

# Indian Opinion

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## PAST AND PRESENT

### (I)

"What doth it profit a man who gains the whole world but loseth his own soul."—The Bible.

AT the present moment when the leaders of the community have fallen out and two distinct divisions have taken place in the community it would not be out of place to take a comparative view of the community's past and present. It is not necessary to go back beyond 1914. The whole struggle which commenced in 1906 and terminated in 1914 with the Smuts-Gandhi Settlement was one of principle, that in the eye of the law there should be no differentiation between any section of the community based on colour or race. It was, however, not a complete settlement of the whole Indian question. The community had expressed its dissatisfaction that the trade licence laws of the different Provinces, the Transvaal Gold Law, the Transvaal Townships Act, the Transvaal Law 3 of 1885 were not altered so as to give Indians full rights of residence, trade and ownership of land. Dissatisfaction was also expressed that full interprovincial migration was not permitted. Mahatma Gandhi, on behalf the Indian community, then expressed the hope that when the Europeans of South Africa fully appreciate the fact that now, as the importation of indentured labour from India was prohibited and as the Immigrants' Regulation Act had in practice all but stopped further free Indian immigration and that Indians did not aspire to any political ambition, they, the Europeans, would see the justice and indeed the necessity of Indians being granted the rights above referred to, and that complete satisfaction could be expected until full civic rights had been conceded to the resident Indian population.

Since then, however, the position of Indians has not really improved. The administration of the Immigration laws has always been harsh and most offensive, the application of the trade licence laws, in so far as Indians are concerned has grown stricter as the years have gone by, the municipal franchise was taken away from Indians in Natal, segregation on trams and railways was introduced. The 1919 Act

was passed in the Transvaal depriving Indians of the right of ownership of land through companies, and imposing further disabilities under the Gold Law, and the culminating point was reached with the introduction of the Class Areas Bill in 1924, empowering the Government to enforce a measure of segregation of Asiatics in urban areas. The Bill, however, was ill-fated for owing to the dissolution of the House of Assembly in May 1924 it did not pass beyond the preliminary stages. In 1926 the new Minister of the Interior (Dr. Malan) introduced a recast Class Areas Bill which was referred to a Select Committee. A deputation from the Government of India gave evidence before the Select Committee. As a result of the Committee's report it was decided to postpone consideration of the Bill, and to discuss the whole question at a conference with the Government of India during the recess.

Consequent upon a proposal to introduce into the House of Assembly the Areas Reservation and Immigration and Registration (Further Provision) Bill, a deputation from India arrived in the Union, to study at first hand the Indian problem which was followed by a return visit to India of a Parliamentary deputation from the Union Government. As a result of the investigations of these deputations a conference was held between the two Governments in Capetown in December 1926 the outcome of which was the first Capetown Agreement which was hailed as "A Gentleman's Agreement."

Now during all this period the Congress, as representing the Indian community, took up a firm stand against any breach of the 1914 Settlement. It voiced its strong protest against all the measures referred to above and reiterated its protests at every annual conference. True, that the measures were passed in the teeth of the community's protests and were put into force and the community did not take active steps to fight the measures. The Congress, however, opposed them on principle and continuously reiterated its opposition.

Things have, however, changed since the Capetown Agreement and principles that were held sacred at one time and for which bitter struggles were fought under the leadership of Mahatma Gandhi involving the loss of material possessions and of precious lives are now mocked at.

The very first principle the Congress was guilty of having given in was the reduction of the Indian population of the Union for promised concessions to their remaining brethren when it adopted the terms of the so-called Gentleman's Agreement. There was not a vestige of patriotism in that act. And did it bring forth any good fruits? Certainly not, for evil acts must bring in return evil fruits. The ink on the "Gentleman's" Agreement was not yet dry when the Immigration Bill of 1927 was passed and the process of hounding out illegal entrants began. Mr. Sastri came to this country as the first Agent of the Government of India.

A condonation scheme came into being and without defining who could be called an illegal entrant Indians were asked to apply for condonation certificates within a stipulated period or they would be liable to be deported. Men of thirty years' residence whose domiciliary documents were held legal by the courts of justice were obliged to apply for condonation. The Congress worked with the Agent in getting their brethren condonation certificates. Their residence in this country is now of a temporary nature and those whose wives and children were not already in the Union at the time they were condoned are now precluded from bringing them in. The efforts of the Congress to bring them relief have entirely failed. In addition to this further restrictions were placed on Indian immigrants in that they lost their right to enter the Union should they absent themselves from the Union over three years, and over thirteen thousand Indians, most of whom were born in South Africa, were sent away to India under the assisted emigration scheme never to return.

And yet the position of Indians in the Union is a little worse than it was five years ago.

This was Mr. Sastri's achievement as the first Agent.

Then came Sir K. V. Reddi as Mr. Sastri's successor. The Immigration Bill of 1931 was introduced into Parliament without the Agent's knowledge. It deprived the Transvaal Indians of the unchallengeable right of residence in that Province they had acquired under the Transvaal Registration Act of 1908, and which was won after a bitter struggle with the Government. Before the Agent could make any representations the Bill was passed. Then came the Transvaal Licences (Control) Ordinance which instead of improving the trading conditions of Indians in terms of the Capetown Agreement actually imposed further restrictions. The Agent succeeded in getting the Governor-General-in-Council's assent to the Ordinance.

and was withheld and ere that was done, came the Transvaal Asiatic Land Tenure Bill resulting in another strong protest on the part of the Transvaal Indians.

In the meantime five years of the working of the Capetown Agreement had expired and the Agreement came in for revision. The second Round Table Conference met in Capetown in the beginning of 1932. The Congress delegates went to Capetown with a fixed determination not to countenance the selling away of the birthrights of their brethren for any concessions that may be promised them. By force of circumstances, however, they had to come to some compromise with the Government of India delegation, and we believe even to this day, that it was an honourable compromise. They agreed to co-operate with the Governments of India and the Union of South Africa in the former's mission, i.e., India's mission to explore outlets for colonisation in regard to her (India's) increasing population, provided that such co-operation was taken as inspired by patriotic motives, and not on the score of Indians being deemed undesirable, or that the Indian population was to be reduced. Now there was no principle of reducing the Indian population involved in such an agreement.

The second Round Table Conference resulted in the continuance of the terms of the Capetown Agreement with the further provision of exploring the possibilities of a colonization scheme "for settling Indians, both from India and South Africa, in other countries," and that "in this investigation, a representative of the Indian community in South Africa will, 'if they (the Indians) so desire,' be associated."

Thus the Agreement stands with its upliftment clauses to merely look at while restrictive measures are being continuously passed.

(To Be Continued)

## RIGHTEOUSNESS BEGETS RIGHTEOUSNESS

(By L. W. RITCH)

**N**ONE save such as are themselves righteous have any really equitable claim to the fruits of righteousness. The so-called victims of oppression or other forms of "wrong doing" at the hands of others, are but reaping the fruits of their own sowing. That sowing may have been done in ignorance, or in malice; the sufferings endured may be as are the weeds in a garden, the outcome of indolence or neglect; in either case it is "the Law that moves to righteousness" that repays and corrects; the chastising hand is but the instrument through which the Law moves. "The fool thinks this I did; that I wrought."

Now, the complaint of the Indian community in respect of the disabilities imposed upon them is, in effect, a complaint of unbrotherliness, of their unbrotherly treatment at the hands of their oppressors. Nothing, of course, is easier than to indulge in self-pity, to cry "Woe is Me!" and to delude oneself with the notion that the complainant is a wholly innocent sufferer of entirely undeserved wrongs. The "better-lessoned mind" permits no such self-deception; it recognises that as is the effect so must have been the cause; that the equilibrium must have been the cause; that the equilibrium must

have been disturbed at the point where it is being readjusted; that Time which looms so large in our outlook is as nothing in the eye of The Law, and so perceiving, the injured one consoles himself with the conviction that he is but repaying a debt incurred, is but restoring the harmony he disturbed, is but learning a badly needed lesson. Which being the case might it not advantage us, when voicing our cry of unbrotherliness in respect of the treatment meted out to us by "those others," to engage in a little honest self-examination with a view to discover whether perchance, our domestic relationships, our conduct towards each other *within our own community*, is much less unbrotherly than that coming from outside and concerning which we wax so indignant?

Schisms within a community are fatal to harmonious co-operation; jealousies, the subverting of the interests of the whole to some promised or hoped-for advantage in favour of a section, spell eventual disaster to all; while recrimination and mudslinging merely serve to discredit those who practise it and, incidentally, to prove their own undeservedness of what they claim to be their due.

Lust and hate are the two evils that most of all

are responsible for the antagonisms presently exercising mankind; the lust for possessions and the hatreds engendered by thwarted desires, envy and avarice. Nor is the thirst for self aggrandisement, for "leadership," the insatiable conceit of the little "i," the least potent and mischievous of these separative and estranging forces.

Men are brothers, ethnological variances notwithstanding. They have to achieve the Brotherhood of Humanity, to recognise the fact of their relationship, and to make that relationship a fact of life in realisation and practice. The ills that have affected, and still affect mankind are but the symptoms of that unkindness which must die ere existing chaos give place to real order, present discord to harmony. And, what is true of the whole is equally true of any one of its part. What hope is the Indian community

entitled to entertain of converting external antagonism to "kindness" - to the recognition of their claim to brotherly treatment - so long as lust and hate, with all their deplorable concomitants, continue to poison their own communal life?

Truth, although a healthy diet, is not always palatable; but to progress is to grow and even though the growth be accompanied by growing pains it is still worth while. We may promote our growth, growing painlessly "as the flowers grow," by understanding the Laws of Growth and cooperating therewith, or, we may harden our hearts, Pharaoh-like, until our selfish egotisms end finally in the anguish and remorse that shall ultimately dissolve them.

The basic fact to be grasped is that "Ye suffer from yourselves; none other compels." The final remedy, and the sole one, is, to "let unkindness die."

## INDIAN MINORITIES WITHIN THE BRITISH EMPIRE

(BY DR. TARAKNATH DAS, Ph.D.)

THE problems involving the rights of minorities in various parts of the world have been receiving considerable, but deserving attention from far-sighted statesmen and especially from the League of Nations. This is due to the fact that abused and ill-treated minorities; often become sources of international complications and wars. One may say that the dismemberment of the Austrian Empire was due to the discontent of the Czechs and Slavs. The dismemberment of the Ottoman Empire was primarily due to the revolt of the Arabs and Armenians. One of the causes of the present day unsettled condition of the Central Europe lies in the fact that various racial minorities—Germans, Hungarians, Ukrainians and others—wish to recover their former status so that they would not be discriminated against nor be looked down upon by the majorities of the states to which they now belong.

The National Socialist Revolution in Germany with its discriminatory laws against the German Jews who have been deprived of all legitimate privileges of citizenship which they enjoyed and who are absolutely helpless in remedying the injustice done to them has raised the issue of adequate protection of minorities by all states, especially those which are members of the League of Nations. On October 3rd, 1933, during the course of discussion, in connection with the League of Nations' Minority Committee and in opposition to the views previously expressed by Mr. von Keller, the German delegate to the committee, Mr. Ormsby-Gore forcefully expressed the British Government's official views regarding minorities in general and the Jewish minority in particular. Among other things he said:

"This Aryan doctrine and the doctrine of homogeneity quite frankly could not apply to the British Empire. It had always been a cardinal principle of the British Empire that no person should be debarred from holding any post under the Crown or of occupying in any profession, or the like, in the words of Queen Victoria, in her proclamation as Empress of India, by reason of race, colour or creed.

"The fundamental and only thing that holds the British Empire together is equality of status and freedom. If we were to substitute for our present conceptions of the British Empire this conception of racial ascendancy of one element in it—I presume it would be the Scotch—quite frankly it would be the end. The British Empire does not conceive of

itself in terms of racial solidarity, but in terms of the free association of free peoples, encouraged to develop their national consciousness, within the greater unity and, above all, bound together by what is the real guarantee for all minorities all over the world—free self-governing institutions. We have always said rather self-government than even good government. We believe in Parliamentary institutions whereby minorities can be heard and bring their case to the government, and in a free Press, Parliamentary institutions are the cement of the British Empire. It is an institution that has survived our country unbroken for 650 years, and neither in the name of democracy nor anything else are we going to abandon our free Parliamentary system, whereby no government can introduce a law or a decree until it has been discussed in the face of minorities and opposition and gone through clause by clause and line by line.

"Mr. Ormsby Gore continued that in Germany the Jews do not form a linguistic minority or a national minority, and that in the exercise of their religion they have not been subject to any interference there; but we must regard the Jews not merely in Germany but elsewhere quite definitely as a racial minority!

"If the German delegate in connection with Germans in Czechoslovakia and other neighbouring countries emphasises the ethical basis, the racial consciousness and racial homogeneity of the German people, he cannot have both ways. If the racialism of the Aryan German be admitted, it must be admitted that the Jews have their racial identity and are bound by the same ties of blood and kinship and history to all the Jews of the world. I say definitely that there is among the Jews a sense of their historic continuity throughout their dispersal, and they do form a racial minority which deserves the same treatment everywhere as all other minorities in all countries. What is that treatment? Above all, equal rights of citizenship and fair treatment as loyal citizens of the nation to which they have been attached. —*The Times* (London) October 5, 1933.

There is no doubt that the German Jews form a racial minority; similarly Indian populations in various parts of the British Empire, such as Australia, Canada, New Zealand and South Africa, form racial as well as linguistic minorities. According to the declaration of Mr. Ormsby-Gore, quoted above, a racial minority—be they Jews, Christian or others—should have equal rights of citizenship and fair

treatment as loyal citizens of the nation to which they have been attached. Indian statesmen and scholars should carefully inquire into the real status of Indian minorities within the British Empire. Do the members of the Indian minority in South Africa, Canada, Australia and other countries enjoy full rights of citizenship and fair treatment as citizens? Decidedly not. They are discriminated against in many ways because of the racial ground. One of the most glaring instances of discrimination against Indians in South Africa (mind it, that the eighty per cent. of Indians in South Africa are born in the country and they should have the same rights as any white man born in the land) is that the Government of the Union of South Africa is deliberating upon a measure by which South African Indians would be sent out of the country for colonisation. The avowed purpose behind the project is to eliminate the Indian minority in South Africa, by any means, if that is possible. One may point out that the very conception of the doctrines of "White Australia" and "White South Africa" is based upon the false notion of racial superiority of a group and "racial discrimination against others."

Because of unjust discrimination against Indians within certain parts of the British Empire, they are deprived of equal economic and commercial rights. Indian sentiment on this particular subject has been very well expressed in the following resolution (one of the ten resolutions) adopted during the Third International Conference on India, held at Geneva on September 19, 1933:—

"This conference condemns all discriminatory measures adopted against the Indian people on racial grounds in various countries, especially within the British Empire. It specially condemns the idea of the Government of the Union of South Africa, which is contemplating sending out South African-born Indians to British Guiana for the purpose of colonisation. This principle is detrimental to the real interests of Indians vis a vis the rest of the British Commonwealth and particularly as regards South Africa."

If one goes deeper into the subject of rights of minorities, one finds that for the solution of this problem, there should be universal acceptance of the doctrine of racial equality in matters of legal rights and there must not be any discrimination against any people by a special legislation, purely based on racial grounds. It may be pointed out that this principle was advocated by the Japanese delegates and was supported by Dr. Wellington Koo, representing the Chinese delegation, before the adoption of the Covenant of the League of Nations. It is a pity that the Japanese programme of racial equality was rejected by the British Empire delegates supported by those of U.S.A.

Although Japan is a first class Power, the Japanese are being discriminated against in certain parts of the British Empire and the United States of America, purely on racial grounds. But it is interesting to note that the Japanese have not accepted these discriminatory measures as final. For instance, the Japanese are still demanding that U. S. Immigration Laws be so modified that the Japanese should be given a quota on the equal basis with the so-called white peoples. It is quite probable that such a modification of the U. S. Immigration Laws may result in the near future.

The people of India should not abjectly surrender to the ill-treatment of their racial minority in various parts of the British Empire. They should bring up this question before the Minority Commission of the League of Nations. To be sure that the British Government in India will not take the initiative in bringing this question before the League; but an organization of Indians (such as the South African

Indian Congress) or an individual may take the initiative for presenting a petition to the League explaining the grievances of the Indian community and demanding an investigation by an International Commission, leading to just redress through an international action of the League of Nations.

TARAKNATH DAS.

San Remo, Italy.

October 10, 1933.

## Untouchability In South Africa

"We Indians form one per cent. of the total population of the Transvaal and you speak of us a 'menace.' How can one person in a hundred be a menace? You say that the Indian is a trader. Of course he is. What else can he be? He cannot be an engine driver, or own land as he can in his own country. There is no country in the world—and I have travelled myself in over 30—where there are so many restrictions against Indians as this great country of yours," remarked Kunwar Sir Maharaj Singh, in the course of an address on "Untouchability," delivered to the Wesley Guild in the Wesleyan Church Hall, Boksburg, recently.

After explaining the untouchability question in India and the great strides made within the last few months in abolishing the evil by the great reform work done by Mahatma Gandhi, the Kunwar went on to say:

"We are doing something for our untouchables, and the work which is being done in India will never go back. The reforms being carried out can never be negated in the future. But what about untouchability in this country? In India, untouchability has a religious sanction, and you know how difficult it is to remove anything with religious sanction.

"But what have you done in your enlightened and progressive country, for it is truly progressive? I believe I have many sympathisers in this country, but they keep their sympathy hidden. I need open sympathisers. You are too timid, you have to take a little more action, a little more courage and you will find that what was bitter is sweet and what was sweet better.

"Teach your children not to despise people because they are five shades darker in colour. Every one of the religious teachers of the world were men with dark skins. Moses, Jesus Christ—I have seen and known the classes from which they were born—Buddha, Confucius, who has many millions of followers in China. What was his colour and what the shape of his eyes? Mahomed and all the great religious teachers were Asiatics, and—forgive me if I say it—were born and lived among the dark-skinned nations, the Asiatics.

"How can you say that progress or culture depend on the colour of a man's hair or how his eyes slant? I do not know if there are any municipal councillors here to-night, but I would ask them to spend a few hundred pounds—no one gives more than a hundred pounds or so to the Asiatic—on the improvement of the Asiatic bazaars. We have some very decent fellows living in them. All Indians are not bad lots. And let us do something to help this untouchability in our midst."

## Fountain Of Wisdom

*—If a man's aspirations towards a righteous life are serious—if he earnestly and sincerely seeks a righteous life, his first act of abstinence will be abstinence from animal food, because not to mention the excitement of the passions produced by such food, its use is plainly immoral, as it requires an act contrary to moral feelings, i.e. killing—and is called forth only by greed!—TOLSTOY.*

## Natal's First Indian Settlers Early Decision That Was Later Regretted

(BY ALBERT MITCHELL)

The recent visit to Natal of the Committee appointed by the Union Government to investigate the possibilities of a colonisation scheme for settling Indians from South Africa in other countries recalls the fact that 73 years ago today the first batch of coolie labourers landed at Port Natal from Madras. Their arrival had been anticipated with more than ordinary interest, for the all-sufficient reason that quite a large section of the inhabitants of Natal were strongly opposed to what they considered to be a form of legalised serfdom.

Before dealing with the actual landing of the first batch of coolie labourers, it is interesting to consider the circumstances which led to their importation. Information in this regard is restricted to the old newspaper files and the records of the proceedings of the Legislative Council. There is likewise a brief reference to the subject in George Russell's "Old Durban" which tells us that early 1858, "with simple cheap labour within our borders, yet the impracticability and uncertainty of our Natives kept us constantly hankering after something like a modified slavery as a possible remedy for our chronic complaint." About the same time the *Natal Mercury* drew attention to the fact that the King of Delhi was being brought to British Kaffraria as a convict prisoner, and added that "the British Government might do well to turn their attention to Natal as requiring, more than any other South African Colony, a supply of cheap labour, and with a sufficient force of European troops, a large number of Sepoy rebels might be profitably and safely located in Natal."

It would appear that this was the first suggestion concerning the necessity for importing labourers. For some considerable time a shortage of Native labour had handicapped the progress and development of the Colony, and in view of the fact that the Natives manifested little or no disposition to work, it was largely felt that other means of obtaining the much-needed labour should be tried. It was on this point that the two weekly newspapers joined issue, and their columns eloquently testify to the warfare waged over a period of several months.

### The First Batch

Meanwhile a Bill for the introduction of labourers from India was being debated in the Legislative Council, and when early in 1860 this measure became law and—to the surprise of many—received the unqualified assent of the British Government, no time was lost in making arrangements for the recruiting and importation of 1,000 Indian labourers. To this end Mr. W. Collins, formerly Postmaster-General, was sent to India. His task was not an easy one; there were certain legal difficulties to be overcome, but eventually he succeeded in obtaining the consent of the Indian Government, and the first of four batches of labourers embarked on the 700-ton barque *Truro* at Madras on Oct. 13, 1860. They numbered 341, and comprised 197 men, 89 women and 55 children.

After an uneventful voyage of 34 days, the *Truro* dropped anchor off Port Natal on Nov. 16. Her arrival created tremendous interest and excitement, and the Point was thronged by townspeople. It was known that for some time an outbreak of cholera had been decimating certain parts of India, and fears were entertained regarding the danger of the coolies

bringing the dreaded disease into Natal. A rigorous examination by the port authorities, however, resulted in the *Truro* being given a clean bill of health, and public alarm having subsided, the work of disembarkation began. It had been arranged to domicile the new arrivals in what were known as the Coolie barracks at Addington, but unfortunately these were not completed, and there was no alternative but to make temporary arrangements for meeting the position. The Government had purchased an ample supply of rice and other stores for feeding the coolies, and had also arranged for an adequate quantity of water under contract.

Little imagination is needed to visualise the scene at the Point when the labourers were disembarked. In this connection the *Natal Mercury* reporter supplies some picturesque impressions of what he describes as a very remarkable scene. "Most of the spectators had been led to expect a lot of dried up, vapid and sleepy-looking anatomies. They were agreeably disappointed. As the swarthy hordes came pouring out of the boat's hold, laughing, chattering and staring about them with a well-satisfied expression of self-complacency on their faces, they hardly realised the idea one had formed regarding them and their faculties. They were a queer, comical, foreign-looking and very Oriental-like crowd. The men, with their large muslin turbans, bare, scraggy shin bones and coloured garments; the women with their flashing eyes, long thick dishevelled hair, with their half-covered, well-formed figures and their keen, inquisitive glances; the children with their intelligent, cute and humorous countenances mounted on bodies of unconscionable fragility, were all evidently beings of a different race and kind to any we have yet seen either in Africa or in England."

One of the most intriguing features of the landing operations was the attitude of the Natives, who had assembled in large numbers to see their new competitors in the labour market. We are told that "the Kafirs to a man exhausted their somewhat limited vocabularies in disparaging remarks upon the new arrivals, being specially severe upon their slender figures, generally low stature and attenuated legs." The work of disembarkation was carried out with much expedition, and one can readily appreciate the statement that the occasion was worthy of remembrance and record.

### The Forerunners

The major portion of the coolies were not so much field labourers as mechanics, household servants, domestics, gardeners and tradespeople, while there appears to have been quite a sprinkling of barbers, carpenters, ayahs, nurses and maids. Each carried his or her belongings in a small teak-wood box. The task of allotting the labourers to the various applicants did not present any great difficulty, this phase of the scheme having been satisfactorily arranged beforehand. It is interesting to note, however, that among the applicants who were allotted workers from the first batch were Messrs. Turner, Hunter, Wilson, Shires, Thompson, Lister, Wirsing, Hoffman, McArthur, Milner, Middleton, Kennedy, the Rev. Compton, J. Hunt, Mack, Knox, Saunders and the Umzinto Company. Each received a proportionate number of women and children. At the time of allotment there was no definite contract regarding the rate of pay the coolies were to receive, but this was ultimately adjusted on a satisfactory basis. The cost of importation was £9 per head. Some nine or 10 days later the second batch arrived from Calcutta on board the *Belvedere*. Her

voyage extended over a period of seven weeks, and during that time there were 24 deaths from cholera on board. This alarming fact caused great excitement among the inhabitants, whose fears were not wholly allayed when the coolies were quarantined on the other side of the Bluff, where they remained for several weeks.

A further noteworthy incident was that another of the vessels chartered by the Government, the Lord Charles Bentinck, after having disembarked her quota of 350 coolies, parted from her anchors, was driven on to the Back Beach, and became a total wreck.—*Natal Mercury*.

## Transvaal Notes

(From A Correspondent)

The following Notes were received last week but were crowded out:

### Working Of The T. I. Congress

The Committee of the Transvaal Indian Congress did not decide to give evidence before the Provincial Commission now sitting but on the 31st Oct. 1933 a meeting was called by verbal intimation. No agenda was supplied. No one knew what was the business except a few who were in the know. Nine men responded to the invitation. The President the late Mr. C. K. T. Naidoo was lying dead in his house. Mr. D. U. Mistry presided. There was no quorum. 13 is the number to form the quorum. An official stated that when there is no quorum those present can resolve into any emergency council meeting. By what stretch of imagination such a thing can be is beyond the intelligence of anyone conversant with the procedure of meetings. A draft statement was submitted. This copy was accepted by the nine persons on behalf of the whole Transvaal Indian community. No authority was given for the drawing of this memorandum. The Committee at the previous meeting never discussed this question.

Another Council meeting was held on Thursday, Nov. 9. This time the secretaries issued out a general circular on one or two sheets. So that the Committee members can sign it and return it to the secretaries in order to show that every member was informed. This time the members who were deputed to take round these circulars put them in their pockets and all the Committee men were not informed. Anyone of the informed who met a Committee man told the other Committee man about the meeting. This time there was a quorum. There were no minutes as usual. The Congress rarely had minutes. Certain secretaries read minutes at intervals but not always. It seems a general falling among all the secretaries of the Congress. Notes are taken down at meeting in pencil but no minutes. The statement was read and the policy of the South African Indian Congress has been altered even the policy of the Transvaal Indian Congress. The statement actually asks the Provincial Commission to legislate so that Indians will own land in Bazzars and Locations. The Transvaal Indian Congress in August 1932 rejected the Asiatic Land Tenure Act even though they may get the ownership of land in exempted areas. To-day certain newcomers who are better able to serve behind the counter than deal with politics have by strange device enabled to get through the Congress that request. The whole procedure was unconstitutional. A proposal was put that the Indian com-

munity ask for the ownership of land in locations. An amendment that no such request be made. The amendment had six votes and the proposal 5. The chairman did not vote but the secretary asked the chairman what about your vote. The chairman seeing that the proposal had 5, the amendment 6 gave his deliberate vote in favour of the proposal and so made the votes equal and then gave his casting vote in favour of the proposal. The chairman has a right to vote but he can only give his deliberate vote as the votes are being taken either for the proposal or amendment. Not after the votes had been counted and when he should have declared it. This unconstitutional method was adopted. The chairman is quite ignorant of the procedure of meetings, and therefore the poor man is not to be blamed as he was only acting, but those who encouraged him to carry out this unconstitutional practice were the sinners.

### South African Indian Congress Rule Flouted

Rule 13 of the S.A.I.C. reads as follows:—

"That one third shall be considered a quorum for any executive meeting, provided that at least two Provinces are represented thereat; and provided seven days telegraphic notice be given or fourteen days' notice under registered cover is given to all constituent organisation and their representatives on the executive."

The aforementioned rule is part and parcel of the South African Indian Congress but the secretaries who should see that the rule is complied with are the first ones to flout it. No mandate was ever given to the officials of the South African Indian Congress to submit a statement, but the secretaries had prepared one. A date was secured. One of the secretaries came to Johannesburg on the 15th Nov. A private consultation takes place with certain individuals at a private residence where three men meet. On Thursday 16th instant late in the evening a slip of a note which reads as follows: "Urgent S. A. Executive meeting will be held to-morrow morning at 10 a.m. at Mr. Parakh's residence" there is no date on this slip, no name is signed—along with this note a memorandum was sent on which these words were typewritten: "Memorandum submitted to the Provincial Finance Commission by the South African Indian Congress." This was sent to Mr. E. Mall who is joint secretary to the Transvaal Indian Congress and also a member of the executive. Another of the very same kind was thrust at the Rev. Sigamoney's residence which he got on Friday afternoon. Mr. E. Mall did not attend. Rev. Sigamoney could not attend as he was at school.

Mr. Rustonjee who has resigned from the Congress came up with the deputation. When questioned about the meeting he bluntly stated that there was no executive meeting. A few men presented the statement prepared and in the name of the South African Indians.

This is how the S.A.I.C. carries on its work. No wonder the public are losing confidence in the S.A.I.C.

We regret to learn that Rev. A. Lamont who was progressing after his first serious illness has had a relapse and is at present in a very serious condition at the Sanitorium. In the matter of education Rev. Lamont has done a great deal for the Indian youth and as Mayor of Durban the Indian community had always found him a sympathetic friend. We have no doubt, therefore, that every Indian, young and old, will join us in our fervent prayer to the Almighty for his speedy recovery.

## Asiatic Land Tenure Act Commission

### Evidence of Mr. Mahomed Essop Gathoo

(Continued from last week)

**CHAIRMAN:** What is your position now?

**Mr. BRINK:** We are not pressing for it now, but certainly we would support the Coloured section of the community in their request to include this part.

**CHAIRMAN:** Do I understand there is no Indian occupation of that part at present?

**Mr. BRINK:** (To witness) Is there any Indian occupation in that block on the south side of Minnaar Street opposite the block we have been talking about where that shop is on the corner and where the furniture shop is. You remember there is the block on the south side. Are there any Indians living there?—No; there are no Indians down there.

Take Burghersdorp as a whole, you have lived there; you went to live there in 1905?—Yes.

At that time was it well built up, or to a large extent not built up?—No; not built up.

How has it been occupied. What class of people have lived in Burghersdorp, taking it as a whole, since 1905 at any rate?—All sorts; Coloured and also white.

Which is the greater, looking back to 1905?—White would be the greater I think.

White more in occupation than Coloured?—I think so. It might be half and half. It might be more Whites.

During the course of years from 1905 to the present day, has the tendency to-day become more and more White, or more and more Coloured people there?—The tendency has been more and more Coloured people.

Would you say that it was more a White area 20 years ago than to-day?—Yes.

Those Europeans who used to live there and have moved away, in which direction have they moved, can you tell us that?—I cannot exactly tell you that. I do not know.

The better to do. Whites have moved away as the Coloured people come in?—Yes.

There is a school there, isn't there; an Indian school, on Malherbe Street?—On Malherbe Street and Bree Street.

On the corner. Are you interested in that school?—Yes.

Can you tell us about the affairs of that school, whether they want more property, and that sort of thing?—Yes; they do want some more later on.

For what purpose?—For the same purpose. For the school I think.

For more buildings, more playground, or what?—For more playgrounds and more buildings also.

For both. Is the Indian community prepared to put up the money?—They will try to do so.

Do you know whether there is any property there belonging to the Mosque?—Yes. On the corner, in Jennings Street.

Is there a Mosque there in Jennings Street?

**CHAIRMAN:** Where is the Mosque? Is that the block he has already been talking about, or further along?

**Mr. BRINK:** It is in Newtown; outside of Burghersdorp; Stands 201, 202, and 199—round about there. It is outside the terms of this Commission. (To witness) Do you know whether there is a stand

near where the school is belonging to the Mosque?—I do not know the number.

Where is it situated?—In Jennings and Bree Streets.

Do you know where the stand is that belongs to the Mosque, or don't you know?—I know.

You could come and point it out to us?—Yes.

Which street does it stand on?—The Mosque is east of Jennings Street.

I am not referring to the Mosque itself. You know that the Mosque owns another stand on which there is no Mosque?—It is on the school side.

Whereabouts? Can you tell us?—Just opposite the Charge Office.

The extreme western point. It is marked I. on our map. It is the one opposite the Charge Office on that little point of land?—Yes.

How is that owned?—It is owned by an Indian company or registered in the name of the Mosque?—I cannot tell you that.

Is it held for religious purpose?—Yes.

Is there a building on it?—There are buildings on it.

Are the buildings leased?—I think there are some brick-shops. I am not collecting rents there, so I do not know. I do not know whether there are Coloured persons there or not.

I want to know whether the revenue is for the Mosque or for what?—It is only for the Mosque. The income is used in the Mosque.

Who paid for the building of that Indian school. Do you know?—Mostly Indians. I think they made a collection.

It was paid for by the Indian community, mostly by local collection?—Yes.

**CHAIRMAN:** The Indian community paid for the site and for the buildings; for both?—Yes.

Altogether?—Yes.

**Mr. MACWILLIAM:** I want to deal with this property which is to the north of Minnaar Street in that block?—Yes.

The section you are asking to be excluded, does that property all belong to you?—What stand?

Minnaar Street, Jennings Street, Malherbe Street and Vorster Street?—There are 12 stands and half belong to me and half to somebody else.

**CHAIRMAN:** The owners of this property on the north of Minnaar Street are apparently a company known as Mia Limited. Is that one of your companies?—No; that is not my company.

Have you anything to do with a company known as Mia Limited?—No.

Another portion of property is stated to belong to the Victoria Land Company?—That is mine.

**Mr. MACWILLIAM:** Is the position that the Victoria Land Company and Mia Limited are the two companies that own that block?—Yes.

Mia & Company. That was Essop Mia and Jusob Mia, or Suliman Mia?—M. Suliman Mia.

You do not know what company appears upon the Deeds Register? Your company, the Victoria Land Company, do you own particular stands, or have you only a half interest in each stand?—Half of a block belongs to me. There are twelve stands in the same block and six of those belong to me.

There are twelve stands in the block, six of which belong to your company, and six belong to the other company. Is that correct?—Yes.

There are twelve stands between Minnaar, Vorster, Jennings and Malherbe Streets. Which six do you own?—On the Malherbe Street side. Facing Malherbe Street.

Taking them as facing Malherbe Street, these six stands belong to you?—Yes.

And the other six stands facing eastwards belong to Suliman Mia?—Yes.

CHAIRMAN: You own the western half of the block?—Yes.

Mr. MACWILLIAM: When was the Victoria Land Company registered. With your lordship's permission, I am afraid this is rather an investigation of a particular trade.

CHAIRMAN: In this case it seems inevitable that we should investigate a particular trade.

(To be continued)

## Arts And Crafts Exhibition

The annual arts and crafts exhibition to be held under the aegis of the Natal Indian Teachers' Society will take place on December 22 and 23. Already circulars have been sent to all schools and extensive arrangements are being made by the Society to ensure the success of the exhibition.

The last exhibition held in July 1931 was an outstanding success. It is hoped this year's affair will surpass all previous records.

Parents, too, are asked to co-operate though the exhibition is primarily for students all over Natal. They are asked to encourage their sons and daughters in this direction.

The Kunwarani Lady Maharaj Singh has been asked to open the exhibition.

Further particulars, if required, are available from the secretary of the Society, Mr. R. Regnath, Pembroke Chambers, West Street, Durban.

## Sporting News

(BY SPORTSMAN)

### Tennis

Alfred David Shield

#### "A" DIVISION

The close proximity of the semi-finals and finals has added a zest to tennis in recent weeks. The Moonlighters' decisive victory over the Spes Bona in the "A" division has brought into the running not only themselves but the Centrals as well as the Spes Bona. The League championship will be decided between these three. Spes Bona has been balloted to meet the Centrals on Sunday, 26th November at the Durban Indian Lawn Tennis Club's Courts at Currie's Fountain.

A few weeks back the Spes Bona beat the Centrals 5-4 but the latter have since become favourites. A huge crowd is, therefore, anticipated in spite of the probability of a gate being taken.

The winners of this match play the Moonlighters in the final for the Alfred David Shield.

#### "B" DIVISION

The interest in the "B" division competition has also been revived by the fine victory of Spes Bona over Umzinto last Sunday. The Umzinto Club was expected to 'run through' but they were certainly well and truly beaten at Spes Bona by 6-3. This brings four teams to the top of the league log viz: Umzinto, Sydenham, Spes Bona and Moonlighters.

Last Sunday 19th inst. the "B" division match was played. Apart from the Spes Bona victory over Umzinto Sydenham also inflicted a decisive defeat of 5-1 on the Dabby team.

## A School Function

A very pleasing and interesting function was held at the Shree Ramayan Sabbah Hindi School on Oct. 20. This was a prize giving and treat to the children. This affair was brought about by the untiring efforts of the teachers Messrs. I. Sewthal, H. D. Sobran and S. Maakerdhuj, and also the kindness of those few who generously contributed towards the expenses. Among those present were Messrs. Suchit Maharaj, D. Sobran, R. Rajoomar, R. Sahadeo, B. Ramouthar, C. Sewtahal, M. Ramothar, S. P. Singh, I. Maharaj and many others. The proceedings opened with the Havan ceremony which was performed by Pundit Suchit Maharaj. The children entertained the audience with many interesting songs. The teachers report dealt with the work done since the school was opened in February 1933. It also commented upon the lack of zeal on the part of the community in the education of their children in the vernacular. After other speeches were made light refreshments were served to all. At the conclusion of the function the head teacher and staff were invited for dinner by Mr. B. Ramothar.

## THE INDIAN REVIEW

Edited by the Hon. Mr. G. A. Natesan.

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Mr. C. F. ANDREWS:—I came into closest contact with Mr. Natesan, owing to his devoted work on behalf of South African Indians, and I carried a message of affection from him to Mahatma Gandhi when I departed from him in Madras for South Africa at the end of November, 1913. The cause of Indians abroad has found in him, an indefatigable worker, and now, in the Council of State, I have named him "The Member for Indians Overseas."

Mr. H. S. L. POLAK:—I well remember the gallant support you gave and were instrumental in procuring in the critical days of the South African troubles before the War, and ever since the problem of the disabilities and state of Indians abroad has been ventilated in the *Review* with unfailing regularity.

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