

INDIANS ABROAD

BULLETIN No. 11

June, 1924

SMUTS-GANDHI AGREEMENT

Printed at the "INDIAN DAILY PRESS" Press and published
by Dr. S. SINGH for the Imperial Indian
Citizenship Association, Bombay.

4124

SOME TRANSVAAL WOMEN

PASSIVE RESISTERS

*Sentenced at Volksrust on the 22nd December 1913 to
Three Months' Imprisonment with Hard Labour.*



Miss Velima Moonsamy, Mrs. Mahabeer, Mrs. Vecrasamy,
Mrs. V. S. Naidoo, Mrs. Moonsamy, Mrs. V. S. Pillay,
Mrs. Moonsamy Moodley.

INDEX

| | PAGE |
|--|------|
| INTRODUCTION | i |
| Bombay Ladies' Sympathy | 1 |
| Great Meeting at Bombay | 3 |
| Mr. Hosken's Christmas Appeal | 6 |
| Arrival of Mr. Andrews and Mr. Pearson at Durban | 8 |
| The Real Issue in South Africa | 9 |
| India and Africa | 10 |
| Mr. Gandhi and the Railway Strike | 10 |
| A Truce with the Government—The Provisional Agreement | 11 |
| The Provisional Agreement—"Indian Opinion" | 13 |
| Durban Supports Mr. Gandhi | 14 |
| Mr. Andrews' Farewell to Natal | 17 |
| Farewell—An Editorial from " <i>Indian Opinion</i> " | 19 |
| Indian Relief Bill' | 19 |
| " " " Reference | 22 |
| The Relief Bill—"Indian Opinion" | 22 |
| Indians Relief Bill—Second Reading | 23 |
| Speech by the Minister of Finance | 23 |
| " the Minister of the Interior | 23 |
| " the Prime Minister | 25 |
| " Mr. W. F. Clayton | 28 |
| " Mr. C. G. Fichardt | 30 |
| " Mr. F. H. P. Creswell | 31 |
| " Mr. J. G. Keyter | 32 |
| " the Minister of the Interior. (Closing speech) | 32 |
| Senator Marshall Campbell's Speech | 34 |
| The Settlement—"Indian Opinion" | 35 |
| The End | 37 |
| Farewell to Mr. and Mrs. Gandhi at Durban | 38 |
| Farewell to Mr. and Mrs. Gandhi at Johannesburg | 42 |
| Farewell to South Africa | 45 |

INTRODUCTION.

This Bulletin is composed of extracts taken from "Indian Opinion" (published in Durban, Natal), during the year 1914. It was in that year that the settlement, known as the Smuts-Gandhi Settlement, was recalled at the end of June, just a month before the commencement of the great European war. The final steps, which led to the Settlement, were as follows:—Mr. G. K. Gokhale had gone out to South Africa in the year 1912, and had come to a verbal understanding with General Smuts, that the £3 Poll Tax (which caused more Indians back into indenture and was in every way degrading) shall be abolished and that everything should be done to provide just and fair conditions for those domiciled Indians who were remaining in Natal. Mr. Gokhale, on his part, along with Mr. Gandhi, agreed that there should be no opposition to the restriction of immigration into South Africa, so long as the Act did not single out Indians, as a race, for this immigration restriction to the year 1913, the new immigration Bill was brought in and passed without opposition from the side of the Indian Community; but there was no sign whatever of General Smuts either abolishing the £3 Poll Tax, or dealing with other Indian grievances, such as the refusal of Government to recognise the validity of Indian marriages. At last, after repeated efforts to obtain justice, and after the promise made to Mr. Gokhale had been openly denied, Mr. Gandhi launched the passive Resistance struggle, which was immediately taken up by many thousands of Indians, especially in Natal. During the last months of 1913, there were nearly 4,000 Indians in jail, including practically all the leaders and Mr. Gandhi himself. There were also imprisoned many Indian ladies, including Mrs. Gandhi. Then followed certain acts of shooting and violence at Verulan and Mount Edgecombe, in which many Indians were killed and wounded. These acts of violence and bloodshed roused the greatest indignation in India. They also called the world's attention to the Indian struggle in South Africa. Many thousands more, among the Indians, were ready to court imprisonment.

General Smuts was faced at this very time with a syndicalist strike on the mines, on the railways and other services. The peril was one, which threatened the whole South African Union with a revolution. General Smuts saw the coming danger and was eager to settle the Indian struggle, if possible, before the Syndicalist strike began. He released Mr. Gandhi, Mr. Polak, Mr. Kallenbach and other leaders from jail, and tried to get them to agree to a Commission of Enquiry. Mr. Gandhi were perfectly ready to agree to the Commission, on the one condition that the Indian Community should have a voice in the selection of one of the members of the Commission; for during an earlier railway strike this condition had been allowed to the white workers. But this General Smuts refused. It would be a blow to the white man's prestige to allow such things to Indians. Mr. Gandhi and the Indian Community thereupon refused to give evidence before the Commission, to whose personnel they very strongly objected.

At this point, the Passive Resistance struggle was about to begin all over again and it was estimated that at least 20,000 Indian men and women would court arrest. The march into the Transvaal was to begin on January 15. On January 8th General Smuts despatched a telegram to Mr. Gandhi, addressed to Durban, inviting him to come to Pretoria for an in-

terview. Immediately after the arrival of Mr. Gandhi in Pretoria, the syndicalist strike began. Mr. Gandhi, on being asked what his own position was, declared publicly that he would not think of joining the syndicalist strike, even if invited to do so; because the Indian struggle with Government was of quite a different nature and character. The Indians were not to embarrass the Government by using any and every weapon; but only by using the fair and honourable weapon of passive resistance. This declaration was cabled all over the world by Reuter and undoubtedly made a great impression on world public opinion. It also made the steps that led to the Provisional Agreement more easily taken. That agreement was reached on January 21, 1914. Meanwhile the Commission went on sitting. Sir Benjamin Robertson arrived from India to give evidence before it: but all the while the real work of settlement was being done by General Smuts and Mr. Gandhi outside the Commission. The present Government of South Africa, through Mr. Duncan, had now brought forward a new interpretation of the Settlement that was then finally reached at the end of June 1914. They suggest that the vested rights mentioned in it were merely those of individuals and certain township rights in the Transvaal. I have already borne witness in public that, during all the many conversations with General Smuts, leading up to the agreement, in which, I was allowed to take a personal part, there was no doubt whatever that the South African Union Government had agreed to preserve strictly and faithfully all the vested rights of the Indian Community, which were then in existence. It did not merely agree to preserve the personal rights to property of certain individuals, or their rights in certain Transvaal townships, but the vested rights of the whole Indian Community. On that point, there was never left a shadow of a doubt at that time. If there had been the least doubt left, the Passive Resistance Struggle would never have been concluded so soon.

It is of the utmost importance, that the public both in India and in England should have the documents before them in the coming final debate over the 'Class Areas Bill.' These documents show this fact definitely and unmistakably. For this reason, the Imperial Indian Citizenship Association has asked me, through its Honorary Secretary, Mr. Jehangir B. Petit, to collect those documents of 1914 and place them before the public in a readable manner. As I have tried to do this, I have felt the inestimable loss, at such a time, of Mr. W. W. Pearson, who accompanied me to South Africa and took his share in every part of the last phase of the struggle. His death, last September, by a railway accident in Italy, has been a irreparable loss, not only to India itself, but also to Indians in South Africa.

C. F. ANDREWS

JUHU, ANDHERI,

14th May 1924.

BOMBAY LADIES' SYMPATHY

A preliminary meeting of Bombay ladies in connection with the question raised by the crisis in South Africa was held on the 20th November, 1913, in the Hall of the Servants of India Society, Sandhurst Road. There were present a large number of ladies representing the various communities of Bombay, Hindu, Parsee, Mahomedan, Christian, Jain, etc.

The proceedings commenced with the proposal of Mrs. Hill to elect Lady Petit as president of the gathering. The proposal was seconded by Mrs. Dehdustia, and supported by Mrs. Pattani. The proposition being unanimously carried, Lady Petit occupied the chair amid acclamations. The president then called upon Mrs. J. B. Petit to read out the messages of sympathy received from Lady Currimbhoy, Mrs. Kshamabai Rao, Miss Mudgonkar, and others.

Lady Petit then rose and addressed the gathering as follows:—

Ladies, we meet here to-day, representatives of all sections of the women of Bombay, to consider what steps should be taken to give expression to our feelings of deep sympathy with our sisters in South Africa and profound indignation at the persecution to which the South African Government are subjecting them. The subject has been of late so deeply exercising our minds that it would be superfluous for me to give the details of the many ways in which they are being harassed. It would be enough for our present purpose to say that the unjust and insulting disabilities, which the Union Government has imposed upon Indian women as well as men resident in South Africa, have provoked a movement of passive resistance, in which the women have taken their place with men and have not been backward to take their share of the sufferings involved in the struggle. Another way in which our countrymen in South Africa seek to force on the Union Government a sense of the cruel wrongs they are inflicting on their faithful subjects is by means of strikes of Indian labourers on the mines and sugar plantations in South Africa. This movement has extended beyond all expectations, and now includes about 30,000 hands. The weapons with which our countrymen have chosen to fight the deep-seated race prejudice and gross selfishness which have inspired the iniquitous Asiatic Acts are acknowledged on all accounts as perfectly legitimate and constitutional; in fact, a process of self-suffering is the only means which will enable a people, weak in material, but strong in spiritual force, to overcome the oppression practised by a Government, which, whatever be its moral state, is much their superior in material strength. But see how the Union Government has elected to crush the passive resistance which our countrymen are offering to their harsh laws! No civilised Government has ever been guilty of the barbarities to which the Indians, men and women, are being subjected by the Union Government, with a view to break the force of their passive resistance; no civilised Government has ever converted its mines into gaols, and mine-owners into gaolers, and consigned the strikers to the tender mercies of their former employers, who would thus have the power to mercilessly flog them for the offence of continuing the strike. Recent messages from South Africa convict the Union Government of all these grave charges; and an urgent and immediate cry of protest must rise from every part of this country, from men and women alike, calling upon the Imperial Government, if they have any concern for the honour and welfare of a loyal section of the subjects of the Empire, to put their foot down and prohibit these shameful proceedings. The whole civilised world is horrified at these barbarities, and it behoves the Imperial Government, in the interests of the Empire itself, to sternly put a stop to them.

The particular grievance of our sisters in South Africa is, of course, the marriage difficulty, and, touching as it does the honour of the whole Indian womanhood, it is perhaps the most serious of all. The Immigration Act refuses to recognise as valid any marriage according to rites which do not prohibit polygamy. All marriages, therefore, performed according to the non-Christian faith are to the Union Government as null and void; and a wife and even an only wife of an Indian who obtains entry into South Africa is not regarded by the Union of South Africa as a wedded wife, and is, therefore, a prohibited immigrant. The issue of such marriages also, it necessarily follows, the Government would consider illegitimate.

The Union Government has sought thereby to perpetrate an insult to the honour of Indian women which they will never meekly suffer to attach to them; our sisters in South Africa are therefore perfectly right—all honour to them—to join the passive resistance struggle rather than suffer such a grievous indignity. It is our manifest duty here in India to hold meetings everywhere to support our brave sisters, and make a supreme effort at collecting funds, which alone will enable them to carry on the struggle. I now call upon Lady Mehta to move the first resolution.

Lady Mehta then proposed "that a Committee consisting of the following ladies (with power to add to their number) be formed to organise in Bombay a public meeting of ladies to express sympathy with the sufferings of Indian women in South Africa, to protest against the cruel treatment meted out to them by the Union Government, and also to collect funds for the purpose of alleviating the distress of our suffering sisters in South Africa and of helping the Indian cause in that Colony generally." The names of the members of the Committee are: Lady Jamseji Jeejeebhoy, Lady Petit, Lady Mehta, Lady Currimbhoy, Lady Jagomohandas, Dishad Begum Saheba, Mrs. Heaton, Mrs. Stanley Reed, Mrs. Ramabai Ranade, Mrs. Jannabhai Sakai, Mrs. Dehdustia, Miss Serenebai, M. Kharsetjee and Mrs. J. B. Petit, the last two serving as Secretaries of the Committee. In moving this proposition Lady Mehta said:—In commending this resolution to your acceptance I do not think I shall be charged with exaggeration, when I say that the news which we have received of the cruel treatment to which our fellow countrymen in South Africa have been subjected, has sent a thrill of horror and indignation through the heart of every man, woman and child, in this City, and in the whole of the Presidency. At this time of the day it is not necessary to describe the various reasons and circumstances which have driven loyal and peace-abiding subjects of His Imperial Majesty the Emperor of India to resort to the measure of passive resistance. It is enough to say that a conservative statesman like Lord Ampthill, a former Governor of Madras, has openly and loudly proclaimed in the House of Lords that the demands of Indians in South Africa were moderate and just, and the promises given to them were not fulfilled by South African administrators. In the struggle which has ensued it cannot but be a matter of pride to us that the Indian women in that part of the country have joined with fearless courage and enthusiasm, braving all the hardships and tribulations to which such action exposes them. All honour to these brave women for their self-sacrificing and suffering spirit! Who would have believed that Indian women were capable of such heroic conduct, standing shoulder to shoulder with their husbands, fathers and brothers! Really and truly our heart bleeds for them and go out to them in this their hour of harm, pain, and suffering. They have had the courage to leave behind their families and their children, unprotected, unprovided for and starving. It is our duty to go to their help in such a time. If we cannot suffer with them let us at least help them by finding money to keep them from starvation. Let us call a public

meeting, raise subscriptions, and forward them without delay. It is a duty which we owe them and I am certain one that we shall lose no time in performing.—*The Bombay Chronicle.*"

GREAT MEETING AT BOMBAY

The Town Hall, Bombay, was packed to its utmost capacity, on December 10, 1913, 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'ble Pherozeshah M. Mehta, the Hon'ble Sir Jamsetji Jeejibhoy, Sir D. M. Petit, Sir Cawasji Jehangir, Sir Dorab and Lady Tata, Sir N. G. Chandavarkar, the Hon'ble Sir Ibrahim Rahimtoola, Sir V. D. Thackersey, Dr. Stanley Reed, Mr. D. E. Wacha, the Rev. Dr. Scott, Mr. H. A. Wadia, the Hon'ble Mr. G. K. Parekh, the Hon'ble Mr. F. M. Chinoy, the Hon'ble Mr. V. Patel, the Hon'ble Mr. Lallubhai V. Samaldas, the Hon'ble Mr. Manmohandas Ramji, Mr. B. G. Horniman, Mr. J. B. Petit, Sardar Pheroze D. Dastur, Mr. H. M. Cama, Mr. Haji Usuf Haji Esmail, Mr. Mahomedbhai Currimbhoy Ebrahim, Mr. Natarajan, Mr. A. J. Billimoria, Dr. N. H. E. Sukia, Mr. Purushotamdas Thakore das, Mr. H. L. Cowlie, Mr. Smith, Dastoor, Dr. M. N. Dhala, Mr. R. P. Karandikar, Dr. K. E. Dadachanji, Mr. Narottamdas Morarji Gokuldas, Mr. Sorabji Talyarkhan, Mr. M. C. Javle, Mr. V. D. Dabholkar, Mr. H. P. Mody, Dr. S. Batliwala and others.

H. H. the Aga Khan presided. 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 Ibrahim, Sir Chinubhai Madhavlal, Sir Balchandra Krishna, Mr. B. D. Petit, The Hon'ble Sir Fazulbhoy Currimbhoy, the Maharaja of Cooteh Behar, the Raja of Bausda, 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'ble Sir Pherozeshah Mehta announced amid loud and continued cheering, that H. H. the Aga Khan himself had contributed Rs. 10,000.

The Maharaja of Cooteh Behar and the Maharaja of Bhavnagar have each subscribed Rs. 1,000, and the Maharaja of Bausda Rs. 500.

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 question is indeed striking, and the fact that the requisition to the Sheriff to convene the meeting is signed by the 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 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.

Sir Pheroze Shah in the course of his speech said: "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, and 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 practise moderation and that the Boers should be satisfied that the demands are of a moderate character. Finding that Mr. Gandhi was again at his game of persuasion and reason and argument, I call this unpractical, and 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 the 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.

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 the 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 Minister 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.

Sir N. G. Chandavarkar who was a judge of the Bombay High Court and who now occupies the distinguished position of Chief Minister of the Indore State in the course of his remarks spoke as follows on the marriage question.

Marriages which had been treated as legal have been set at naught as illegal in the name and under the ordering of the new law on a strained and ingenious interpretation of the expression "Monogamous marriage." The practice had been, before this Immigration Act, to admit a woman married by a domiciled Asiatic according to the rites of his religion as his wife, so long as she was his only wife in South Africa. The pledge given in 1911 was that that existing right would be maintained.

But directly the new Immigration Act comes into force, the pledge is broken and the kind of wife I have spoken of is turned into a concubine, on the ground that as the woman was married according to the rites of a faith which allowed polygamy, the marriage was not monogamous. An eminent British Jurist said some years ago that there was no such thing as "legal fraud," that all fraud was fraud in the eye of the law and there was no legal fraud as distinguished from other kind of fraud. But the South African Government has given us a concrete example of legal fraud, for when a Government promise to maintain existing rights under and by means of a proposed law and then tramples those rights under foot in the name of that very law by employing language to conceal its thoughts and break its faith, it is law legalising fraud. And the comic feature of the situation,—or tragic as the situation is, a question of life and death to British Indians resident in South Africa—it has its humorous side also, the comic feature of the situation is that these marriages are declared illegal because the Union Government professes to have a tender Christian conscience, in favour of monogamy. I have no doubt, we all respect that conscience; we venerate the founder of that religion and his apostle who saw in marriage a spiritual fellowship of our soul with another soul. But what would the founder of Christianity and his Apostle St. Paul have said to the South African Pharisees, who in His name condemn as a concubine a woman, the sole wife of her husband, merely because the religion according to which she married allowed polygamy. If that is polygamy, with equal ingenuity and Pharisaism we might argue that a Christian marriage is polygamous because it is allowed to a Christian to divorce his only wife and marry another. (Applause.)

I do not say this to catch applause and your appreciation, but I put this consideration as one who has known law, who has practised law and who for twelve years had administrative law. This is an abomination of law and I am justified in saying therefore that the Christians are as barbarous as we are said to be. And remember that those who treat us as Pariahs to-day will be the Pariahs of to-morrow and also remember that no one can treat another as a slave unless in God's Providence he became a slave in turn, and if the Ministers read their Bible not only on Sundays but every day, they will find the Bible teaches that England has been writing the New Testament every day but now South Africa wants to take the pen from the hands of England and wants to revive slavery within British dominions. England has stood forth as a champion of freedom and a stern enemy of slavery and has written her name not only in the pages of history but also in the Book of Life, but the South African Government is now turning round and is driving the thin end of the wedge. This is not your cause, this is not the cause of your countrymen in South Africa, but there is a large and a serious problem at the back and if this situation is tolerated, slavery will be introduced in the British Dominions. The question is, shall this situation be tolerated and how long shall it go on? The answer was given to India by her Christian Viceroy, who presides over her destinies and who, true to the British traditions, true to his religion, true to his God and true to man has spoken with heroic calm which had made his name a household word among us.—*"The Bombay Chronicle."*

Mr. HOSKEN'S CHRISTMAS APPEAL

Mr. William Hosken contributes the following "Christmas Appeal" to the European readers of "The Star" (Johannesburg):—

There is so much of error and misunderstanding regarding the position taken up by the Indians in South Africa, and there is such a probability of cruelty and wrong being inflicted on a docile, and law-abiding people, that I am impelled to write this appeal. I beg all lovers of justice and liberty, who stand for elementary human rights, to pause, to refuse to be hasty in judgment, and to inquire carefully into the causes that drive such an industrious, docile people to take the stand that they are now doing. Men do not give up all they hold dear—home, wife, children, means of livelihood, and even life itself—unless impelled by a great and lofty purpose. What is the purpose animating the Indians throughout South Africa? It is first and foremost to demand human rights, simple elementary human rights, the right to live under conditions befitting free men, and to be treated with justice, equality, and reasonable human consideration. When a whole people are driven to desperation they cannot be expected to be smooth and dulcet in their language. That is the position of the Indian people in South Africa to-day.

Are we who draw our breath and blood from England to find fault with resolute men using resolute language? Have we failed in our day of trial when it was necessary to speak out? From the year of the peasant rising in Norfolk (1549), and even earlier, right down to the Chartist petition in 1884, we, as a people, have not hesitated to say, "We demand," and ultimately we have secured, but at what cost in human blood and human misery! Are we to learn nothing from the past? Even "The Star" forgets its role as champion of liberty in former days, and puts forward threats of "taking

power to deport dangerous agitation!" Is not this the remedy of all autocrats? "Put them into the "Bastille," "Ship them to the ends of the earth." But do these methods ever succeed?

Let us approach the Indian demands dispassionately, and learn their actual meaning. In 1862, when Indian immigration was first sanctioned by the Home Government, it was solemnly promised in a dispatch to the Indian Government still extant that the Indians going to Natal should have every facility to procure land and settle in that Colony at the end of their period of indenture. That solemn compact is not pleaded to-day, but are we as a people free from responsibility regarding it. The pledges given by Queen Victoria after the Mutiny, and by King George at the recent Coronation at Delhi, must also be borne in mind. We cannot remain inside the Empire, and refuse to carry some of the burdens of Empire.

After dealing with the position of Indians subject to the licence, Mr. Hosken says:—"In actual operation the re-indenture law compels first the parents to re-indenture and then the children, boys and girls as they reach 16 years of age; to indenture, otherwise they must pay £3 tax out of their meagre earnings, or be sent to India, torn from their parents and family, even though they may have been born in Natal. The indenture period of the parents and children, consequently, works out at different dates and unless the family is to be torn asunder they have no alternative but to re-indenture. The £3 tax in operation therefore, is, in practice, little short of a slavery law.

Mr. Hosken alludes to the resolution of the Agricultural Union regarding the tax, and quotes Sir Thomas Hyslop, where he says: "We want Indians as indentured labourers but not as free men." The writer then proceeds: I am assured by those who know the facts that the £3 poll tax sometimes causes horrible results with girls on their becoming liable to pay at the legal period of 13 years of age. Leaving the special cases and coming to its broad results, it holds under its driving force the 42,000 Indians, men and women, boys and girls, who are serving under indenture in Natal to-day.

Does the record of the free Indians in South Africa deserve this? Are they not a quiet, industrious, law-abiding people? Is not their criminal record better than that of any other section of the community, not omitting either Dutch or English? Is not their trade reputation with merchants and bankers superior to that of other traders doing a similar class of business? May I appeal to the conscience of the governing race, and ask: "Are the Indians treated with justice in our Magistrates' Courts, by trade licencing authorities, and by the governing race generally? Are we of the white race free from blame for the spirit of desperation that has now come over the Indian people in South Africa? We have sown the wind, and unless we take care we shall reap the whirlwind.

...

The manner in which Mr. Gokhale was misled, the tricks and subtleties of the Immigration Law, the betrayal over the position of Indian women,—*"de facto,"* monogamous wives, but *"de jure"* polygamous, I will now only mention. From the wired statements in this evening's "Star," I see General Smuts is following his natural bent of the autocrat. What an object lesson is his action! First a republican, resolutely fighting for what he conceived to be liberty; then obtaining power and exercising it ruthlessly, without an atom of human sympathy. It appears that general Smuts is not going to give way. "The consent of the governed," is nothing to him; either with

black or white. But I can assure him he is riding for a fall. When men came to the decision that life does not count in comparison with the cause to which they have devoted themselves, that cause is bound to win. That is the position of Indians in South Africa. Such peurlities as that of agitation in South Africa being fanned by the discontented in India should not receive credence. The position here is bad enough without giving thought to such absurdities.

Let us resolve to treat the Indians within our borders with justice and human sympathy, and the present difficulties will vanish. To behave otherwise will tarnish our own ideals, lower our self-respect, and degrade our standard of civilisation. The man that does a wrong to another damages his own self-respect, and the people that do a wrong to another people suffer likewise. Should not the first question be: Are these people suffering a wrong, and can we remove it? or should it be: Are these people defying our laws, even by passive resistance, and shall we crush them before considering their grievances? Is it too much to ask that at this Christmas time the Christmas spirit shall influence us, and that we will say, 'Peace on earth, to men of goodwill.' Let us promote peace in our land of South Africa, among the three hundred millions of Indians, in our own motherland of England, and in our own hearts. In this spirit would I beg the white races of South Africa to consider the demands of the Indian people.

ARRIVAL OF Mr. ANDREWS AND Mr. PEARSON

The s.s. "Umtali", which was due to arrive on the 28th December, 1913, was so delayed by heavy seas and head winds in the Indian Ocean that she was not sighted until early on the 2nd January 14. The Indian Community, who were awaiting the coming of the Rev. C. F. Andrews and Mr. W. W. Pearson from India by this boat, were feeling anxious at the delay. Before the immigration officer had completed his duties on the boat, a number of friends had assembled on the wharf to welcome, at the first opportunity, the guests. Amongst those present were Messrs. Parsce Rustomjee, Omar H. A. Johari, I. A. H. Moosa, G. H. Miankhan, A. G. Tipnis, G. Isaac, M. K. Gandhi, H. S. L. Polak, A. H. West, Bhana Parshotam, M. S. Randaree, A. M. Shaik, Abdul Hack Kajee, and others

Meeting at Durban

At a meeting the next day, January 3rd, after being introduced by Mr. Gandhi, who said that, "when the announcement was made in the papers of their coming, it gave a new hope to them in the time of darkness. They felt that the hand of God was on their movement." Mr. Andrews replied saying, there were no differences of opinion in India in regard to the South African question. Hindus, Mussalmans, Parsees, and Christians were united on this question. Some of his dearest friends were Mussalmans. Likewise he had amongst Hindus very many close friends and the one he held most dear was the poet Rabindranath Tagore, who sent as his message a Sanskrit Mantram, which Mr. Andrews recited. "Shanti", or peace was the burden of the message. It spoke of

the one God, the Eternal, the All-wise, the God of joy and peace. "All must trust him", continued the speaker, "in the hour of darkness and suffering. Peace will be with us in suffering and even in death." The women of India he said sent a message of love and sympathy to their brethren in Africa. They felt most keenly the pain and trouble of those who were trying to preserve the honour of Indian womanhood.

Mr. Pearson referred to the warmth of the welcome given to Mr. Andrews and himself. He had already made close friends amongst those whom he had never seen before. The garlands reminded him of India which he loved. The flower would fade but the symbol would remain. The people of South Africa, he said, were doing more than they knew to build up a great spirit of nationality in India. His ancestors belonged to the Quaker sect, which believed in spiritual force, and he also believed in it. Mr. Pearson referred to a passage in the Bhagavad Gita which emphasised the need for "Shanti" (peace). If they all had peace in their hearts they would gain in the end those things which were right, no matter what might happen in the meantime.

Miss Molteno, who was pressed to say a few words, said, "I have been hearing of India on all sides. And she sends to Africa a message of divine love—infinite, all-comprehending love. And my heart says that Africa must close this message in her own words—after her own fashion. I have so loved Africa that I have tried to shut myself away from all influences but hers. After the Boer War, I saw that Boer and Briton would have to unite, but would they try to do it at the cost of their dark brothers! Broken-hearted I went to England. For eight long years I remained away from Africa—in body—never in soul and spirit. And England and Europe have sent me back with this message to white South Africa: 'open your hearts—your souls—to brethren of colours. We are in the 20th century. Rise to the heights of this glorious century, try to comprehend the words of Du Bois—that grand and sympathetic soul: 'The 20th century will be the century of colour.' And I say it is also the Century of the Woman. She too, is divine and supreme. She, too, must play her God-appointed part—and in the 20th century her part will be a great one."

THE REAL ISSUE IN SOUTH AFRICA

The Rev. C. F. Andrews writes to the "*Statesman*," Calcutta—

I have read with the greatest interest your leading articles published on the above question. The conclusion at which you arrived, namely, the repatriation of all Indians, has at first sight much to commend it, and your statement of the case was very strong indeed. But a deeper consideration of the issues makes the solution you propose fail at the most critical point of all.

The present struggle in South Africa is not now primarily an economic one, as it has been in the past. Immigration of cheap Indian Labour has now ceased, and even new indentured labour is prohibited after the expiry of the present time services. The real issue is whether the nationalised Indians already settled in South Africa, who have shown such remarkable industrial and moral qualities, are to be regarded as a civilised

or as an uncivilised community, and behind this issue lies the larger issue still of the status of India herself. Is she to-day, with her great past traditions and her more recent modern progress to rank among the civilised peoples of the world? Or is she to be an out-cast and a pariah among the nations?

Such a vital issue will not be settled by a mere repatriation of the South African Indians. On the contrary, this will have the appearance of a surrender of the main position. Canada may next clamour for the repatriation of the flourishing Sikh community in Vancouver, Australia may close entirely her already half-shut doors. British East Africa and the West Indian Colonial group may pass outrageous penal laws. Even the United States may not prove strong enough to stem the forces of race prejudice on her western borders. Thus India, whose very progress seems more and more to depend on having outlets for her new activities, may become sealed up, and shut within her own borders.

The struggle, therefore—so it appears to me—must be fought out to the bitter end. For every one of us in this country it is necessary to recognise the fact that the honour of India is involved in the struggle. If she loses, she sinks to the level of the backward nations. Our duty is to see that she does not lose, but win.

INDIA AND AFRICA

In a speech at Durban Mr. C. F. Andrews expressed himself as follows:—

He would like to express an ideal that had been growing in his mind. From the moment he left Colombo until he reached Durban, he passed over almost unbroken seas. India looked across Africa, and Africa to India, and they were the nearest neighbours in the world. Surely, between those two great civilisations, one ancient and the other new, there should be growing up the greatest of all possible friendships. India ought to be giving to South Africa some of its great riches, and South Africa ought to be giving to India some of that amazing activity and courage that created in a new country enormous possibilities.

MR. GANDHI AND THE RAILWAY STRIKE

Mr. Gandhi and the Reverend C. F. Andrews left for Pretoria. The Editor of "*Pretoria News*" has obtained from Mr. Gandhi an assurance that, while the Railway Strike is proceeding, he would do nothing by the revival of the strike or of passive resistance to complicate the situation. "I shall take no unfair advantage of the Government," said Mr. Gandhi. "We shall resume operations, if it be necessary to resume them at all, only after the railway strike is settled. You have my personal assurance of that."

A TRUCE WITH THE GOVERNMENT— THE PROVISIONAL AGREEMENT

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 interview 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 interest 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 being in that case 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 a 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 interview, he has been pleased to accept the principles 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 the interpretation of the Government's attitude on the principle of consultation, it would further be 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 at Natal. For the reasons above stated, the avenue of proving them through the Commissioners 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 a 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 may not be out of place here to recapitulate the points on which relief has been sought. They are as follows:—

(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 existing laws, especially affecting the 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 the needful relief may now be 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 will be likely that there will be no charge 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 the 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 enquiry, 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, they will not think it necessary to take any further action in refutation of 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 to 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 to release 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.

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. (1913). 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 Mr. Andrews—whose wise counsel was equally availed of by all those concerned in the recent negotiations—are services not merely to the Indian community, but to the entire Union and the Empire at large.—*The Indian Opinion*, 28-1-14.

DURBAN SUPPORTS Mr. GANDHI

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 the 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 into 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 5 points: (1) the repeal of the £3 lbs. 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 the 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 have gladly met the community, meet them at that stage with reference to its propositions regarding the Commission.

Of course, that would create a dead-lock, 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 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 what he considered, the 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 the 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 feelings 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 stage 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 next 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 under-

gone, during the past months, that there should be no difficulty in securing the recommendations before 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 that 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 his 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 was 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 Ampthill also had been saying: "They had a noble cause, they were bound to win; let them now stay their hand; they had made sufficient demonstrations; they had roused 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. 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. ANDREWS' FAREWELL TO NATAL

The following letter was addressed by the Rev. C. F. Andrews to the "Natal Mercury":—

On the eve of my departure from Natal, may I encroach upon your columns to express the gratitude I feel for the kindness which my fellow-countrymen have shown me since I landed in Durban on January 1st. In spite of a very natural misunderstanding which arose, owing to my adopting an Indian custom of reverence and respect for Mr. Gandhi when I greeted him on the wharf, I have not felt (except, occasionally) that hostility which I had feared; while on the other hand, I have been met by the sincerest expressions of good-will from those who were ready to believe that I had one object in view,—the object of peace.

Fortunately, that peace (at least in the form of a truce) has now been reached; and I would like to say that the correspondence which was published between Mr. Smuts and Mr. Gandhi is really (as all such correspondence must be) a very poor and inadequate symbol of the actual change of spirit which has taken place. It is on the general improvement of the latter that I base any hopes I have of a settlement, not on the formal terms of an official correspondence. If bitter and provocative words can be avoided on both sides, there is now, I trust, a reasonable chance that the painful troubles which so disturbed and distressed the whole Colony a short while ago will not re-appear. With the present condition of unsettlement through South Africa, the removal of one source of danger by an honourable and generous settlement of long standing grievances is surely an object for which all alike may strive.

I carefully refrained, while at Natal from offering any public opinion on the Indian grievances themselves, for I understand, even more clearly than when I landed a month ago, the great complexity of the Natal situation; especially I feel the difficulty of the Native question and its vital importance. And if I am tempted to write anything at all, when I return, concerning, what I have seen, I shall make it quite clear that I write as a theorist and student of history, not as a man of affairs. I have already expressed in England and India, through Reuter, how deeply I have been touched by the kindly hospitality of Natal; I shall try to say this more personally, both in England and in India, on my return journey.

I may perhaps be allowed to write briefly on two points, with regard to which I may claim to be heard on account of my long Indian experience. I trust that what I have to say will be read with care, as it may help to make things clear.

The first point is the impossibility of Indians going back as a community on a solemn oath once taken. From an intimate knowledge of Indian sentiment, I can assure the Europeans in Natal that the present attitude towards the commission is not one of contumacy, much less one of fear; it is simply a question of religious honour. The Indians are the most religious people in the world; to me it would be inconceivable that they could play fast and loose as a community with a religious vow once taken. As sensible, practical men, of another religion and another race, we should not argue the point or impute wrong motives, but honour their tenacity of conscience, and meet it as far as possible. I am glad to see that this is on the whole what Mr. Smuts has done.

The second point is concerning what was understood in India about the £3 tax. Mr. Gokhale has been for many years my close personal friend. I have talked this whole question many times over with him. I saw with my own eyes all that happened on his return in 1911. I can, therefore, speak with authority. Mr. Gokhale fully and wholly believed that a mutual settlement had been reached. On the Indian side, he considered that he had made great momentous concessions. He agreed not to ask in South Africa for the political franchise for British Indians, and also not to ask for free immigration. These two things had been a part of his own political creed in the past. After what he saw in South Africa he deliberately abandoned them, and he asked in return for the abolition of the tax. He regarded the pledge as a pledge of honour on both sides, all the more binding because not given in writing. How faithfully Mr. Gokhale has kept his own word in this matter I myself can bear full witness. He had to face a storm of opposition at first because of the points he conceded, and he faced it. He was called a traitor for giving up political franchise but he stood firm to his promise. He never once went back on his pledged word to the Union Government, and by his own intense sincerity he has won the majority of thinking Indians round to his own opinions. The National Congress it is true, has passed an academic resolution contrary to his wishes; Sir M. Bhownagare and Sir P. Mehta still remain conservative and reactionary. But on these two points of the franchise and immigration in Natal the bulk of educated Indians have been converted to sound and reasonable opinions by Mr. Gokhale alone.

I would not appeal to my fellow-countrymen in Natal by the argument of expediency, and urge that such a growth of sound and reasonable opinion in India should not be flouted and driven back again to its old intractable position. I would rather appeal to honour and fair play. Indians still trust the Englishman to be true to his word. It is worse than the loss

of a Kingdom when that word comes to be doubted. It appears to me therefore, quite apart from the questionable advantage of the tax itself, that the direct honour of the Union Government and of Natal should be considered. At least, when Mr. Gokhale has done as much, and incurred such odium, on account of his own part of the implied agreement, we on our part should do our best to meet his attitude as generously as we can.

In conclusion, may I thank through your columns those who have so kindly expressed sympathy with me on the sudden death of my mother, whom I hoped to have seen in England on my way back to India. I trust, that through all the suffering that has occurred, in which I may now claim a part, a settlement will be reached honourable to Europeans and Indians alike.

FAREWELL

An Editorial from "Indian Opinion"

On Saturday last, Rev. C. F. Andrews left for England by the R.M.S. Briton, and to-morrow, Mr. W. W. Pearson returns to India by the S.S. "Unvolosi." Indians throughout South Africa will grieve to lose two such devoted friends who have endeared themselves to all with whom they had come into contact during their stay in this country. By their tact, good sense, ardent sympathy, and love for India and their own race, they have been able, in the short time that they have spent in this country, to grasp the Indian problem here more thoroughly than most of those who have spent a life-time in South Africa, and they have, we are sure, done much to bring about a better understanding between whites and Indians in the Union. They have given of the best that is in them for our sake; they carry with them the hearts of South African Indians, who wish them god speed in the work they are now to take up. The sway of the Indian wizard, Rabindranath Tagore, who has charmed the world and remained an Indian, is upon them both, and they will leave their impress upon the minds and characters of the Young India that will, a decade or so hence, be moulding the national future of the Motherland. To them, who have brought to South Africa the message of peace, we say:—Shanti! Shanti! Shanti!

INDIAN RELIEF BILL

The following Bill, "to make provision for the redress of certain grievances and the removal of certain disabilities of his Majesty's Indian Subjects in the Union," has just been published:—

Be it enacted by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

I. (1) The Minister of the Interior (hereinafter referred to as the Minister) may from time to time appoint priests of any Indian religion to be marriage officers with authority to solemnise the marriages of Indians in accordance with the rites and formularies of such religion.

(2) A marriage between two Indians solemnised in accordance with such rites and formularies by a marriage officer so appointed shall be a valid and binding marriage, and all the incidents shall follow therefrom which follow from any other union recognised in law as a valid and binding marriage.

(3) A marriage officer appointed under this section shall be under the same obligations of keeping registers and entering therein particulars of marriages solemnised by him as are imposed upon marriage officers appointed under any other law in force in the Province in which these marriages are solemnised, and the provisions of any such law as to the custody and inspection of registers, the obtaining of copies thereof, the evidence of certified copies thereof, the loss, the destruction or the falsification of or injury to such registers or such certified copies shall be deemed to be incorporated in this section.

II. (1) If any Indian male or any Indian female upon a joint application to any marriage officer, (whether appointed under this act or any other law) satisfy such officer (a) that there existed at the commencement of this Act between them a union then recognised as a marriage under the tenets of an Indian religion which they profess; and (b) that there does not exist between either of them and any other person a union so recognised as a marriage or any union recognised in law as a marriage; and (c) that each of them is desirous that the union should be regarded as a valid and binding marriage in law, such officer shall, upon being furnished with particulars, as to the full name, residence, place of birth and age of each party, and such further particulars as are prescribed by regulations made under this section, register such union in manner so described as a marriage between those parties. Notwithstanding that by the tenets of the religion which the parties profess, polygamous unions are approved or recognised, the said union shall by the fact of registration become, as from the date when it was contracted, a valid and binding marriage between the parties, and all the incidents shall follow therefrom which follow from any other union recognised in law as a valid and binding marriage, and the marriage shall be deemed to have taken place at the place where the union was, prior to the registration, contracted.

(2) The minister may make regulations as to the manner in which applications shall be made under this section, the keeping of registers for the purpose thereof, and the particulars to be entered in those registers. The provisions of the marriage laws in force in the Province in which unions are registered as marriages, so far as those laws relate to the custody and inspection of registers, the obtaining of copies thereof or extracts therefrom, the evidence of certified copies thereof, the loss, destruction or falsification of, or injury to, those registers certified copies or extracts shall *mutatis mutandis* apply to registers kept under this section.

III. (1) From paragraph (g) of Section 5 of the Immigrants' Regulation Act, 1913 (Act No. 22 of 1913), the following words shall be deleted; that is to say, the words "including the wife or child of a lawful and a monogamous marriage duly celebrated according to the rites of any religious faith outside the Union."

(2) In the interpretation of that paragraph, as hereby amended "the wife" shall include any one woman between whom and the exempted person mentioned therein there exists a union recognised as a marriage under the tenets of an Indian religion, notwithstanding that by those tenets the union of that exempted person with other woman at the same time would also be recognised as a marriage; provided that no woman shall be deemed to

be the wife of such exempted person, (a) if such a union exists between him and any other woman who resides in any Province; (b) if such exempted person has in any Province offspring by any other woman who is still living; "the child under the age of 16" shall mean a child who is the offspring of the exempted person and the wife as herein defined.

IV. Nothing in the preceding sections in this Act shall be construed as repeating or in any manner modifying the provisions of Sections 65 to 89 inclusive of the Indian Immigration Law, 1891, of Natal (Law No. 25 of 1891), or Act No. 2 of 1907 of Natal.

V Section 3 of the Indian Immigrants Amendment Act, 1895, is hereby amended by the addition to the end of that section of the words "if he applies therefor within 12 months after such expiry."

VI. The Minister may in his discretion cause to be provided out of moneys appropriated by Parliament for the purpose of a free passage from any port in the Union to any port in India (with or without free conveyance by rail to such first-mentioned port) for any Indian other than an Indian who is or may become entitled under law No. 25 of 1891 (Natal), or may become entitled under Law No. 25 of 1891 (Natal), or any amendment thereof, to such free passage, who makes a written request for such free passage, and (a) signs as a condition of the grant of such request a statement that he abandons on behalf of himself and his wife and all minor children (if any) all rights possessed by him or them to enter or reside in any part of the Union, together with all rights incidental to his or their domicile therein; and (b) furnishes to an officer designated by the Minister such means of identification of such Indian and his wife and minor children (if any) as the Minister may prescribe. A condition so signed shall be conclusive evidence that such Indian and his wife and minor children (if any) have abandoned his or their rights to enter and reside in the Union, and rights incidental to his or their domicile therein.

VII. If in the administration of any law any question arises as to whether an Indian who produces a certificate of former residence or domicile in Natal is identical with an Indian to whom that certificate was granted under a prior law of Natal, then, if a thumb impression on that certificate is identical with the thumb impression of the Indian who produces it, the certificate shall be conclusive evidence of such Indian's former residence or domicile in Natal.

VIII. The laws specified in the schedule to this Act are hereby repealed to the extent set out in the fourth column of that schedule, and those provisions of those laws which are hereby repealed shall, in so far as they have been extended to Zululand, cease to be in force therein.

No proceedings shall be taken to recover any moneys which may have become due from any Indian prior to the commencement of this Act under the provisions so repealed. ..

.. IX. This Act may be cited for all purposes as the Indian Reliefs Act, 1914.

The Schedule gives the following list of the sections to be repealed :— Act No. 17 of 1895, the Indian Immigration Act, 1895, Section 6; Act No. 2 of 1903, to the Indian Immigration Amendment Act, 1895, the whole except Sections 1 and 4; Act No. 39 of 1905, to amend Act No. 17 of 1895, the whole; Act No. 19 of 1910, to amend the Indian Immigration Act, No. 17 of 1895 and Act No. 2 of 1903, Section 1 and 3.

Reference

Paragraph (g) of Section 5 of the Immigrants' Regulation Act, 1913, reads:—Any person (who is proved to the satisfaction of an Immigration Officer or, in case of an appeal, to the satisfaction of the board, to be the wife, or the child under the age of 16 years of any person exempted by paragraph (f) of this section, including the wife or child of a lawful and monogamous marriage duly celebrated according to the rites of any religious faith outside the Union.

Sections 65 to 89 of Law 25, 1891, provide for the marriage and divorce of indentured Indians.

Act 2 of 1907 (Natal) provides for the regulation of existing marriages by the Protector.

Section 3 of Act 17 of 1895 is as follows:—Every Indian desiring to return to India on the expiry of the first or any subsequent period of his service under any contract of indenture or re-indenture entered into under the laws for the time being in force shall be provided by the Indian Immigration Trust Board with a free passage to India.

Section 6 of Act 17 of 1895 provides for the annual licence of £3 to be taken out by those who fail to return to India.

Section 1 of Act 2 of 1903 makes Act 17 of 1895 apply to the children of Indian Immigrants. Section 4 enables a child to receive a free passage to India at the end of the term of indenture of his father or mother.

Act 39 of 1905 provides for the method of payment of the licence, etc.

Section 1 of Act 19 of 1910 allows a Magistrate to relieve Indian women from payment of the licence money upon grounds of ill health, old age, or for other just cause. Section 3 provides for the suspension of payment of arrears during the period of reindenture or contract of service.

THE RELIEF BILL

The long expected Indian Bill has now been published.—It is a simple and short measure and seems to carry out the recommendations of the Indian Commission in so far as legislative action is necessary. The Bill removes the marriage difficulty and restores the status as it existed before the Searle judgment. It repeals the £3 tax and remits the unpaid arrears. Lastly, it validates Natal certificates of domicile, if the owner can establish his identity with the certificate by proving that the thumb impression on it is his own. There is another clause in the Bill with which the community is not concerned. It is the clause which enables the Government to give a free passage to any Indian not otherwise provided for, if he renounces for himself and his family, all claim to domicile in Natal or any other province of the union.

There are certain alterations necessary in the Bill. It will be a proper thing to use for validating future unions the machinery provided in the Bill for validating existing unions. Amendment will also be necessary for protecting the children of deceased wives, where such wives, if alive, could have been recognised under the present Bill.

Assuming that the Bill with the suggested alterations becomes law, there will still remain the other matters recommended by the Commission and the matters covered by Mr. Cachalias' and Mr. Gandhis' letters. These require administrative treatment and include the Free state question, the Cape entry and the administration of existing laws. If satisfactory assurances are issued in connection with them, the struggle that has gone on for years, and that has meant enormous losses and sufferings to the community, may be said to have fitly and honourably closed.—*'The Indian Opinion,'* 3rd June, 1924.

(INDIANS RELIEF BILL (Second Reading))

The Minister of Finance moved the second reading of the Indians Relief Bill. He requested members to approach such a thorny and difficult question in a non-controversial spirit. The House were now in a position to finally settle the Indian problem on a satisfactory basis, the recommendations of the Solomon Commission, which inquired into the grievances of Indians, having been accepted as a solution by the Indian Government, and also with one exception, by the Indian community residing here. He recalled the passing of the Immigration Act last session, and the agitation which followed it. Mr. Gandhi raised four points, on two of which it was possible for the Government to meet him. There were two other points on which it was impossible for the Government immediately after the session to meet the community's views.

One was the right of entry of the South African born Indian into the Cape Province. In the immigration Act of last year provision had been made that Indians entering the Cape Province should be required to comply with a dictation test, and Mr. Gandhi desired that this restriction should be removed. The Government, however, pointed out that the point had been fully discussed during the debates on the Bill, and that the strongest exception had been taken to the removal of the restriction, which revived the restriction under old Cape laws. The second question was the marriage question. In the Immigration Act of last year a clause had been adopted on the motion of the honorary member for Cape Town, Castle (Mr. Alexander), permitting the entry of a wife married according to polygamous rites, though the marriage was defacto monogamous. The Natal Division of the Supreme Court had however, decided that it was not possible to recognise as legal a marriage celebrated according to polygamous rites. Administratively in the past there had been no difficulty in the matter.

Mr. P. Duncan (Fordsburg): Then why did they raise the question?

The Minister of the Interior said that if he were to answer that question it would take a very long time, and he did not think it was necessary to do so. It was a case that had presented some very extra-ordinary features. When it became clear that the Government could not satisfy the Indian community on these points the question of the £3 licence was raised. He did not intend to go in detail into that question, but he would say that it was impossible for the Government, when threatened with a strike to make any concessions at all. Then followed a great deal of bloodshed and violence in suppressing the strike, and subsequently the Solomon Commission was appointed. It was assisted in its labours by a representative of the Indian

Government, Sir Benjamin Robertson, whose services had been, as he could say from personal knowledge, of the very greatest value to the Commission. He had smoothed its work considerably and had thrown light on many difficult questions. The Commission, it would seem, had made fourteen recommendations. Most of these required merely administrative action, and here he would say that it was the intention of the Government to carry out the commission's recommendations in their entirety partly by legislation and partly by administration; and in this way to secure that peace which they were all longing for, that peace which was not merely of such importance to South Africa itself, but also to South Africa in her external relations. (Cheers.)

The Minister then went into minute details concerning the merits question.

This left one other point, and that was the abolition of the £3 tax in Natal. He did not intend to cover the whole history of the tax. Honorary Members knew that this system of coolie labour was introduced many years ago. As the number of the Indians increased, it became a matter of concern as to what steps should be taken to get some of these people back to India. In 1893 a mission went from Natal to India, and the result was found in the law passed in 1895—the law they were now concerned with. Indentured coolies, after they had finished their term of service and who did not wish to return to India, could stay in Natal after paying a £3 licence. From the very start the law did not promise to be a success, and after 5 years another mission was sent to India to see whether it was not possible that the indentures should expire in India. The mission did not meet with success, and no change was made. The Indians claim that this tax should be abolished, and this was one of the questions, the Solomon Commission went into. The Commission came to the conclusion that the claims of the Indians were fair and just and politic, and recommended the repeal of clause 6 of the Act of 1895. This course was adopted in the Bill. The Commission pointed out that the tax was only payable by a small portion of the Indian population. The Commission pointed out that 11,000 males were at present liable to the tax and about 21,000 were still under indenture or had been re-indentured. The Commission also pointed out that the Indian population was much larger, and that the people liable to the tax were the least able to bear the burden. When everybody paid a capitation tax such was easy to collect, but where only a small portion of a population paid, it became extremely difficult, because they could only collect through the machinery of the police. When a policeman wanted to make out that a man was liable to the tax, he must prove that he came to Natal after 1895, which was most difficult, and also that he did not come there as a free man, which was also very difficult.

From the very beginning this tax had been avoided in a wholesale fashion, and in 1905 the Natal Government passed a law by which no employer could accept the service of any of these people without making certain that they had paid the tax. That law had been on the Statute Book for some years, but had never been carried out. Just as it was difficult to collect the tax from the Indians, it was found just as difficult, to collect it by means of this amending law. The Commission pointed out that the position had become very serious indeed, because these people in order to avoid the tax, wandered from place to place. The Commission advanced other arguments that told against the tax, and finally came to the conclusion that the tax should be abolished. The Minister pointed out that the evidence as to whether the tax had the effect of inducing these people to return to India, had been very conflicting, and the commission was not satisfied that the tax had had any effect in inducing the coolies to return to India. The Commis-

sion suggested that the best course would be to repeal section 6 of the Act of 1895, and the Minister pointed out that the result under this Bill would be that no other alteration was made in the status of Indians in Natal. Clause 6 gave power to the Government to give free passages to any Indians willing to return to India, and renounce their rights of residence in South Africa. The object of the Government was to assist, in every way possible, to induce them to leave the country and go back to India. He appealed to Honorary Members, especially those from Natal, to assist the Government in getting the Bill through this session. They had a unique opportunity of dealing with this troublesome question. It was a point which affected the whole of the British Empire, and he was sorry to say that it was taking another form in one of the British Dominions. They had reached a stage after a long struggle when they could bring the whole matter to a conclusion, and he would ask members, especially members from Natal, to assist the Government on this occasion and remove one of the most dangerous elements that at present beset them.

The Prime Minister said that he just wished to clear up one or two points which had been raised in the course of this debate. It was unnecessary for him to enter into the details and the merits of this measure which had been made quite clear by the Minister of the Interior. It seemed to him, however, that a large number of the Honorary Members did not quite understand the objects of this measure. The Honorary Member for Rouxville, for instance, had referred to one section of the Indian community, whereas the Bill dealt with an altogether different section. He (the Hon. Member for Rouxville) had referred to that section which was quite free and lived in various parts of the country. The Bill now before the House had absolutely nothing to do with these people. They were in the country, and remained whether the Bill was passed or not. (Hear, hear.) The class which had vested rights could not be interfered with in any way. The Bill only dealt with these people who to-day were not here as free men—they were indentured labourers, the poorest class of all.

An Hon. Member:—Yes, and the very worst, too. The Prime Minister said that he trusted that the House would deal with the Bill and the principles involved therein earnestly and seriously. The principles concerned were by no means superficial. He well remembered how from the very first they had experienced difficulties in the Transvaal concerning the Indian question. It had been quite impossible for any Parliament to say in an off hand manner, "Put all these people out of the country, we do not want them here." Only by paying millions of pounds in compensation could they have done anything like that, and even then the matter would not have been settled. In these circumstances he wished to appeal to members to deal with this Bill from the point of higher statesmanship than what they desired and than what their own personal wishes were. He knew that in South Africa there was a great and strong feeling of prejudice against the Indians, but he also knew that the people of South Africa would believe him when he said that he always had done his utmost to keep these Indians out of the country. (Hear, hear). Nor did he rise in the House to embrace these people.

But whatever they did, whatever their feelings were, they must be just and fair towards the Indians. When the Government came to this House with a Bill such as the present one, it should be understood that the Government had gone into the matters involved most carefully, and had given all these matters its serious and careful consideration. The Government was responsible to the House and to the people for the measure it introduced, and he trusted that the House would regard this Bill from that point of view.

(Hear, hear.) What had been most disappointing to him was to have listened to the speeches of Hon. Members representing Natal on both sides of the House. It was regrettable that these Hon. Members did not feel the matter so seriously when they introduced the Indians into South Africa. (Hear, hear.) If they had felt their responsibilities so keenly at the time they would have consulted the rest of South Africa, and to-day the Country would not have been faced with all these difficulties (cheers.) But if to-day Hon. Members realise these difficulties so acutely, then they should not forget that these difficulties were entirely the creation of the people of Natal (Hear, hear.) Unfortunately, these Indians had not remained in Natal only, and to-day these people were found in other parts of the country as well. It was unpleasant having to say this, but it had to be done (Hear, hear.) But they had to do what was right and fair towards South Africa. Whatever their prejudices against the Indians, he (General Botha) quite agreed with Mr. Merriman that it was their duty in this House as a Parliament and a Government, to work for peace, justice and fairness (Cheers.) They had to deal with people who were not represented in this House, and whose presence in this country was due to the action of the people of Natal. Therefore, he hoped that Hon. Members from Natal would help South Africa out of the difficulty in which it had been placed. And this they could do by supporting the Bill now before the House. (Cheers.) He knew the Hon. Member for Braamfontein (Sir Aubrey Woolls Sampson) was a rough rider, and he trusted that his rough-riding would now be in the interest of justice and fairness (cheers)—and he was sure that if the Hon. Member carefully thought over the matter he would give the Bill his support. After all they had seen and gone through in this country, the Prime Minister went on, it must be quite clear that this House had to take the responsibility to deal with matters as they were to-day—(Hear, hear)—and they should not introduce legislation with a view to what was good for them only. They no longer stood by themselves in four separate Provinces, and it was because they had to consider a greater cause that they should see to it that, especially in this matter, they did not go in the wrong direction. They must be careful lest they made their difficulties more acute than they were to-day, and more serious than they could become if this Bill were passed. (Cheers.)

He regretted the attitude taken by some Hon. Members, who had coupled the native question with this Indian problem. They had no right to do so. (Hear, hear.) When they dealt with native questions, they dealt with native questions pure and simple, and they had to deal with the Indian problem in the same spirit and its own merits. (Cheers.) It was useless dragging in this native argument, because he wished to say emphatically that if there were one subject of which they had every right to be proud it was this, that they, as a small minority, had always easily governed the large native majority in South Africa. (Loud Cheers.) He would like to ask Hon. Members whether they had heard of a native refusing to pay his taxes? The collector went round, and the natives came along of their own free-will and paid their taxes. He wondered whether any tax collector would have such an easy task if sent to a farming community to collect taxes? (Laughter.) He held that instead of this question having been dragged in the way it had been done, this country had cause for gratification at the obedience to the law always displayed by the native population. (Loud Cheers.) One Hon. Member had stated, the Prime Minister went on, that the effect of this Bill would be that a large number of Indians would settle in the Free State. The Hon. Member, however, was mistaken, because the Bill did not deal with the general aspect at all. Under this measure no such rights were given. Hon. Members should be extremely careful in their statements lest they should spread wrong impressions among the people. The

Indians who were in Natal to-day could not go to the Transvaal, or to the Free State. This question had been fully dealt with in the Immigration Regulation Bill of last year. The Members should be careful not to spread the impression that this House was now engaged in passing legislation giving the Indians the right to go any where they pleased. This measure to a certain extent only gave a definition. (Hear, hear.) It was under the Act of last year that the women and children had come in. The matter now before the House was a most important one, and was one bristling with difficulties, but they in this House should see to it, and should see to it carefully, that the question was put right.

It was for that reason, that he appealed to the House to deal with the subject on its merits and he trusted that this House would see the Government was bound to pass this measure. "We have introduced this Bill (said the Prime Minister), and we must stand by it, and I cannot see how we can possibly drop it. Therefore, I want to appeal to the House to assist us in getting this Bill on the Statute Book. I know the subject is an extremely thorny one, but to any one giving the matter his serious attention it must become clear that the way proposed in the Bill is the only way to solve the difficulties." (Hear, hear). Proceeding, general Botha referred to the amendment of the Hon. Member for Victoria County, (Mr. Henwood). The Hon. Member was in favour of getting this question referred to a referendum in Natal. But he (Prime Minister) asked, did not Natal, have this referendum, when by a majority it was decided to introduce the coolies? (Hear, hear). It was essential that a solution be arrived at. They could not have any more strikes or upheavals in Natal such as they had had. It was impossible and impracticable to keep a standing command there. Probably this Bill did not solve the matter in the way many Hon. Members desired to see it settled, but he (the speaker), held that it was the only proper solution. The question of the country losing revenue under this Bill had also been raised. To his (the speaker's) mind, it had always been difficult to reconcile a policy under which one section of the community was taxed differently to another section in the way this had been done in Natal. In conclusion, the Prime Minister said he hoped that the Hon. member for Victoria County could realise that his amendment was impossible, as this was a question for which the Union Government had to assume responsibility. What was to be the result of the increase in the Indian population? The Prime Minister said that they must keep Natal Indians in Natal, but that was impossible, they would force their way into other provinces in due course. The time would come when there would be no room for more Indians in Natal, unless the whites moved out to make room for them. They would not confine themselves to working on the plantations and sugar factories, they were being better educated and had higher ambitions. They would only stay at the labour for which they were originally introduced long enough to enable them to start in some other business. They were not fond of the work for which the Indians were originally introduced. The sons of the indentured Indians were looking for something on a higher plane. How were they going to get their desire, the only way he could see was for the white people to make room for them by going out.

It was not merely a question of whether an injustice was being done in connection with that £3 tax: it was a question of the future of Natal. It has been said that there would be peace if that Bill were passed, but if the Minister of Finance thought that there would be peace by giving in to demands of the Indians in that respect he would subsequently find that he was quite wrong. That was only a part of the programme of the demands of

the Indians. The Hon. member went on to refer to the petition of the Indians to Lord Crewe, in connection with which he said there were gross slanders regarding alleged ill-treatment and degradation of the Indians by the people of Natal. Those slanders were telegraphed all over the British Empire and appeared in newspapers in all parts of the world. But they had not the courage to come forward and substantiate a single item of those charges. That agitation for the repeal of the £3 tax did not originate in Natal, but in India, and the people in the country were being made tools of to carry on the agitation. In the petition they asked that Indians throughout the Empire should have rights of citizenship. That meant that here in this country every Indian should have the same rights and privileges as the white people, and if that House granted them the little point in that Bill it would encourage them to make further demands. They could easily afford to pay the £3 tax. The question before the House was an important one to Natal, and the opinion of Natal should be taken on the matter before the House passed such a measure.

Mr. W. F. Clayton (Zululand) said he was on the thorns of a dilemma. If the Minister had divided the Bill into two parts he could have satisfied his conscience. He was quite willing to agree to the first part of the Bill which endeavoured to remove disabilities from those Indians who were free to live within the borders of the Union, but not to the proposition that they should do an injustice to a large and important part of the community the white population of Natal. When they considered such an important subject as that before the House they should consider it on broad lines and try to place themselves in the position of those who were under a disability in the matter. The Hon. Member for Victoria County had briefly sketched the incidents leading to the position of affairs at the present time; he (Mr. Clayton) wanted to say that the Indians in Natal might be roughly divided into three classes. The first, the Asiatic, or as he was sometimes called, the Arab, was a man who came there of his own accord to trade with the native population, and who had since taken away the whole of the small white's store-keeping trade in the country and much of the native trade. That class was strongly represented in the Peninsula here. The second class, the majority of the Indian population in Natal, were free to leave or go where they liked in the Province or engage themselves in any pursuit they pleased. As a matter of fact they were entering into a wider sphere of occupation than would have been believed to be possible when they came into the country. The third class came under the operation of Act 17 of 1895, and upon them was laid the burden of either going back to India, or re-indenturing and thus remaining outside of colonisation, and were called upon to pay the £3 per annum tax.

He hoped Hon. Members would not confuse these classes when dealing with the question. He maintained that on the main body of Indians in Natal, this £3 tax which it was now proposed should be removed, constituted no burden, but on that portion only which had come out knowing full well that unless they re-indentured themselves or returned to India they would have to pay that tax. He would like the house to consider the grounds upon which the Commission based their reasons for removing the tax. They recommended it for two reasons, the first was that the Act was inoperative; another was that the tax was imposed upon a minority which would be placed in a worse position than those who had come into Natal within recent times. With regard to the first objection, he had figures to show that the tax accomplished what it was intended to do. The Act was passed in 1895 owing to the fact that certain Indians were there not indentured, and as the tax was not made retrospective it became operative in 1901. It

would then be seen that the Act, as soon as it came into force, had an immediate effect. The figures of those returning to India in 1895, were 415; in 1896, 296; in 1897, 418; in 1898 188; in 1899, 503; in 1900, 448; in 1901, 639. Then the Act came into force in 1902, when 1,482 returned to India, thus showing the effect which that tax had upon the Indians who had served their term of Indenture. In 1903, the number was 2,029; in 1904, 1,672; in 1905, 2,078; in 1906, 3,939; in 1907, 3,484; and in the following year, according to the evidence before the Commission, out of 7,735 who had completed their indentures, 3,989 returned to India, those who were left, of course, taking up their licences. In 1909 the number rose to 4,895. Who, he asked, would say the tax was inoperative? Rather, had it not served the purpose for which it was imposed? The true reason was that the tax had not been collected of late. If that had properly been done there was no doubt but that the same proportion of Indians would have left Natal as in the previous years. He thought that disposed of the first reason given by the Commission for the abolition of the tax. In regard to the other point, that the tax was placed on a small portion of the Indian population, the question might be asked: Why was it placed upon the small proportion and was it not injustice done to that minority? They found that these Indians had been taking up occupations in the country instead of returning to India.

Mr. P. Duncan (Fordsburg): Why didn't you stop bringing them in?

Mr. Clayton continuing, said that a deputation went to India prior to 1895 to make representations to the Indian Government with regard to the return of its subjects. The idea was that men should either work or go back and not settle down in Natal. Nothing, however, came of the deputation, and in 1895 the Act was passed. The Natal Government, however, did not wish to do an injustice to those who had been in Natal prior to the passing of the Act, and these were allowed to remain without any disabilities, because they had been called to Natal, but thence forward the Government was resolved that those who came should be placed under the disability of paying the tax, and there was no doubt that these people knew perfectly well under what conditions they came to this country. Personally, he might say of all those who had passed through his employ he had never heard a man dispute the terms of his contract. (Hear, hear.) He did not think any Indian desired to remain in the country but that he looked forward to the time when he would go back to India, and in asking that this tax should be removed an act of injustice was being done to Natal. There was a very strong feeling in the northern parts of Natal, that the country should not be over run by Indians. At a recent agricultural conference two resolutions were passed. The first related to the undesirability of having a permanent Indian population and the second to the desirability of retaining the present tax of £3 per head.

During the existence of the Indian strike he (Mr. Clayton), had heard natives working in his own fields saying that if they could not get what they wanted they would have to strike as the Indians had done. The lesson of the Rand strike, followed by the Indian strike, would make it strange if on some other questions there might not be passive resistance on the part of the native population. That was a fear which had been expressed and made by public men in Natal, and that was what had passed in his own mind when he thought of their passing such a Bill as that. The Bill was not going to be final, and would be a sort of stepping stone to civil equality and the franchise. It might be contended that Natal was to blame for having brought these Indians to South Africa. In 1874, when the second importation had been instituted, it was on account of the drifting away of their native labour to the diamond fields of the Cape. Since then they had had the drifting of their native po-

pulation to the gold fields of the Union. If they (the Native people) had been selfish, it had been for their own preservation and to do something for their living and for their work. The question had been raised about these Indians being British subjects. How would that view be dealt with, he asked, if they were to send 100,000 of their native subjects to live in India, free to do what, and go where, they pleased? The desire not to embarrass the British Government at the present time was a point which appealed to him, but in reply to the right Hon. Member for Victoria West (Mr. Merriman) he would say, suppose that a thousand Indians were shipped and arrived at the Cape. Would the Hon. Member say that they would receive them with open arms and make them their fellow subjects? In Natal they had gone into the mire and they did not want to go deeper into it. They did not want a proposition that would make them sink deeper into the mire. Referring to what the Prime Minister had said, the Hon. Member said that, as an employer of Indians and as one who came into contact with very many employers of Indians, effect had been given to the law and the Protector of Indians had insisted over and over again that they should provide for the payment of the arrears of the £3 licence by instalments. Every endeavour had been made to see that the law was brought into operation. No man was going to run his head into a noose for the sake of a few men who had not paid the licence. The case had been prejudiced, as he had said by the non-collection of the licences in the past, in the days since Union. As to what the Hon. Member for Wecnen (Mr. Meyler) had said about waxing fat on Indian labour, the Hon. Member for Victoria County (Mr. Henwood) had never, so far as he knew, had an Indian under his employ, so that it could not be said that the Hon. Member waxed fat on Indian labour nor could it be said of the other Hon. Members to whom he (Mr. Meyler) had alluded. Continuing, Mr. Clayton said that they believed that they represented public opinion in Natal on that matter, and that the colonists of Natal were opposed to the continuance of the Indians within the borders of Natal as colonists. The Hon. Member for Germiston (Mr. Chaplin) had enquired what was the use of keeping that on. It was costing the employers of Natal just as much having that indentured labour as if these men were free men, but the difference was that if they became free men they might not return, but settle on the land. That was the purpose of the tax, and a man must return after he had served his period. He knew that the Immigration Board had sent a telegram that they agreed to the abolition of the £3 licence for the purpose of not embarrassing the British Government. Their first duty in South Africa, said the Hon. Member, was to themselves—(Ministerial cheers)—and they had a right to protect themselves, so that those who came into the country knowing that they would have to pay, and were now serving out their periods of indenture, might finish their time and might be compelled to carry out the terms of their contract under which they had come to South Africa. Knowing how the unenlightened Native and Indian would regard that measure as yielding to force, he must oppose its second reading.

Mr. C. G. Fiehardt (Ladybrand) said he could not understand why that coolie tax had not been collected, and if there was law which required that the tax should be paid, it seemed that there was something wrong because that tax had not been collected, and the Minister of Finance in his speech had not made it clear why that tax had not been collected. If the Law had not to be carried out in regard to Asiatics in Natal, it was no use passing another law if it would simply lead to another evasion. He asked if the Minister of Finance would allow them to escape the Income Tax if they wandered about in the country—because the Asiatics did not pay their tax because it was said they wandered

about. The native poll tax, the Hon. Member went on to say, was collected through the country, and it seemed to him that there were other reasons for the non-collection of that tax on coolies than the reason that it was difficult to collect. Instead of imposing further disabilities on the Asiatics they were now removing disabilities and making it easier for Indians in that country. The Hon. member proceeded to quote from the evidence given by Mr. Dick before the Indian Commission as to how Indians evaded and circumvented the immigration regulation. It did seem to him, said the Hon. Member, that instead of relaxing the laws they should be strengthened. The Asiatic question was such a serious one in South Africa that they could not, and dare not, trifle with it. The other dominions had taken steps to keep the Asiatics out of their country, and these dominions had nothing like the difficult problem which they had in South Africa in connection with the coloured question. It had been shown over and over again how when Europeans and Asiatics came together the Europeans went invariably to the wall. As to what the Hon. Member for Durban, Berea (Mr. Henderson) had said about the Orange Free State sitting still, he would find the Orange Free State with him to a man in preventing the entry of any more Indians to South Africa. The Orange Free State was at present being invaded by Asiatics from Natal as the Hon. member for Ficksburgh (Mr. Kayter) could bear out. The Hon. Member (Mr. Henderson) might rely upon the support of the people of the Orange Free State in regard to restrictions against the Asiatic entering that country. Dealing with the position of Natal, the Hon. Member said that if Natal had made a mistake in the past and Natal had seen that it was a mistake, South Africa should see what could be done to deal with that very important evil which existed in Natal. Continuing, he said that the removal of the disabilities would be an encouragement to Indians of all classes to stay in South Africa, and he thought that they should not complicate their problems by the importation of more colour to South Africa. A gentleman whose opinion was valuable, told him that in time the Free State would be overrun by coolies, and he asked his friends not only to fight for the purpose of keeping the coolies out of the Free State, but to fight so that more might not enter South Africa. Messrs. Gandhi and company had told them that this £3 tax business was merely the beginning, and that what they were aiming at was equality with the white man and for the franchise. He read an interview which had taken place with Mr. Polak, who said that they wanted the assurance from the Minister that the Immigration Act would be sympathetically administered. He also said that the acceptance of the Bill did not mean the abrogation of the claim to civil equality in South Africa. He thought that the members from the Free State were opposed to any lightening of the burdens on Asiatics.

As a convinced opponent of the admission of Asiatics into South Africa, he would oppose any loosening of the bonds. Instead of sitting there and considering the question of removing disabilities on Asiatics in South Africa, they ought to be considering legislation which would repatriate all these Asiatics that we had in this country. He would vote against this Bill, because he believed that in removing these disabilities they were opening the door further to the admission of Asiatics into South Africa.

Mr. F. H. P. Creswell (Jeppe) said that the Hon. member for Pieter-Maritzburg, North, knew as well as he (Creswell) did that this was the only stage at which it was competent for them to move an amendment indicating their objection to the Government measure, on the ground there was no provision for expenditure in a certain direction, which they believed absolutely necessary to make the policy of this Bill efficient. It was perfectly open to the Minister in committee to propose an amendment to strengthen

Clause 6 by offering distinct monetary inducement to any Indians who were prepared to emigrate back to their own country. With regard to the second point, about which Mr. Speaker had some doubt, the question of the importation of further indentured labour, they anticipated, approving as they did in the main of this Bill, that the main effect of the abolition of the £3 tax was going to be a distinct blow at the Indentured Indian Labour system. The effect would be that the planters, if they wished to retain their Indians, would probably have to pay them higher wages. They knew that influences would be brought to bear on the Government, to which the Government would always find itself amendable to depart from their present stated policy of refusing to allow any further indentured supply to supplement the supply of labour, which would be found to be running short. In two years' time they might have pressure brought to bear on the Government to cause some other experiment to be tried. They on the cross benches did not want one form of indentured labour to be superseded by another; what they did want was that the Government should recognise that the difficulty was of our own causing, and that we must spend money to induce as many Indians as possible to return. Then, no longer under the fear of a continually advancing tide of Indian population, but with the stream flowing the other way, we should be able to deal with the whole matter in a calmer and wiser spirit.

Mr. J. G. Keyter (Ficksburg) said to him it appeared that there was no hardship in the contracts signed by the Indians. But now it seemed that the Indians wished this house to alter the contracts which they themselves had entered into. After having concluded the indentures they had to submit to a certain pass, for which they had to pay £3. There were no real grievances. What were called grievances were what the Indians were told by agitators like Gandhi & Co. If the collection of the tax was difficult, where the Magistrate had to hand out the pass to the Indians for which he was paid 3 lbs. then he wondered how other taxes were to be collected. Surely, the Magistrate had a list of those people, and if they did not pay, there was the police. If the tax was not collected, why then was it not? How could, in these circumstances, the Government complain of lack of Revenue? How did Gandhi, Polak & Co. know of this Bill, he asked, even before this House knew anything about it? He disagreed with the statement of the Hon. member for Ladybrand, that Indians still entered the Free State. Since the passage of last years' Act, he wished to say, to the credit of the Minister of Finance, that no Indians had entered the Free State. (Hear, hear). He quoted the case of an Indian who had been sent back from Ficksburg to Cradock. It was simply a matter of Administration, and he wished to tell Mr. Gandhi that if he with his followers entered the Free State he would quickly be thrown over the borders. In conclusion, Mr. Keyter said that he could not vote for this Bill, and that he did not see any necessity to impose fresh taxation, seeing that such a large source of Revenue was neglected and ignored.

The Minister of the Interior (General Smuts), in replying on the debate, said he had heard many arguments in the course of the debate, but very few indeed against that Bill. The whole force of the arguments had been directed against the policy—the fatal, suicidal policy adopted by the Natal people many, many years ago. That policy had been condemned there more strongly by the Natal members than by members from any other part of the Union. If Natal had made a mistake many years ago, and had been trying to undo that mistake by trying to pass impossible legislation, that did not absolve them from doing their duty. They found that it was possible to-day to arrive at a solution—the subject was a difficult one, and the matter

had cost a great deal of trouble already, but to-day they thought they could come to some finality. Hon. Members asked what reason had he or the Government for supposing that some finality might be reached in the matter. Well, they had heard from the Government of India that they were satisfied with the report of that Commission, and that if that report were passed they would look upon it, from their point of view, as satisfactory. If the people of that country could come to some solution which could be approved of by the Government of England, as it had been approved of by the Government of India, they had gone a long way towards the solution of the difficulty. It was said would the Indians accept it? The Hon. Minister went on to quote from an article in "Indian Opinion" of June 3, where the Bill was referred to, and other administrative actions which had been taken in terms of the report of the Commission. The article wound up by saying that the struggle that had gone on for years, and had meant enormous losses and suffering to the community, might be said to be honourably closed.

He thought therefore that they might assume, whatever might lie in the distant future, that if that Bill were passed, and the Government carried into effect the other recommendations of the Commission, then they might assume that they would have peace. The Hon. Member for Greyville had moved an amendment, the object of which was to go a good deal further. He (the Minister) thought the Hon. member wanted more effective steps taken to see the Indians in this country repatriated, and no further Indian labour brought here. To the last point no assurance was necessary, unless something quite unforeseen happened no indentured Indian labour would come into South Africa again. With regard to the other point, to secure repatriation he might say that the Government would go a long way to secure that point of view. From what he had heard, it was the universal opinion, not only of the people of South Africa, but also of the people of Natal, who three years ago sent a deputation to beg on its knees that the embargo should be removed, and more Indians brought into Natal. He could assure Hon. Members from Natal that the Government would do all in its power to get Natal out of the mire. They were at a very late stage of the session, and they were determined to get the Bill through. If they over-loaded this Bill with repatriation provisions they would cause trouble. Let them deal with that matter separately, and on its merits. The Government would favour a policy of that kind, and go a long way to see it carried out. He hoped that the Hon. Members on the cross-benches would not therefore shelter themselves behind this amendment, because the Bill went a long way in the direction they desired. He thought the Government was proposing to take the right course, and he hoped the House would stand loyally by the Government.

Mr. Speaker put the question that all the words after "that," proposed to be omitted from the original motion for the Second Reading of the Bill, stand part of the motion, and declared that the "Ayes" had it.

Mr. C. A. Van Niekerk (Boshof) called for a division, which was taken with the following result:

| | |
|-------------------------------|----|
| Ayes | 60 |
| Noes | 24 |
| <hr/> | |
| Majority for the motion | 36 |

It was therefore decided that the words should stand.

The following voted in the minority: Messrs. Clayton, Myburgh, Keyter, Henwood, Henderson, D. H. W. Wessels, Maginess, Haggar, Andrews, H. P. Sampson, Cresswell, Madeley, E. N. Grobler, Fawens, Wools-Sampson, Lenchars, Fichardt, H. P. Serfontein, H. W. Serfontein, J. H. B. Wessels, Van Niekerk, P. G. W. Grobler, Wilcocks, and Boydell.

SENATOR MARSHALL CAMPBELL'S SPEECH

Senator Marshall Campbell said that he rose with very great pleasure to support the Bill. He had always looked upon the treatment of Indians as very cruel and unjust as regards that special licence upon them. It had been a mistake to get them into Natal. (Hear, hear.) It was a very great mistake. The Imperial, Colonial and Indian Governments had come to an agreement on each occasion, but as time went on it had been found that the agreement did not work as it should, and they had now come to a time when they must very seriously look into the matter. It seemed to him so unjust that a very small section of the Indian community in Natal should be specially taxed who were more industrious and useful, and produced more than all the other Indians put together; and to put a tax on these people seemed to him to be totally unfair. One section of the community—the planters, looked upon the licence with the greatest pleasure because they anticipated that the men would be forced to re-indenture; and they all knew that an indentured man was more valuable than the free man, just as a slave was more valuable than an indentured man. The law was bad because there had been no Machinery for collecting the licence. A timid man would pay the licence, and another would not, and the Government servants would have money deducted from their wages. He did not think that more than 6 or 7 per cent. of the Indians from whom the money was due had paid the licence. If an Indian had a grudge against another he would say that the man had not paid his licence. There were no means of collecting the money, and if an Indian did not pay it, he could be committed for contempt of Court. He said that it was a mistake to have brought these men to Natal, but having done so they must treat them fairly. (Hear, hear.) These Indian traders about whom they heard so much had been encouraged by large merchants and bankers. He had asked a Banker once whether a certain Indian was reliable, and the reply was that he had an over-draft of £41,000. (Laughter.) Senator Campbell, proceeding, said that these traders had been given every credit, and had paid for goods which they obtained from merchants in Durban and Maritzburg; but later, when they had started importing themselves from England and the Continent, the cry had been raised that their competition was ruinous. He had stood alone before in Natal against taxing that section only. It might surprise Hon. Senators to hear that it was only 10 or 15 per cent. of the Indians of Natal who worked for the sugar planters. Government and the Corporation also were very great sinners, and the coal mines, in importing Indians. In nearly every house in Natal the servants were Indians. The people who cried most were the people who had made a great deal of money, and the comfort of whose house was due to a great deal of Indian servants. He hoped that no other Senator would speak as Senator Winter had spoken. It was not the feeling of Natal only that they had to consider, but the feeling also of the Union and the Imperial Government. The Bill was a very necessary and a just one, and he hoped it would be passed. They had some very rough things in sight if that Bill were not passed. He could support the Bill with all his heart.)

THE SETTLEMENT

The following correspondence between Mr. Gandhi and General Smuts, in confirmation of a series of interviews, constitutes a perfect understanding between the Government and the Indian community in regard to those administrative matters which do not come under the Indians' Relief Bill:—

Department of the Interior,
Capetown, Cape of Good Hope,
30th June, 1914.

Dear Mr. Gandhi,

Adverting to the discussions you have lately had with General Smuts on the subject of the position of the Indian community in the Union, at the first of which you expressed yourself as satisfied with the provisions of the Indians' Relief Bill and accepted it as a definite settlement of the points, which required legislative action, at issue between that community and the Government; and at the second of which you submitted for the consideration of the Government a list of other matters requiring administrative action, over and above those specifically dealt with in that Bill; I am desired by General Smuts to state with reference to those matters that:—

(1) He sees no difficulty in arranging that the Protector of Indian Immigrants in Natal will in future issue to every Indian who is subject to the provisions of Natal Act 17 of 1895, on completion of his period of indenture, or re-indenture, a certificate of discharge, free of charge, similar in form to that issued under the provisions of Section 106 of Natal Law No. 25 of 1891.

(2) On the question of allowing existing plural wives and the children of such wives to join their husbands (or fathers) in South Africa, no difficulty will be raised by the Government if on enquiry, it is found, as you stated, that the number is a very limited one.

(3) On administering the provisions of Section (4) (1) (a) of the Union Immigrants' Regulation Act No. 22 of 1913, the practice hitherto existing at the Cape will be continued in respect of South African-born Indians who seek to enter the Cape Province, so long as the movement of such persons to that Province assumes no greater dimensions than has been the case in the past; the Government, however, reserve the right, as soon as, the number of such entrants sensibly increase, to apply the provisions of the Immigration Act.

(4) In the case of the "specially exempted educated entrants into the Union," (i.e., the limited number who will be allowed by the Government to enter the Union each year for some purpose connected with the general welfare of the Indian Community), the declarations to be made by such persons will not be required at Provincial borders, as the general declarations which are made in terms of Section 19 of the Immigrants' Regulation Act at the port of entry are sufficient.

(5) Those Indians who have been admitted within the last three years, either to the Cape Province or Natal, after passing the education tests imposed by the Immigration Laws which were in force therein prior to the coming into effect of Act 22 of 1913, but who, by reason of the wording of Section 30 thereof, are not yet regarded as being "domiciled" in the sense in which that term is defined in the Section in question, shall,

in the event of their absenting themselves temporarily from the Province in which they are lawfully resident, be treated, on their return, as if the term "domicile" as so defined did apply to them.

(6) He will submit to the Minister of Justice the cases of those persons who have been in the past convicted of "*bona fide* passive resistance offenders" (a term which is mutually understood) and that he anticipates no objection on Mr. De Wet's part to the suggestion that convictions for such offences will not be issued by the Government against such persons in the future.

(7) A document will be issued to every "specially exempted educated entrant" who is passed by the Immigration Officers under the instructions of the Minister issued under Section 25 of Act No. 22 of 1913.

(8) All the recommendations of the Indian Grievances Commission enumerated at the conclusion of their Report, which remain over and above the points dealt with in the Indians' Relief Bill will be adopted by the Government; and subject to the stipulation contained in the last paragraph of this letter the necessary further action in regard to those matters will be issued without delay.

With regard to the administration of existing laws, the Minister desires me to say that it always has been and will continue to be the desire of the Government to see that they are administered in a just manner and with due regard to vested rights.

In conclusion, General Smuts desires me to say that it is, of course, understood, and he wishes no doubts on the subject to remain, that the placing of the Indians' Relief Bill on the Statute Book of the Union, coupled with the fulfilment of the assurance he is giving in this letter in regard to the other matters referred to herein, touched upon at the recent interviews, will constitute a complete and final settlement of the controversy which has unfortunately existed for so long, and will be unreservedly accepted as such by the Indian community.

I am etc.,

(Sd). E. M. GORGES

M. K. Gandhi, Esq.,
• Buiteneingel,
Cape Town.

7, Buiteneingel,
Cape Town, 30th June 1914.

Dear Mr. Gorges,

I beg to acknowledge receipt of your letter of even date herewith setting forth the substance of the interview that General Smuts was pleased, notwithstanding many other pressing calls upon his time, to grant me on Saturday last. I feel deeply grateful for the patience and courtesy which the Minister showed during the discussion of the several points submitted by me.

The passing of the Indians' Relief Bill and this correspondence finally closed the Passive Resistance struggle which commenced in the September of 1906 and which to the Indian community cost much physical suffering and pecuniary loss and to the Government much anxious thought and consideration.

As the Minister is aware, some of my countrymen have wished me to go further. They are dissatisfied that the Trade Licences Laws of the different Provinces, The Transvaal Gold Law, the Transvaal Townships Act, the Transvaal Law 3 of 1885 have not been altered so as to give them full

rights of residence, trade and ownership of land. Some of them are dissatisfied that full inter-provincial migration is not permitted, and some are dissatisfied that on the marriage question the Relief Bill goes no further than it does. They have asked me that all the above matters might be included in the Passive Resistance struggle. I have been unable to comply with their wishes. Whilst, therefore, they have not been included in the programme of Passive Resistance, it will not be denied that some day or other these matters will require further and sympathetic consideration by the Government. Complete satisfaction cannot be expected until full civic rights have been conceded to the resident Indian population.

I have told my countrymen that they will have to exercise patience and by all honourable means at their disposal educate public opinion so as to enable the Government of the day to go further than the present correspondence does. I shall hope that when the Europeans of South Africa fully appreciate the fact that now, as the importation of indentured labour from India is prohibited and as the Immigrant's Regulation Act of last year has in practice all but stopped further free Indian Immigration, and that my countrymen do not aspire to any political ambition, they, the Europeans, will see the justice and indeed the necessity of my countrymen being granted the rights I have just referred to.

Meanwhile, if the generous spirit that the Government have applied to the treatment of the problem during the past few months continues to be applied, as promised in your letter, in the administration of the existing laws, I am quite certain that the Indian community throughout the Union will be able to enjoy some measure of peace and never be a source of trouble to the Government.

I am,

Yours faithfully,

(Sd). M. K. GANDHI.

E. M. Gorges, Esq.,
Department of the Interior,
Capetown.

THE END

A struggle of eight years' duration has at last finally closed. The Indians' Relief Bill and the correspondence between the Government and Mr. Gandhi embody a complete and mutually satisfactory and honourable settlement of the problems that were affected by the passive resistance movement. For this happy ending we have to thank the Imperial, Indian and Union Governments, the Motherland, guided and moved by Mr. Gokhale, and Mr. Andrews' mission. The sufferings of thousands of Passive Resisters, the Martyrdom of Valliamah, Narayanaswamy, Nagappan, and Harbatsingh brought these forces into being. Passive Resistance, as a lawful weapon, has thus once more been vindicated. The lengthy reference made by Lord Gladstone to the settlement shows its importance. We are grateful to His Excellency for clearly placing before the people of South Africa the Imperial aspect.

It now remains for the Union Government to follow up this happy solution of a difficult problem of a sympathetic and just administration of the laws that affect the Indian community and for the latter to show by its action that it is ever worthy of just treatment. If the community is permitted to enjoy rest, it will be possible to find an easy method of dealing with the matters dealt with in Mr. Gandhi's letter and which some day or other will demand attention in order that the resident population may be restored to the ordinary rights of citizenship. For it must not be forgotten that, though there is cause for thankfulness in that the most pressing grievances have been removed, we shall still labour under legal disabilities which intense colour prejudice has brought into being. Administration of trade licence laws, largely on racial lines, the deprivation of the right to own land in the Transvaal, the precarious position under the Transvaal Gold Law, inter-provincial restrictions—these and many other such limitations of our liberty show how true were Lord Gladstone's words when he said that the Indians' Relief Bill did but the barest justice, indeed, it can only be taken as an instalment and as an earnest of the future. The struggle will, therefore, have done much more than give us the Bill and the administrative measures, if it has also altered the repressive policy of the Government to a progressive one, such that we may look forward to a steady improvement in the future.

FAREWELL TO Mr. AND Mrs. GANDHI AT DURBAN

The spacious Town Hall of Durban has only once before—on the occasion of the reception of the Hon. Mr. Gokhale—been the scene of such a large and enthusiastic Indian gathering as assembled there to bid farewell to Mr. and Mrs. Gandhi and Kallenbach on their departure to England *enroute* to India. The body of the Hall, with the two galleries, was quite full. There was also a fair number of Europeans present.

The Mayor (Mr. W. Holmes) presided, and was supported on the platform by a number of Europeans, as well as leading Indians. Among the former were the Rev. Hodson and A. A. Baillie, Messrs. C. S. Jameson, Karl Gundelfinger, Baumaun, Otto Siedle, F. A. Laughton, K. C. Eugene Renand, and A. R. Michel.

Telegrams of apology for non-attendance were received from the Bishop of Natal, General Botha, Mr. Smuts, Mr. J. X. Merriman, Mr. Burtons (Minister of Railways and Harbours), Sir Thomas Smartt, Mr. W. H. Hosken, Senator Marshall Campbell, and many Indians in different parts of the country.

The ceremony of garlanding and presenting bouquets to Mr. and Mrs. Gandhi and the Mayor took place amid applause.

A telegram was read from Mr. Kallenbach regretting his inability and asking Mr. Gandhi to thank the friends on his behalf for the address presented to him.

The Mayor said it gave him much pleasure to preside at the public reception to Mr. M. K. Gandhi on the occasion of his leaving their shores on his return to his native land. Mr. Gandhi was personally known to a large number of the inhabitants of Durban for many years past. Speaking of him as a burgess of Durban he (the Mayor) could state that through-

out his residence amongst them Mr. Gandhi was always held in the highest esteem by all sections of the community. (Applause.) It was a matter for regret to the official section of the community when Mr. Gandhi left Durban in 1904, and relinquished the un-official position which he held as the representative of the Indian community in Durban. In that position he was glad to testify that Mr. Gandhi rendered invaluable service to the whole community—particularly on the occasion of the outbreak of bubonic plague, when his cordial co-operation with the Health Committee enabled the authorities to stamp out the disease very rapidly. As Mayor of Durban he was precluded from making reference to Mr. Gandhi's political career, but he could state that he honoured him as a man, and appreciated the wholeheartedness of his efforts to alleviate the conditions of his fellow-Indians. During the course of that afternoon, he the (Mayor) received a number of telegrams chiefly emanating from Johannesburg, protesting against that reception, and stating that the Indian community were not satisfied with the Relief Bill. With that matter he had no concern, but he was given to understand that, so far as the Indian Community of Durban was concerned, that demonstration in honour of Mr. Gandhi was perfectly unanimous. (Applause).

Mr. A. Christopher then read the address of the Reception Committee to Mr. and Mrs. Gandhi which was presented by the Mayor. The address was signed by Mr. C. H. A. Jhaveri, Chairman; Messrs. G. H. Miankhan, and V. Lawrence, Treasurers; and Messrs. Abdul Hack Kaji, Lazarus Gabriel, and A. Christopher, Secretaries.

Mr. Joseph Royappen read the speech of the Chairman of the Reception Committee in which reference was made to Mr. Gandhi's various activities in Natal and the Transvaal, and as leader of the Passive Resistance movement. In referring to some of the chief landmarks in Mr. Gandhi's career, he said, "The first and foremost of these is that our brother set out on his life work to conquer hate by love. If any doubt this, he has but to turn to the pages of a small pamphlet issued by him on his first return to India now nearly 20 years ago. There our leader has set forth the teaching that envy, hatred, and malice, emanating from whatever causes should be met and can only be wiped out by an abundant love. How he has won with his weapon of peace is known to the world to-day in the pain and suffering of himself and his followers in the great Passive Resistance movement. The second beacon light of his life has been a complete effacement of the self. Here we find our brother, in all his life and thought and action, laying aside self and considerations of self. With him it has ever been his brother first and last, and himself not at all. The third feature of his life has been a calm fearlessness. An aspect of this characteristic is seen in his work during the Boer War and the outbreak of Plague in Johannesburg. In the midst of pain and suffering, his own life counted with him for nothing, but the life of the meanest being, a precious thing, worthy the price of his own".

Further addresses were presented from the Indians Women's Association, Indian Women's Sabha, Colonial-born Indians, Anjuman Islam, Shri Hindi Jigyasa Sabha, District Indian Association, Tamil Mahajana Sabha, Mahomedan Mastic Society, Zoroastrian Anjuman, Gujaratih Community, Newcastle Indians, Daunhauster Indians and others.

Addresses were also presented to Mr. Kallenbach by the Natal Indian Association, Anjuman Islam and Zoroastrian Anjuman.

The Mayor then called upon Mr. F. A. Langhton, K. C., to address the meeting. Mr. Gandhi, he said, belonged to the same profession as himself and there has grown between them a bond of friendship, which had

grown stronger and stronger. Mr. Gandhi's courage he had never seen excelled—he doubted whether he had ever seen it equalled. Selfishness, Mr. Gandhi had none; he had sacrificed every thing to his people, whom he loved, and he left as poor a man as when he came to this country. His principles were such that he could trust him among all the men he had known. He advised his Indian friends to be guided by the principles which had led Mr. Gandhi.

The Rev. Mr. Hodgson congratulated the Indian community upon the success which had attended Mr. Gandhi's efforts on their behalf. It was a matter for thanks-giving that the troubles had been settled for some time to come. He was impressed by Mr. Gandhi's fearlessness. He was ready not only to write and speak of sacrifice, but he was prepared to suffer, and he believed, even to die. He (the speaker) would welcome the day when there would be, in the words of a great South African statesman, "equal rights for every civilised man South of the Zambesi."

Mr. Fred Bell as one who had worked with the Indian community of Durban for over thirty-three years, wished to add a word of appreciation. He referred to the marriage question as being one of the greatest of the grievances and he was glad that the matter was satisfactorily settled.

Mr. Gandhi, in returning thanks, first explained why he appeared in the mourning costume which he had been wearing since the time of the strike. He hoped that they would forgive him for appearing in the strange costume, which he had adopted on his premature discharge from prison, as a sign of mourning. That mourning had gone, yet he retained the costume, and as the alternative was for him to wear the evening dress, he felt that in the mental attitude which possessed him at that moment he could not render a greater-respect for them than in appearing as he did. (Cheers.) Referring to the addresses which had been presented to him, he said that, while he valued them, he valued more the love and sympathy which the addresses had expressed. He did not know that he would be able to make adequate compensation. He did not deserve all the praise bestowed upon him. Nor did his wife claim to deserve all that had been said of her. Many an Indian woman had done greater service during the struggle than Mrs. Gandhi. He thanked the community on behalf of Mr. Kallenbach, who was another brother to him, for the addresses presented. The community had done well in recognising Mr. Kallenbach's worth. Mr. Kallenbach would tell them that he came to the struggle to gain. He considered that, by taking up their cause, he gained a great deal in the truest sense. Mr. Kallenbach had done splendid work during the strike at New Castle and, when the time came, he cheerfully went to prison, again thinking he was the gainer and not the loser. Proceeding Mr. Gandhi referred to the time of his arrival in 1897 when his friend Mr. Laughton had stood by him against the mob. He also remembered with gratefulness the action of Mrs. Alexander, the wife of the late Superintendent of Police in Durban, who protected him with her umbrella from the missiles thrown by the excited crowd. Referring to Passive Resistance, he claimed that it was a weapon of the purest type. It was not the weapon of the weak. It needed, in his opinion, far greater courage to be a Passive Resister than a physical resister. It was the courage of a Jesus, a Daniel, a Cromwell, a Latimer, and a Ridley who could go calmly to suffering and death, and the courage of a Tolstoy who dared to defy the Czars of Russia, that stood out as the greatest. Mr. Gandhi said that the Mayor had received some telegrams stating that the Indians' Relief Bill was not satisfactory. It would be

a singular thing if in this world they would be able to get anything that satisfied every body, but in the condition of things in South Africa at the present time he was certain they could not have had a better measure. "I do not claim the credit for it," Mr. Gandhi remarked. "It is rather due to the women and young people like Nagappan, Narayanasamy, and Valliamah who have died for the cause and to those who quickened the conscience of South Africa. Our thanks are also due to the Union Government. General Botha showed the great statesmanship when he said that his Government would stand or fall by this measure. I followed the whole of that historic debate—historic to me, historic to my countrymen, and possibly historic to South Africa and the world. Proceeding, Mr. Gandhi said it was well-known to them how the Government had done justice, and how the Opposition had come to their assistance. They had also received handsome help from both the Imperial and Indian Governments, backed by that generous Viceroy, Lord Hardinge. (Cheers.) The manner in which India, led by their great and distinguished countryman Mr. Gokhale, had responded to the cry which came from the hearts of thousands of their countrymen in South Africa, was one of the results of the Passive Resistance movement, and left, he hoped, no bitter traces or bitter memories. (Applause.) "This assurance", continued Mr. Gandhi, "I wish to give. I go away with no illwill against a single European. I have received many hard knocks in my life, but here I admit that I have received those most precious gifts from Europeans—love and sympathy". (Cheers.)

This settlement, he said, had been achieved after an eight years' struggle. Indians in South Africa had never aspired to any political ambition, and as regards the social question, that could never arise in connection with the Indians. "I do not hold for one moment," Mr. Gandhi exclaimed, "that East and West cannot combine. I think the day is coming when East must meet West, or West meet East, but I think the social evolution of the West to-day lies in one channel, and that of the Indian in another channel. The Indians have no wish to-day to encroach on the social institutions of the Europeans in South Africa. (Cheers.) Most Indians are natural traders. There are bound to be trade jealousies and those various things that come from competition. I have never been able to find a solution of this most difficult problem, which will require the broad-mindedness and spirit of justice of the Government of South Africa to hold the balance between conflicting interests". Referring to his stay in South Africa, Mr. Gandhi said that he should retain the most sacred memories of this land. He had been fortunate in forming the happiest and most lasting friendships with both Europeans and Indians. He was now returning to India—a holy land, sanctified by the austerities of the ages. In conclusion, Mr. Gandhi hoped that the same love and sympathy which had been given to him in South Africa might be extended to him, no matter in what part of the world he might be. He hoped that the settlement embodied in the Indian Relief's Bill would be carried out in a spirit of broadmindedness and justice in the administration of the laws lately passed in connection with the affairs of the Indian community. "Then," added Mr. Gandhi, "there will be no fear on the part of my countrymen in their social evolution. That is one of the lessons of the settlement."

FAREWELL TO MR. AND MRS. GANDHI AT JOHANNESBURG

Mr. Gandhi's Speech

Johannesburg was not a new place to him. He saw many friendly faces there, many who had worked with him in many struggles in Johannesburg. He had gone through much in life. A great deal of depression and sorrow had been his lot, but he had also learnt during all those years to love Johannesburg even though it was a mining camp. It was in Johannesburg that the foundation for the great struggle of passive resistance was laid in the September of 1906. It was in Johannesburg that he had found a friend, a guide and a biographer in the late Mr. Doke. It was in Johannesburg that he had found in Mrs. Doke a loving sister, who had nursed him back to life when he had been assaulted by a countryman who had misunderstood his mission and who misunderstood what he had done. It was in Johannesburg that he had found a Kallenbach, a Polak, a Miss Schlesin and many another who had always helped him and had always cheered him and his countrymen. Johannesburg therefore had the holiest associations of all the holy associations that Mrs. Gandhi and he would carry back to India; and as he had already said on many another platform South Africa next to India, would be the holiest land to him and to Mrs. Gandhi and to his children, for, in spite of all the bitternesses, it had given them those lifelong companions. It was in Johannesburg again that the European Committee had been formed when Indians were going through the darkest stage in their history, presided over then, as it still was, by Mr. Hosken. It was last, but not least, Johannesburg that had given Valliamma, that young girl, whose picture rose before him even as he spoke, who had died in the cause of Truth. Simple-minded in faith, she had not the knowledge that he had, she did not know what Passive Resistance was, she did not know what it was the community would gain, but she was simply taken up with unbounded enthusiasm for her people, went to gaol, came out of it a wreck, and within a few days died. It was Johannesburg again that produced a Nagappan and Narayanaswamy, two lovely youths, hardly out of their teens, who also died. But both Mrs. Gandhi and he stood living before them. He and Mrs. Gandhi had worked in the lime-light; those others had worked behind the scenes not knowing where they were going, except this, that what they were doing was right and proper, and, if any praise was due anywhere at all, it was due to those three who died. They had had the name of Harbatsing given to them: He (the speaker) had had the privilege of serving imprisonment with him. Harbatsing was 75 years old. He was an ex-indentured Indian, and when he (the speaker) asked him why he had come there to seek his grave, the brave man replied. "What does it matter? I know what you are fighting for. You have not to pay the £3 tax but fellow ex-indentured Indians have to pay that tax, and what more glorious death could I meet?" He had met that death in the gaol at Durban. No wonder if Passive Resistance had fired and quickened the conscience of South Africa.

But, proceeded Mr. Gandhi, he concurred with Mr. Duncan in an article he wrote some years ago, when he analysed the struggle, and said that behind that struggle for concrete rights lay the great spirit which asked for an abstract principle, and the fight which was undertaken in 1906 although it was a fight against a particular law, was a fight undertaken in order to combat the spirit that was seen about to overshadow the whole of South Africa and to undermine the glorious British constitution, of which the Chairman had

spoken so loftily that evening, and about which he shared his views. It was his knowledge, right or wrong, of the British Constitution which bound him to the Empire. Tear that Constitution to shreds and his loyalty also would be torn to shreds. Keep that Constitution intact and they held him bound a slave to that Constitution. He had felt that the choice lay for himself and his fellow-countrymen between two courses, when this spirit was brooding over South Africa, either to sunder themselves from the British Constitution, or to fight in order that the ideals of that Constitution might be preserved—only the ideals. Lord Amphill had said in a preface to Mr. Doke's book that the theory of the British Constitution must be preserved at any cost if the British Empire was to be saved from the mistakes that all the previous Empires had made. Practice might bend to the temporary aberration through which local circumstances might compel them to pass, it might bend before unreasoning or unreasonable prejudice, but theory once recognised, could never be departed from and this principle must be maintained at any cost. And it was that spirit which had been acknowledged now by the Union Government, and acknowledged too, nobly and loftily. The words that General Smuts so often emphasised still rang in his ears. He had said "Gandhi, this time we want no misunderstanding, we want no mental or other reservations, let all the cards be on the table and I want you to tell me wherever you think that a particular passage or word does not read in accordance with your own reading," and it was so. That was the spirit in which he approached the negotiations. When he remembered General Smuts of a few years ago, who told Lord Crewe that South Africa would not depart from its policy of racial distinction, that it was bound to retain that distinction, and that therefore, the sting that lay in this Immigration Law would not be removed, many a friend, including Lord Amphill, asked whether they could not for the time being suspend their activity. He had said 'No.' If they did that it would undermine his loyalty, and even though he might be the only person he would still fight on. Lord Amphill had congratulated him, and that great nobleman had never deserted the cause even when it was at its lowest ebb, and they saw the result the other day. They had not by any means to congratulate themselves on a victory gained. There was no question of a victory gained, but the question of the establishment of the principle that, so far as the Union of South Africa at least was concerned, its legislation would never contain the racial taint, would never contain the racial disability. The practice would certainly be different. There was the Immigration Law. It recognised no racial distinctions, but in practice they had arranged, they had given a promise, that there should be no undue influx from India as to Immigration. That was a concession to present prejudice. Whether it was right or wrong was not for him to discuss then. But it was the establishment of the principle which had made the struggle so important in the British Empire, and the establishment of that principle which had made those sufferings perfectly justifiable and perfectly honourable, and he thought that, when they considered the struggle from that standpoint it was a perfectly dignified thing for any gathering to congratulate itself upon such a vindication of the principles of the British Constitution. One word of caution he wished to utter regarding the settlement. The settlement was honourable, to both parties. He did not think that there was any room left for misunderstanding, but, while it was final in the sense that it closed the great struggle, it was not final in the sense that it gave to Indians all that they were entitled to. There was still the Gold Law which had many a sting in it. There was still the Licensing Law throughout the Union which also contained many a sting. There was still a matter which the colonial-born Indians especially could not understand or appreciate, namely, the water-tight compartments in which they had to live; while, there was absolutely free

inter-communication and inter-migration between the provinces for Europeans, Indians had to be cooped up in their respective provinces. Then there was undue restraint on their trading activity. There was the prohibition as to holding landed property in the Transvaal, which was degrading and all these things took Indians into all kinds of undesirable channels. These restrictions would have to be removed. But for that, he thought, sufficient patience would have to be exercised. Time was now at their disposal and how wonderfully the tone had been changed. And there he had been told in Capetown, and he believed it implicitly, the spirit of Mr. Andrews had pervaded all those statesmen and leading men whom he saw. He came and went away after a brief period, but he certainly fired those whom he saw with a sense of their duty to the Empire of which they were members. But, in any case, to whatever circumstances that healthy tone was due, it had not escaped him. He had seen it amongst European friends whom he met at Capetown. He had seen it more fully at Durban and this time it had been his privilege to meet many Europeans who were perfect strangers even on board the train, who had come smilingly forward to congratulate him on what they had called a great victory. Everywhere he had noticed that healthy tone. He asked European friends to continue that activity, either through the European Committee or through other channels, and to give his fellow-countrymen their help and extend that fellow-feeling to them also, so that they might be able to work out their own salvation.

To his countrymen he would say that they should wait and nurse the settlement which he considered was all that they could possibly and reasonably have expected, and that they would now live to see, with the co-operation of their European friends, that what was promised was fulfilled, that the administration of the existing laws was just, and that vested rights were respected in the administration, that after they had nursed these things, if they cultivated European public opinion, making it possible for the Government of the day to grant a restoration of the other rights of which they had been deprived, he did not think that there need be any fear about the future. He thought that with mutual co-operation, with mutual good-will, with due response on the part of either party, the Indian community need ever be a source of weakness to that Government or to any other Government. On the contrary he had full faith in his countrymen that, if they were well treated, they would always rise to the occasion and help the Government of the day.

And now it was time for him to close his remarks and say a few words of farewell only. He did not know how he could express those words. The best years of his life had been passed in South Africa. India, as his distinguished countryman, Mr. Gokhale, had reminded him had become a strange land to him. South Africa, he knew, but not India. He did not know what impelled him to go to India, but he did know that the parting from them all, the parting from the European friends who had helped him through thick and thin, was a heavy blow, and one he was least able to bear, and yet he knew he had to part from them. He could only say farewell and ask them to give him their blessing, to pray for them that their heads might not be turned by the praise they had received, that they might still know how to do their duty to the best of their ability, that they might still learn the first, the second and the last should be the approbation of their own conscience, and that then whatever might be due to them would follow in its own time.

(From the Souvenir of the Passive Resistance Movement in South Africa.)

FAREWELL TO SOUTH AFRICA.

Just before leaving South Africa Mr. Gandhi handed to the Reuter's agent at Capetown the following letter addressed to the Indian and European public of South Africa:—

I would like on the eve of my departure for India to say a few words to my countrymen in South Africa and also to the European community. The kindness with which both European and Indian friends have overwhelmed me sends me to India a debtor to them. It is a debt I shall endeavour to repay by rendering in India what services I am capable of rendering there, and if in speaking about the South African Indian question I am obliged to refer to the injustices which my countrymen have received and may hereafter receive, I promise that I shall never wilfully exaggerate, and shall state the truth and nothing but the truth.

A word about the settlement, and what it means. In my humble opinion it is the Magna Charta of our liberty in this land. I give it the historic name, not because it gives us rights which we have never enjoyed and which are in themselves new or striking, but because it has come to us after eight years' strenuous suffering that has involved the loss of material possessions and of precious lives. I call it our Magna Charta because it marks a change in the policy of the Government towards us and establishes our right not only to be consulted in matters affecting us, but to have our reasonable wishes respected. It moreover confirms the theory of the British constitution that there should be no legal racial inequality between different subjects of the Crown, no matter how much practice may vary according to local circumstances. Above all, the settlement may well be called our Magna Charta, because it has vindicated Passive Resistance as a lawful, clean weapon and has given in Passive Resistance a new strength to the community; and I consider it an infinitely superior force to that of the vote, which history shows has often been turned against the voters themselves.

The settlement finally disposes of all the points that were the subject-matter of Passive Resistance, and in doing so it breathes the spirit of justice and fair-play. If the same spirit guides the administration of the existing laws, my countrymen will have comparative peace, and South Africa will hear little of Indian problem in an acute form.

Some of my countrymen have protested against it. The number of these protestants is numerically very small and in influence not of very great importance. They do not object to what has been granted, but they object that it is not enough. It is impossible, therefore, to withhold sympathy from them. I have had an opportunity of speaking to them, and I have endeavoured to show to them that if we had asked for anything more it would have been a breach of submission made on behalf of the British Indians in a letter addressed to the Government by Mr. Cachalia during the latter part of last year and we should have laid ourselves open to the charge of making new demands.

But I have also assured them that the present settlement does not preclude them from agitation (as has been made clear in my letter to the Secretary of the Interior of the 16th. ultimo) for the removal of other disabilities which the community will still suffer from under the Gold Law, the Townships Act, the Law 3 of 1885 of the Transvaal and the Trade Licences Laws of Natal and Cape. The promise made by General Smuts to administer the existing law justly and with due regard to vested rights gives the

community breathing time, but these laws are in themselves defective, and can be, as they have been, turned into engines of oppression and instruments by indirect means to drive the resident Indian population from South Africa. The concession to popular prejudice in that we have reconciled ourselves to the almost total prohibition by administrative methods of a fresh influx of Indian immigrants, and to the deprivation of all political power, is, in my opinion, the utmost that could be reasonably expected from us. These two things being assured I venture to submit that we are entitled to full rights of trade, inter-provincial migration, and ownership of landed property being restored in the not distant future. I leave South Africa in the hope that the healthy tone that pervades the European community in South Africa to-day will continue and that it will enable Europeans to recognise the inherent justice of our submission. To my countrymen I have at various meetings that I have addressed during the past fortnight attended in several cases by thousands, said, 'nurse the settlement, see to it that the promises made are being carried out. Attend to development and progress from within. Zealously remove all causes which we may have given for the rise and growth of anti-Indian prejudice and of agitation, and patiently cultivate and inform European opinion so as to enable the Government of the day and legislature to restore to us our rights.' It is by mutual co-operation and good-will that the solution of the balance of the pressing disabilities which were not made points for Passive Resistance may be obtained in the natural course and without trouble and agitation in an acute form.

The presence of a large indentured and ex-indentured Indian population in Natal is a grave problem. Compulsory repatriation is a physical and political impossibility, voluntary repatriation by way of granting free passages and similar inducements will not, as my experience teaches me, be availed of to any appreciable extent. The only real and effective remedy for the great State to adopt is to face responsibility fairly and squarely, to do away with the remnant of the system of indenture and to level up this part of the population and make use of it for the general welfare of the Union. Men and women who can effectively strike in large bodies, who can for a common purpose suffer untold hardships, who can, undisciplined though they are, be martyrs for days, without police supervision and yet avoid doing any damage to property or to person, and who can in times, of need serve their King faithfully and capably as the Ambulance Corps raised at time of the late war (and which had among other classes of Indians nearly 1,500 indentured Indians) bore witness, are surely people who will, if given ordinary opportunities in life form an honourable part of any nation.

If any class of persons have special claim to be considered, it is these indentured Indians and their children to whom South Africa has become either a land of adoption or of birth. They did not enter the Union as ordinary free immigrants, but they came upon invitation, and indeed even after much coaxing, by agents of South African employers of this class of labour. In this letter I have endeavoured as accurately and as fairly as is in my power to set forth the Indian situation, and the extraordinary courtesy, kindness and sympathy that have been shown to me during the past month by so many European friends. The frankness and generosity with which General Smuts in the interview that he was pleased to grant me approached the questions at issue and the importance that so many distinguished members of both Houses of Parliament attached to the imperial aspects of the problem give me ample reason for believing that my countrymen who have made South Africa their homes will receive a fairly full

measure of justice and will be enabled to remain in the Union with self-respect and dignity.

Finally, in bidding good-bye to South Africa I would like to apologise to so many friends on whom I have not been able, through extreme pressure of work, to call personally. I once more state that though I have received many a hard knock in my long stay in this country, it has been my good fortune to receive much personal kindness and consideration from hundreds of European friends, well-wishers and sympathisers. I have formed the closest friendships which will last for years for this reason and for many similar reasons which I would love to reduce to writing but for fear of trespassing unduly upon the courtesy of the Press. This sub-continent has become to me a sacred and dear land next only to my motherland. I leave the shores of South Africa with a heavy heart and the distance that will now separate me from South Africa will but draw me closer to it, and its welfare will always be a matter of great concern and the love bestowed upon me by my countrymen and the generous forbearance and kindness extended to me by the Europeans will ever remain a most cherished treasure in my memory.