul into the keeping of the newly fledged Dominion. The local Indians had no lot, part or parcel in the transaction, they being thrown in as a “free gift” with the passage of the South Africa Act. They had no determining voice in their transition from Imperial subjects to subjects of South Africa, their change of status being effected without reference to them or their Government. The stroke of the pen that sanctioned the South Africa Act was also the stroke of the pen that denuded them of their Imperial character. Indians landed in this sub-continent as Imperial subjects in the year 1860, and for 50 years preserved their Imperial character, that is, to the date of the Union. That status should have been considered and set at rest as to the future during the passage of the South Africa Act. The agents engineering the Act through the Imperial Parliament either lost sight of that special community of Indians permanently settled in South Africa, or conveniently avoided the fact of their existence.

Thus it is seen that the British Indians in South Africa, without their voice or view being heard, have been reduced to a condition in an outpost of the Empire wholly without Imperial status by

which they were once characterised. And that condition has been further aggravated by the fact that the Indians' own Government, i.e., the Government of India itself is constitutionally powerless to advocate any measure of protection for the South African Indians. The truth thus brought out applies, of course, to the entire Indian population of South Africa, of which population, the bulk is presently settled in the Province of Natal.

Having thus briefly set out the general Indian status throughout the Union, we would now beg leave to an enumeration of the specific grievances and wrongs laboured under by that larger population, the Indian settlers of Natal.

Prior to the year 1896, the Indian population of this Province suffered no special disabilities based upon racial considerations. That fateful year, however, marks the turning point in the history of Indian political progress and advancement in Natal. In that year was introduced the Act No. 8 of 1896 entitled "To amend the Laws relating to Franchise," whereby persons who not being of European origin or Natives or descendants in the male line of Natives of countries which have not hitherto possessed elective representative institutions founded on the parliamentary franchise were prohibited from being placed upon the Parliamentary Roll.

The Indian community even in those early days, sensing untold difficulties to flow in the future by Imperial sanction of a measure so sweeping, presented their united protest, both to the local and Home authorities.

The measure, all prayers, petitions and protests notwithstanding, thereafter received the Imperial sanction and was duly promulgated as Law.

The Natal Colony having by this measure planted its first poisoned dart into the very vitals of Indian political life, the rest of the Colony's action towards decimating Indian rights and privileges was a matter of the utmost ease. The community having thus swiftly been deprived of its vote and voice was all too feeble to assert itself in the succeeding assaults launched against it from day to day.

The first of such measures was directed against the commercial and economic progress of the Indian community. An act entitled "To amend the Law relating to licences to wholesalers and retail dealers" was passed in the year 1897 as Act No. 18 of that year. Though ostensibly of general application this measure was administratively explicated to the utter detriment of the Indian community. By its relentlessness working in relation to Indian traders, that particular section of the Indian community was reduced to a position precarious, commercially, beyond all reckoning. Financially, the Law in its course involved the community in the loss of thousands of pounds sterling, in the community's all too vain endeavour to withstand the destructive effects and results of its operation. It is but stating mildly to say that since this Law found its place upon the Statute Book, the commercial section of our community has known neither rest nor peace.

The wild cry of the Indian vote swamping the European which was productive in the year 1896, of the Franchise Law affecting Indians adversely, was raised in later years in an even more exaggerated form when the cry went forth that the Colony was in danger of being swamped by Indian immigration. All the facts and figures proving the contrary notwithstanding, the Natal Legislature embarked upon an Immigration Restriction Law which, again ostensibly of general application, was employed exclusively to largely restrict lawful Indian immigration into the Colony. It is not too much to say that the present total exclusion of Indians from the Union finds its *fontes et origo* in the un-British Natal Act. As Imperial authorities are only too well aware,

Indian immigration to this outpost of the King Emperor's realms has ceased in fact and in truth constituting a strange commentary upon the loud principle of equal freedom and liberty for all people within the Empire.

Indian immigration having thus been definitely excluded, one would have thought that the Indians might count upon a period of rest and respite. But the fates would appear to have ordered otherwise. It was now decreed, that as the numbers of the Indian population had been settled, their progress as a people should be circumscribed. With this obvious intention, various measures, all having for their object the ultimate emasculation of the Indian community, were from time to time promulgated. Reference must now once again be made to the subject of Immigration under the general law, by virtue whereof subsidiary enactments and ministerial pronouncements have been made. One result of the general law has been the prevention of inter-provincial migration, which facility had always been assured to Indians previous to the Union Immigration Law. This restriction of large numbers of Indians to their respective Provinces has, as can be readily seen, brought with it, its own train of evils, the chief of which it may be mentioned, was the appearance of the increase of the Indian population in the Natal Province which congestion would never have resulted, had the Indian community been afforded the facility for natural expansion and internal migration. It would thus be seen that the cry of European Natal and indeed of the Union generally, as regards the congestion of Indians, is that of the wolf and the lamb drinking at the stream. It is a result of the conscious action of Europeans, that Indians have become congested in the Natal Province; and yet the unreasoning cry is that the Indian population in Natal is increasing in measure and volume to the danger point of swamping the white community. Thus instances could be multiplied of the Europeans having first created a grave problem and thereafter laying the charge at the door of the Indian community.

We have said a moment ago that grave enactments and declarations have flowed from the general Immigration Law. One such ministerial declaration is the extraordinary one that all Indians qua Indians are unsuited on economic grounds to the requirements of the Union, which declaration, if words have any meaning, can only be interpreted to mean that the 350 millions of India, constituting three-fourths of the Empire's population, are devoid of the moral and social virtues wherefor persons other than Indians, have been accepted as members of the social fabric of South Africa, (vide Ministerial Order, "4. (1)" reading, "Any such person as is described in any paragraph of this sub-section who enters or is found within the Union, or who, though lawfully resident in one Province, enters or is found in another Province in which he is not lawfully resident, shall be a prohibited immigrant in respect of the Union or of that other Province (as the case may be), that is to say—(a) any person or class of persons deemed by the Minister on economic grounds or on account of standard or habits of life to be unsuited to the requirements of the Union or any particular Province thereof."

As illustrative of the policy of destruction of Indian interests by the ruling authority, might now be adduced the "Durban Land Alienation Ordinance 1923," passed by the Natal Provincial Council. This measure carries one step further the avowed European policy of circumscribing Indian rights. The measure unreservedly places in the hands of the Town Councils, the power to dispose of Borough lands at the whim and fancy of such Councils to Europeans, Indians and Natives whether in freehold or leasehold. Practical working of such discretionary powers have sufficiently testified in the past that

Indian rights invariably suffer if as a fact such rights are not even sacrificed in the interests of Europeans. It need hardly be observed that under the powers assured to Town Councils by this Law, it would be competent for the authorities to declare categorically that no land was available for Indian occupation within a Municipal Borough. The deliberate announcement made by a committee appointed in Durban a while ago to inquire into this and germane matters, was that within the whole spacious area of the Durban Borough, about one and a half acres were available for Indian occupation! Evidence of the employment of discretionary powers to the utter detriment of Indian rights could hardly be more conclusive.

We would now come to what is without doubt the most unconscionable departure on the part of the authorities for the annihilation of Indian claims and dues, nay for the destruction of their very self-respect. The Boroughs Ordinance No. 18 of 1924 passed by the Natal Provincial Council and now awaiting sanction of the Governor-General-in-Council is, it is stated with every sense of responsibility, the last word in un-British legislation. It is difficult to conceive how representatives of the British race with their instinctive traditions for fair and even dealing as between man and man, could so far forget themselves and all that their race stands for as to associate themselves with a measure, at once so un-Christian and so un-British. A detailed analysis of this measure has been prepared for the information of the Union Government, but we would content ourselves here by alluding to just one or two of its deplorable features. Indians within the Municipal Boroughs, possessing the required qualifications, might, before this Law, claim to be placed, in common with other sections, upon the Burgess Roll. This right had accrued to and was claimable by Indians from the very beginnings of municipal life within the Borough of Durban. The Ordinance now demands that no further Indians be placed on the Burgess Roll as and from the first day of July, 1924, the naked truth of which provision being that a right which existed for the Indian community for decades past is denied to them by this Ordinance as with a stroke of the pen. Thus the declared policy of the authorities would appear to be one not only for the denial of future rights, but the even more grievous wrong of taking away the existing rights. It would be difficult to discover in all the pages of British Colonial expansion, an act of spoliation more deliberate and unconscionable.

A second feature of this same Ordinance is the plenary discretion which it confers upon trade licensing authorities. We have declared already how discretionary powers vesting in the authorities have invariably been employed to the undermining of Indian interests. And it is but labouring an obvious truth to say, the Bill becoming Law, such discretionary powers would be used relentlessly against the Indian community.

It may here be introduced incidentally that a short while previously to the introduction of the Boroughs Ordinance, a measure no less unjust, having for its object the elimination of Indian franchise rights in the various Townships was thrice introduced into the Provincial Council and as often rejected by the Governor-General-in-Council.

We have observed in this connection that a detailed analysis of the Boroughs Ordinance had been prepared for consideration of the Governor General and we feel that we cannot do better than append hereto that communication in extenso for your own enlightenment and information.

Our next reference would be the Public Health Ordinance passed by the Natal Provincial Council and now duly promulgated as Law. Under the provisions of the Public Health Act of the Union,

Provincial Administrators have had conferred upon their powers for administering the requirements of that Act. But the local Public Health Ordinance although a child of the Parent Act, confers upon the Administrators whereby these officials may appoint committees to carry out its provisions. Since the personnel of these Committees to be recruited from the body of the Parliamentary Voters, and since Indian residents do not exercise such rights, the latter perforce cannot find their way upon the personnel of such committees. The inevitable result would be that a committee of interested Europeans would have within the palm of their hands the fate and destiny of the entire Indian community.

We do not desire to increase the length of this statement by enumeration of our numerous other wrongs and grievances. The above list would sufficiently lay bare the existing situation as effecting the Indian community and the dark dangers looming before them for the near future. Sufficient has been said however to show that the South African Indians exist to-day wholly without a protecting arm. Nothing more pathetic and hopeless could be discovered in all the history of British Colonial expansion than the abandonment of the South African Indians by the Imperial Government, a betrayal of sacred trust at the behest of white settlers. The abandonment is a weak concession to the clamour of the white Colonists, nay, it is more; it is by way of sacrificing the very birthright of those not of your own flesh and blood for the happiness of your own kith and kin, for it need hardly be emphasised that if the South African Indian community had been a white community instead, that community would labour under no such grievances as above, but being a people without vote or voice in Imperial affairs, that incapacity has provided the way; as it were, for the Imperial authorities to abandon us to our fate in this land with such consummate ease. Such Imperial conduct appears as strange fulfilment of the great Indian Nagaa Charta, the Indian Proclamation of 1885 issued by that truly Imperial Sovereign Queen Victoria of blessed memory: "We hold ourselves bound to the Natives of our Indian territories by the same obligation of duty that bind us to all our other subjects and those obligation by the blessing of God, we shall faithfully and conscientiously fulfil."

It should not be difficult to see in the light of the Indian situation in South Africa how one of the greatest Charters granted by Great Britain has been reduced to something less than the proverbial 'scrap of paper'. We would say that the Indian peoples of this Empire are ruled not by the sword but by their own faith, hope and trust, and it speaks volumes for the sincerity of these virtues when in the face of the greatest betrayal which the Indian Empire has ever known, Indians all the world over can yet look to their King Emperor with respect and veneration.

In conclusion, we venture to request that you, Sir, may be pleased to convey these our sentiments, to the members of the Imperial Cabinet and to place before that august body, particulars as embodied in the present statement. We are only too painfully aware that the British Ministry is wholly powerless to rally to our rescue by any direct action. But a few years ago, the Imperial Government could give us any and every protection. To-day they are powerless to raise a finger in the interests of their once Indian Charges in South Africa. While as a result of this complete helplessness of Great Britain, South African Indians stand on the brink of their death and destruction, the Imperial authorities must endeavour to justify their unenviable position. What the future of the Indian community is to be no one can tell, but if

the past and the present serve as a guide to the future, then years need not elapse before a large and important community, settled well over half a century in this sub-continent, is faced with the total annihilation or what remains of that community is reduced to a race of despised and dejected children of political helotage.

We beg to remain, Sir,
Most obediently yours,
V. LAWRENCE,
Vice-President.
SORABJEE RUSTOMJEE,
V. S. C. PATHER,
Secretaries.

NOTES AND NEWS

A REUTER'S message from Delhi dated Sept. 28 states:—At the opening of the Conference in which representatives of 300 religious communities in India are taking part, with the object of removing the friction between Mahomedans and Hindus, Mahomed Ali, the leader of the Khilafat Nationalists, referred to the pettiness of the quarrels between these two elements, and declared that toleration was the only solution. The Conference placed on record the country's deep grief at Gandhi's fast (on account of these troubles), and authorised the chairman to assure him that the country would do its utmost to enforce his principles, and requested him to break his fast. The Metropolitan of India, who is the Bishop of Calcutta, has written to Gandhi urging him to abandon his fast, lest it should lead to fatal consequences, which would estrange rather than conciliate men. Gandhi has not yet agreed to discontinue his fast or take part in the Conference.

Delhi, Sept. 29.—Gandhi in a letter to Motilal, the new chairman of the Conference now sitting with a view to overcoming the hostility between Mahomedans and Hindus, says he (Gandhi) is unable to break his fast as requested by the Conference, as his religion has taught him not to break a vow. Dealing with the causes of his fast, Gandhi says the non-co-operation movement was not conceived in hatred or ill-will towards a single Englishman. On the other hand, its non-violent character was intended to conquer Englishmen by love. It had, however, not achieved that result, but, on the contrary, had led to hatred and ill-will amongst themselves. His fast was a matter between himself and God, but if he reached the crisis in which choice lay between death and God, he would break his fast. The Subjects Committee of the above mentioned Conference passed a resolution deploring communal differences ending in loss of life, burning of property, and desecration of places of worship, expressing strongly the opinion that it is unlawful and irreligious for anyone to take the law into his own hands, and enjoining that all differences be referred to arbitration, failing which they should be referred to a law court.—Reuter.

Mr. Parsee Rustomjee has forwarded the following cable to Mahatma Gandhi, Delhi:—
"Sincerely endorse Conference resolution break fast."

London, Sept. 29.—Sir D. M. Dalal, Indian High Commissioner in London, who was appointed in January, 1923, has resigned. It is reported that this resignation is due to differences with the Government of India. Indian extremist newspapers allege that he did not receive the proper support from the

India office, and insinuate that his resignation is due to efforts which were made to force him to purchase stores in England, regardless of cost. An official explanation has not yet been given.—Reuter.

Johannesburg, Sept. 30th (Reuter). Immediate reform of a drastic character in the Insolvency Law of the country is contemplated by the Union Government, says the *Star*. A Draft Bill is already in existence, and should it eventually find its way on to the Statute Book it will mean: (1) The appointment of a Public Trustee with jurisdiction over all insolvency cases; (2) The control of all insolvency estates by this new Government official until it has been proved that they are in no way fraudulent or irregular; or (3) Gaol without the option of a financial penalty for anyone found guilty of fraudulent insolvency.

Capetown, Sept. 30 (Reuter).—"It is only when one gets among people who work among Malays that one realises the seriousness of the awful scourge which is ever present amongst us, the betrayal of our girls, the seducing of them and bringing of them under the influence of Islam. It is going on every day in Capetown and the suburbs." Such were the words used at the Diocesan Synod last night by the rector of Maitland, the Rev. Caradoc Davies, and the rector of Claremont, Canon Hext, spoke in a similar strain. Enam Talip, the High Priest of Islam in Capetown, strongly repudiates these assertions, however, and challenges Mr. Davies to show a single case in which a white girl has been forced against her will to denounce the religion of Christ and join the Mahomedan faith. Cases had, however, occurred in which girls who were almost white had fallen in love with Malays and changed their faith that they might be married. He knew also of Malay girls who had married Christian men, and there was as much cause for complaint on one side as on the other.

WHITE MAN'S JUSTICE TOWARDS BLACK RACES

In another column we reproduce a report of a native girl's death caused by a white man's whipping. Following are the comments of the *Natal Advertiser* on same:—

We hope most, if not all, of our readers "marked well and inwardly digested" that account from Standerton we published yesterday wherein a local farmer was punished for causing a native girl's death. We make no apology for repeating the story in its essential outlines. A well-known young Dutch farmer of the district heard that a native girl who had deserted his service previously was on his farm at a native kraal. He thereupon drove to the kraal in question, brought the girl back to his house, whipped her with a strap and tied her by the neck with reins to a cart and beams in his wagon house. An hour later she was found in a kneeling position with her head hanging forward. She was dead. Evidence for the defence showed there was three inches of play between the girl's neck and the reim so long as she remained standing upright, while the district surgeon testified that the deceased either fell forward in a faint or deliberately committed suicide. His own considered opinion was that deceased must have collapsed, owing possibly to the fact that she had been driven three miles, was tired and hungry, and after the whipping she had fainted.

The jury returned a verdict of guilty of common assault, and Mr. Justice Gey van Pittius, who pre-

sided over the Circuit Court, imposed a sentence of six weeks' imprisonment with hard labour.

Now, we talk a great deal about the natives in this country, and people ask perpetually, "What is the native question?" We answer unhesitatingly that, fundamentally, this is the native question. Think for a moment this native girl had been a little white child, understanding little about the law of desertion and not yet broken in to the economic system which demands people—most people—shall work for their livelihood. Suppose, too, a master should go and bring such a child back, whip it, and tie it by the neck to beams in a darkened room where was a play of three inches between standing up in a rigid position and strangulation. And suppose that child died as a consequence, and died within an hour . . . what would we all say? The answer is pretty clear in our own minds. There would be no talk about common assault, met by an almost nominal punishment.

Well?

What's the good of talking about settling native problems in this country when a jury can sit and have this tale unfolded to them and can mumble about "common assault"? What's the good of General Hertzog preaching about treating the subject races with justice when one of his own henchmen, Mr. van Pittus, can calmly review all this evidence, can see in the mind's eye the timid child, the escape, the capture, the indifference to the law which provides for desertion, so that none need resort to summary and illegal punishment for it, the whipping, the fright and pain, the haltering, almost as terrifying to a juvenile mind as an actual execution, and then the callous return to his own quarters of the young farmer, no doubt highly pleased with himself and his astute recovery of a human chattel; what's the good, we say, of canting about treating the native justly when a judge of a British Court thinks six weeks' imprisonment for common assault (the same sentence one might get for hitting a policeman big enough to hit back) will meet the circumstances!

This sort of thing is no good at all; and until public opinion gets a different orientation on these matters all will go ill with us in our relationship to the black man. If the native—the grown native—is a child to us, what must his own little ones be? And if we must treat him with great understanding—as at once his guide and protector—how ought we, with a hundred times more care, watch to see his children get a fair deal from those to whose care they are committed. We say deliberately that a jury and judge who can view such a horror as this with indifference are equally unfitted to weigh up and administer the law to subject peoples: and that it is at our peril we entrust these functions to them. For, bear in mind, this case is no exception. We have called attention, with a monotony all too frequent, to case after case where a veritable travesty of judgment has been meted out in the cases of offences against the safety of the native; and there is only too much reason to fear that the old Dutch idea of chattel rights in the kafir is as strong as ever it was. While this attitude is winked at, it is simply clotted nonsense to talk about solving the native problem. At the root of that problem lies the obligation to show rather more than less even-handed justice to the black man than we show at times to our own. Persuade him you want to deal justly by him and no question is insoluble. Persuade him, on the other hand, that even in matters of elementary humanity there is one law for the black and another for the white, and the whole mockery of white supposed civilization becomes manifest.

WHIPPED AND TIED TO -CART

NATIVE GIRL'S DEATH

STANDERTON FARMER SENT TO PRISON

The Courthouse at Standerton was crowded when Mr. Justice Gey van Pittius, presiding at the Circuit Court, began the hearing of a charge of culpable homicide against Leonardus Johannes Jobuschagne, a well known young farmer, of Rondavel, in this district. Advocate R. W. Tindall prosecuted, and Advocate Gerad Maritz, of Pretoria, appeared for the accused.

The Crown case was that accused on May 4 heard that a young native girl, who had deserted his service previously, was on his farm at a native kraal. Accused thereupon went to the kraal, accompanied by a brother of the girl, brought her back to his house, where he whipped her with a strap, and tied her with riems to a cart and the beams in his wagon house, where she was subsequently discovered lifeless.

Evidence was given by a native *umfaan* to the effect that about an hour after the deceased had been tied in the wagon house he peeped through the door and saw her in a kneeling position, with her head hanging forward. After a short while he saw her in the same position again, and reported the matter to his master, the accused, who thereupon opened the wagon-house door and tried to resuscitate the deceased.

REIM ROUND NECK

Cornelius Janse Koen, a neighbour of the accused, stated that while he was on a visit to the accused on May 4, a message was received to the effect that the native girl was in a kneeling position in the wagon house, and he accompanied accused and found deceased leaning forward in a kneeling position. One reim had been tied round deceased's neck and attached to the hand-rail of a Cape cart, while another tied her hands behind her back, and was attached to a beam about six and a half feet high. There was still about three inches of play between her neck and the reim. Accused spoke to her but on receiving no reply, said: "My God, Oom Cornelius. The girl is dead!" They then left the body in the same position, and accused proceeded to town for the purpose of reporting himself to the police.

After it had been explained how the reim was tied to the Cape cart, the Judge and jury inspected the cart, and various witnesses gave their impressions there.

Replying to Advocate Maritz, Head Constable Pannall stated that if deceased had remained in a standing position she would not have died.

Dr. H. C. Simmons, district surgeon, gave evidence of the visit to the wagon house, and corroborated Head Constable Pannall's evidence of the position of the body. He discovered death to be due to strangulation, and rigidity had already set in. If deceased had stood straight there would have been no strain on the reims, but she either fell forward in a faint or deliberately committed suicide. It was most dangerous to have tied the reim round the neck, as there always was the danger of fainting. After very carefully considering the matter, he had arrived at the conclusion that deceased must have collapsed, owing possibly to the fact that she had been driven about three miles, was probably tired and hungry, and, after the whipping, she had fainted. The whipping had not been severe—in fact, he discovered only a few superficial marks on her body.

Cross-examined by Advocate Maritz, witness said that deceased could have moved about three feet, and that there was sufficient space for her to lean forward on the cart. He had heard of two cases of deliberate suicide in very similar circumstances through merely leaning forward on a rope, which would then tighten round the main arteries, and create gradual unconsciousness. In this instance,

however, he inclined to the theory that deceased had fainted.

The jury returned a verdict of guilty of common assault, and sentence of six week's imprisonment with hard labour was passed.—*Natal Advertiser.*

MARITZBURG HINDOO YOUNG MEN'S ASSOCIATION

We have received the following brief report for publication from the Secretary of the above Association :—

The 19th anniversary of this Association will be celebrated at Maritzburg on the 12th October, commencing at 10 a.m.

As years pass by, gradual progress is noticed in the public work this Association has espoused to achieve in the interest of the community it represents. The body was founded by Bhai Parmanand, M.A., on 11th October 1905, and its aims and objects, as laid down by the founder, are to foster a spirit of brotherhood among all sections of the community, to work for the unity of the community, and to create a love for the study of education, especially that of the vernacular education, to propagate the tenets of the Hindu religion, and generally to create an ideal of love and patriotism for Mother India.

As a first attempt to induce and encourage the Tamil children in Maritzburg to study their own mother tongue, a school was opened in 1907, and not only was it supported by parents, but a large number of children who were otherwise denied the advantage of education attended the school. At the commencement fees were charged but as it was found necessary to admit children of poorer parents, a system of free education was introduced, and in many deserving cases free books were supplied to indigent children. There were times when heavy expenses were required to maintain the work of the school and as interest lagged behind, as is the case generally among us, it was doubted whether the work would continue without sacrificing the efficiency of the school.

The members came to the rescue and supplied funds, which enabled the work to continue. After years of toils and trials the officials and members kept to their work of self-sacrifice and with an amount of money which they had collected between themselves, purchased in 1914 a building in Church Street. The purchase of the building saw a rapid progress in the work of the Association for not only was accommodation provided for admission of a further number of children, but additional members joined the cause.

Appeals were made, not in vain, to Indians in all parts of Natal and in the Transval for donations, and there were willing and ready responses by them.

Gradually in this way the burden of debt was wiped off and funds were utilised in the purchase of a vacant land adjoining the building as a play ground.

Last year additions at a considerable cost were made to the existing building with a view to providing more accommodation for school children. An up-to-date stage for the holding of public meetings and theatrical entertainments has been erected. On the second floor a Library Room has been provided. A splendid collection of Tamil, English, Gujarati, Hindi and Urdu books is kept in the Library, and important newspaper publications both from India and South Africa are placed in the Library at the disposal of the reading public. Although full advantages are not taken of the facilities afforded in the Library, yet there are signs not wanting that in time to come the general public will appreciate and enjoy the advantages offered by a public Library to the full extent. The Association

Hall has become a centre of activities for public meetings and functions of all kinds take place in the Hall and in the spacious Library Room. In fact the building is open to the general public free of charge at all times to carry on any item of public work. A periodical supply of newspapers and magazines is sent free from the M. K. Gandhi Library.

The features of this year's anniversary will be recitations by the pupils of the H.Y.M.A. Tamil School on subjects of education, patriotism, etc. Special songs will be sung by the children for the occasion. Delegates from all parts of Natal will attend the celebration, and will take part in discussions as how best to further and encourage the study of Tamil education, and other matters pertaining to the welfare of the Hindu community.

A cordial invitation is issued to the general public to attend the proceedings.

Sporting News

(CONTRIBUTED)

There was a good crowd of spectators at the Westbourne Oval on Saturday the 20th ultimo when the final for the Sam China Cup was played. Transvaal, the holders of the coveted trophy met Natal and both sides were evenly matched. Although the Randites had the heavier team but Natal made up for it in speed.

The teams lined up as below :—

NATAL—R. Boodhan, G. K. Singh, M. K. Naidoo, B. Bharos, P. Moosa, R. Ramith, C. K. Ismail, G. Nulliah, E. Thomas, P. Frank, R. Balasingh.

TRANSVAAL—Mannie, W. Earnest, V. Frank, A. Pillay, P. S. Peters, P. Rangiah, V. P. Naidoo, L. Patrick, B. Maharaj, P. Tommy, K. Rangiah.

Mr. I. Timothy of Frontier acted as referee.

The game opened very fast in which the ball was booted from goal to goal. A hand ball was given against the Transvaal near their danger area but the ball was kicked very wide. Transvaal through the help of Naidoo got going, but when their opponents goal was in danger the ball was kicked outside. Transvaal pressed and Tommy with a terrific shot just grazed the bar and the ball went out to be taken as a goal kick. Rangiah got moving on and crossed a beautiful centre but the opportunity was not taken by their centre forward. Another foul was given against the weighty men but resulted to nil. At this period the Transvaal goalie was called up to handle a heavy shot but had no difficulty in disposing it. Transvaal again had a big chance to lead but failed to find the oblong mouth. A scrimmage near the Transvaalers area resulted in Thomas the Captain of Natal finding the net with a powerful kick. Natal were one goal up.

There was much controversy on restarting, the players "holding an inquest" on the knight of the whistle. Finally they decided to continue the match. A penalty was awarded in favour of the Garden Colony but the ball was placed right into the keeper's hands, who quickly disposed it. A free kick in favour of the Northlanders spelt danger to Natal but the shot went just over the cross bar. The Transvaalers still kept up the pressure when the whistle blew for half time with Natal leading by 1 goal to Nil.

After the resumption of the game the Natalians were always pressing and still kept up the pressure when the final whistle sounded with Natal winners for the first time.