



No. 13—Vol. XI.

SATURDAY, MARCH 29TH, 1913.

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

ANOTHER LICENSING SCANDAL

AN interesting appeal case was heard on Wednesday last (says the *Natal Mercury's* Estcourt correspondent) by the Licensing Board, against a decision of Mr. Wynne-Cole, the licensing officer for the Province, whereby one Khamisa Ebrahim, an Indian trader, was granted permission to transfer his store from Ennersdale to Col. McKay's farm near Dalton Bridge. The appeal was heard by Mr. F. E. Foxon, R.M. (chairman of the Board), and Mr. Blaker. Attorneys T. Hellett and R. H. Drummond appeared for the applicant, while the objectors to the said licence were represented by Mr. Dacre Shaw.

The applicant, who, it appears, had had a retail store at Ennersdale for about seven years, was given notice to leave by Mr. Alfred Carter, and had previously sought a transfer of his licence on two separate occasions—once to the farm Craig and again to the Mangwenva Mission Station—both of which applications had been refused. A petition drawn up by Mr. Francis C. Robinson, and which was signed by Messrs. A. Comins, Jean Kerr, H. M. Beavan, E. B. Parkinson, W. Comins, M. R. Heath, R. Mather, S. R. Rawlinson, H. Carter, C. P. F. Marais, G. E. Blaker, Edward J. Turner, J. L. Marais, H. G. Wheeler, Fred H. Kerr, E. Catherley, A. H. Marais, Wm. Carter, and F. C. Robinson, strongly opposed the opening of this store at Dalton Bridge, for several reasons. The reasons, in brief, were that the opening of an Arab store would afford a good outlet for stolen goods; that it would put a premium on petty thefts from farmers, and would attract bad characters. The store was not needed in the district, and would do a great deal of harm. Col. McKay, who had been one of the most strenuous opposers when the applicant desired to go on to a neighbouring farm, was now giving him an acre for trading purposes on a rental of some £24 or £25 per year.

A goodly number of interested Arab merchants and storekeepers followed the hearing of the case, which was held in the Court-room, with great interest.

Mr. Attorney Hellett opened the proceedings by lodging an objection against the hearing of the case by Messrs. Foxon and Blaker, on the grounds that, being members of the Board, they would therefore be liable to be unduly biased and prejudiced.

[The report here does not appear to be quite clear. What is really meant is that the Magistrate had, by his published opinion, reproduced recently in our columns, proved himself to be incapable of giving an unbiassed judgment.—Ed. I.O.]

Affidavits by both Mr. Hellett and Mr. Drummond were then read, quoting two decisions of the Magistrate of Estcourt on Indian trading, such decisions being hostile to Indian traders, and quoting also

articles which appeared in the *Mercury* on Feb 9th and the *Times of Natal* on Feb. 13, wherein the Magistrate expressed his opinion that fresh licences to Arab traders should be prohibited, and suggesting that existing Arab stores should be closed down. After quoting various precedents and judicial opinions on the question, Mr. Hellett concluded his lengthy address.

Mr. Dacre Shaw, in reply, pointed out that the objections lay on a misconception of the situation, and stated the difference between a judicial and an administrative capacity—a clear and defined distinction, which should be recognised. The Board was appointed with a view to having men in power who had a knowledge of local requirements, and the objections were far-fetched and placed on a misconception of the requirements of the Licensing Board, etc.

Mr. Hellett made a reply maintaining his objections, and quoting a case from the Supreme Court in Durban.

Mr. Foxon and Mr. Blaker having decided that the exception be dismissed, the hearing of the case was proceeded with, the reasons for appeal being read.

Mr. Dacre Shaw dwelt on the objection of the residents in the district to the opening of the Arab store—not from hostile objections to the Indian personally, but on account of his nationality, and on the grounds mentioned in appeal, and he maintained that the Licensing Officer (Mr. Wynne-Cole) had allowed his sympathy for the Indian's plight to overrule the consideration due to the feelings of the majority of the residents in or near the vicinity of the proposed store. The applicant, who had a hawker's licence, was away in the Ladysmith district for an average of several months during the year, and his business was carried on by a brother, who was left in absolute control, Mr. Shaw thereby contending that the Retail Dealers Act was rendered nugatory. The farmers in the district were strongly opposed to the granting of this licence, the only voices heard in favour being that of Col. McKay and Dr. G. Gordon Cummings. Bearing in mind the fact that the appeal against the licence held 19 signatures, while those in favour were but four, Mr. Shaw contended that the wish of the majority should be considered.

Mr. Hellett, for Khamisa Ebrahim, spoke long, urging that the root of the trouble was the racial question, which the law did not recognise, making no distinction as to colour. The Licensing Officer was not satisfied that the objectors had shown reasonable grounds for refusing the licence, and the undeniable effect of the objection was the colour bar, as shown by their petition. After a short argument between counsel, and a further appeal for justice for his client from Mr. Hellett, the Licensing Officer clearly stated his reasons for having granted the licence—such as satisfactory

evidence as to good character, honesty, and the licence having been renewed annually for seven years proved that the books were properly kept, and the allegations against the applicant being based on colour he had after carefully considering all evidence for and against, decided to grant the licence.

Further arguments between counsel ensued, in which Mr. Shaw pointed out that Mr. Hellett's assertion that the law did not regard colour was a mistake, as no coloured person was allowed a liquor licence, and therefore there was a statutory differentiation with the coloured races, and that this was a matter of local option, and that the interests of the community would best be observed by refusing the licence.

The Board having retired for a short interval, Mr. Foxon announced, on their return, in a few words, that, after carefully weighing all evidence on both sides, the Board saw no evidence justifying necessity of the store, and therefore the appeal was sustained, with costs.

The Colour Line in Sanitation

At the second Congress of the South African branch of the Royal Sanitary Institute, opened in Johannesburg on the 10th instant, Dr. J. J. Boyd, Medical Officer of Health, Pretoria, read a paper on "The Standard of Housing in Urban Districts for Europeans and Coloured Persons." He strongly urged that there should be no colour line as regarded sanitation, and said owners and agents of buildings occupied by coloured people should be compelled to bring their dwellings up to the standard prescribed for Europeans. There were difficulties in enforcing regulations, owing to the poverty of some owners of property; but that fact should not be allowed to lower their standard of housing. He pointed out that in the Transvaal the wage paid unskilled white labourers was not a living wage. The lowest living wage of a white man here would not be less than £2 a week, which was not sufficient to enable him to keep his property in repair. The remedies for that state of affairs were to reduce the cost of living or raise the wages of the class he referred to. It was wrong to allow insanitary conditions to bolster up the economic system he referred to. So far as Pretoria was concerned, the difficulty of having a proper standard of housing for coloured people was being gradually overcome, and all rooms in that town for occupation by coloured persons must conform to the required standard. In the new native location in Pretoria the houses were properly constructed in brick and properly lighted and floored. He contended that there was no justification whatever for drawing a colour line in regard to sanitation. Surely the coloured man should not be allowed to undercut the white man, in the price of his labour because he was allowed by the Government and local authorities to live under a lower standard of sanitation than was provided for white people. (Applause.) There was still the old-fashioned idea that the native was to be treated in a different way from that in which the European was treated, and he regarded that as a tremendous mistake. (Hear, hear.) It was unfair to the community as a whole, and unfair to the lower class of whites who had to compete with natives. (Hear, hear.) The only people it benefited were those people who wanted to get cheap labour. As a Sanitary Conference they ought to insist that the colour line in sanitation should be abandoned. (Applause.)

Uncleanly Europeans

The Chairman (The Mayor) said he quite agreed that there should be no difference in the standard for whites and the standard for coloured people. From what he had seen in South Africa, however, he must say that some of the poorer whites required far more attention regarding sanitation than the natives. He had seen natives much more cleanly in their habits than white people. If the natives were left to themselves, the conditions under which they lived would

be much better in ordinary cases than those of the lower classes of whites congregated together. (Hear, hear.)

Dr. P. Murison (Durban) agreed with the author of the paper, but pointed out many difficulties that existed at the coast.

On the proposal of Dr. Boyd, the following resolution was carried unanimously: "That this Congress is of opinion that no distinction should be drawn as regards minimum housing standards, from a sanitary aspect, between Europeans and coloured persons."

Exclusive Vrededorp

In giving judgment in the Vrededorp test case, briefly reported in our last issue, the Magistrate said that the plaintiff sought to eject defendant from Stand 495, Vrededorp, under the powers conferred on the Municipality by Section 13 of Act 27 of 1907. The facts were that on the stand in question there was a shop, the lessee and licensee of which was one Graham, a European. Graham employed the defendant, an Asiatic, to look after the place during business hours. After hours the defendant locked up the shop and went away. Neither Graham nor the defendant slept on the premises. Graham came to the shop every morning for an hour or so, and sometimes again later on to look after things, but for the greater part of the day the defendant was in sole control. In these circumstances the Council contended that defendant "occupied" the stand within the meaning of Section 13. Defendant contended that Graham was the occupier. Plaintiffs argued that the defendant occupied the stand in the sense in which any person occupied a chair where he was at the moment sitting, or the square foot or so of ground on which he was at the moment standing. That, of course, was true during the hours when the defendant was in the shop, but it seemed to the Magistrate that to hold that the Statute was intended to put that sense on the word "occupier" would necessarily lead to a *reductio ad absurdum*. The word "occupier," if used in that sense, applied just as much to moments as to hours, and just as much to a single halt as to a recurrent one. An Asiatic laundryman, who, on his way to deliver a bundle of washing, sat down for five minutes to rest on a vacant stand in Vrededorp, was undoubtedly for the time being "occupying" in that sense a portion of that stand, but it was certainly not intended by the section to give the Council an action of ejectment against the laundryman. His Worship rejected that argument. Next, it was argued that the exception inserted in the section in favour of the servants of resident Europeans was superfluous if servants were not hit by the section itself. The answer to this was that servants were still hit by part of the section which prohibited residence. After considering the other arguments, the Magistrate said that it was urged that the general policy of the Statute was to keep Asiatics entirely out of Vrededorp, and that the section must be construed in accordance with that obvious intention. The only restrictions, however, placed by the ordinance upon Asiatics was that they should not do four things, viz.: (a) Take transfer of, (b) hire, (c) reside on and (d) occupy a stand. There was no express prohibition of their being employed as business assistants, and there did not appear to be sufficient grounds for saying that the ordinance aimed at the total exclusion of Asiatics in any capacity whatsoever from Vrededorp. No one would contend that a shop assistant occupied the stand whereon his employer carried on business. In this case it was Graham, not the defendant, who decided who should and who should not be allowed to use the premises, and in regard to whether the shop should be carried on or closed, and all the other points which were intended with in the discretion of the occupier of premises.

Judgment was given for the defendant, with costs —
Transvaal Leader.

From the Editor's Chair

THE MARRIAGE QUESTION

We dwelt at some length last week upon the momentous decision given by the Cape Provincial Division of the Supreme Court on the question of the validity of non-Christian marriages among Indians. This week we publish valuable information regarding the action of the Master of the Natal Provincial Division. This officer has questioned the validity of a Mahomedan marriage for the purpose of assessing succession duty. We need not go into the particulars about the difference in the duty chargeable. But the great issue raised by the Master, so far as we are concerned, is that of the validity of marriages performed according to the tenets of the great faiths of India. It might be here remarked that this totally unexpected calamity—it is nothing less—has overtaken us not because of any new law but because of the new interpretation that is being placed upon an old law. Ever since the settlement of Indians in South Africa, Indian marriages, celebrated according to Indian religious custom, have been recognised. The issue of such marriages have inherited considerable properties as lawful heirs of their deceased parents. It is the new spirit of the Union breathed upon the officers administering old laws that has brought about the present intolerable situation. Indeed, the logical result of the new interpretation is that even past acts might be impugned and heirs in possession of their inheritances might be dispossessed. Indian society has suddenly been plunged into confusion from which it can extricate itself only by a mighty effort. For if the policy of the Government, as foreshadowed in the cases we have published from time to time, is continued, they will be able without resorting to new legislation either to exterminate us or to paralyse us as a progressive community, unless we are prepared to offer stubborn opposition.

We may now, perhaps, understand the reason for the very cautious reply made by Lord Emmot to Lord Amphill. These cases explain his Lordship's reticence, but they cannot be allowed to excuse it. If he knew that the Union Government were to remain unbending, and if he had any regard for us, he should have, when Lord Amphill gave him the opportunity, strongly disapproved of the attitude of the local Government.

THE ESTCOURT LICENSING CASE

It is a pitiful sight, interested storekeepers seeking the protection of the law to oust their rival whom they could not beat down in open and fair competition. And yet that was the sight presented by the storekeepers trading in the Estcourt District who appealed to the so-called Licensing Board against the decision of the Licensing Officer who granted transfer of an Indian licence from one place to another. We have called the Licensing Board so-called, because one member, at least, had already expressed an opinion emphatically against the granting of licences to Indians. That member could only refuse Indian licences. Cases like the Estcourt one make the life of an Indian storekeeper entirely precarious. The spirit of enterprise is chilled by the sense of uncertainty. We hope that Mr. Khamisa Ebrahim will not rest content with the Board's decision but that he will take the matter before the Supreme Court.

As for the Magistrate of Estcourt, we consider that he is not a fit person to hold the judicial position he does. The spectacle of an officer of the Government setting up an agitation, as he has done by the suggestions in his recent report, is a scandalous one.

In the Natal Supreme Court, on the 20th instant, before Mr. Justice Carter, the question of the Immigration Officer requiring birth certificates from Indians was again brought forward.

Ahmod Saheb, on behalf of his son, Abdool Gafoor, v. the Chief Immigration office, Natal, was an application for a *rule nisi* and interdict. Mr. L. C. Grice appeared for the plaintiff.

In an affidavit, Saheb said he was a store assistant at Weenen, and that he had been domiciled there since 1889. He had returned from a visit to India and brought with him his son. Although he had apparently satisfied the officer that the boy was his son, aged ten years, and entitled to land, the officer refused to allow him to land without a birth certificate from India. He (applicant) could produce the certificate if necessary, but it would be a hardship if the boy were not allowed to land, as the *Pentakota*, on which vessel he was aboard, was due to leave this (Friday) morning.

The Court decreed that the officer should show cause on Thursday next why he should not be ordered to permit the boy to land and remain in Natal, that the officer and all other persons be interdicted and restrained until further order from deporting the boy, and that these orders should not be operative until the applicant shall have deposited with the officer £25, or security for that amount, for a visiting pass, for the expenses of deportation if necessary, and other expenses.

A like application, also supported by Mr. Grice, was made by Ameerodeen on behalf of his son, Jahiruddin, and the Court made an order exactly similar to that in the foregoing case.—*Natal Mercury*.

Mr. Gokhale's Congress Speech

(Concluded)

You will see that Mr. Gandhi and others are absolutely right in the line they have adopted and those who criticised them, if they had gone there, would not have done otherwise. Their efforts were directed towards securing the removal of those nine grievances I have mentioned. The first is the working of the immigration law, but for those who are already there, if they want to go in and out of the country, things ought to be made as easy for them as possible. Yet things are made as hard, as difficult and as monstrously difficult as you can think of for those people. I have given one or two instances in my speech in Bombay. In Cape Colony, which is the most liberal colony of the four colonies, an Indian who wants to get out of the country must take a permit specifying the period within which he will return, and he must return within the time limit prescribed in the permit. The law gives absolute discretion to the immigration officer. A case occurred which pointed attention to this restriction and it is typical of many cases happening recently. A man had come to India because a relation of his had been ill. He left his wife and children and started in time to go back to South Africa. If the steamer had run according to the scheduled time, he would have returned to South Africa in time, but the man was one day late. The immigration officer exercised the law to the very letter and it meant absolute ruin of the man. His wife and children must come back. The shop was in his name and as no new licences are being granted, no other man could be put in that shop. In Natal there is another kind of hardship. There domicile certificates are granted to those who stop there, and it is understood that the certificate gives you the right to leave the country and go back to it whenever you choose, and only in order to prevent fraud, the immigration officer has the power of cross-examining the holder of the certificate. The immigration officer, in the exercise of his discretion, has taken to cross-examining these men about the minutest

asked when he first went to the colony, where he lived and what business he did, and if there is the smallest discrepancy in his answers, he is told that the certificate was obtained by fraud. I ask you if you can say where you were this day last year. Can you answer it, and if you cannot do so, how are those poor innocent people to answer such questions on minute particulars? This is the first point. The second is permission to move about in the country itself. South Africa is a united country, and in that united country an Indian cannot cross the border without passing an examination. A man may have business in Durban and he cannot go there with freedom. These are harassing restrictions. The third restriction is as regards residing wherever a man likes. There is a location law in the Transvaal, but our countrymen have successfully fought against it, but another law has been enacted regarding gold areas. Indians must reside in one or other of these areas. The whole of the Transvaal is full of gold and the whole may be declared a gold area, and as soon as an area is declared a gold area an Indian must go and live five or six miles from it and do his business there or get out of the country. In the Transvaal you cannot build a house and live in it. In Orangia you cannot even be a farmer. As regards trade and other avocations the situation has become so critical that unless we back the Indian community there it will go to the wall. The business of the Indian community there involves property worth lakhs and lakhs of rupees, and both in Cape Colony and Natal licences have to be renewed every year. Licences are granted by local authorities, and these local bodies are manned by men who are rivals of Indian traders. They cannot stand the Indian competition, and therefore under some pretext or another, licences held by old respected firms are being extinguished, and the new policy is not to grant licences to another man. If no new licences are to be granted, if Indians cannot enter Government service, and if they cannot follow trade, what are the people to do? The policy of the colony is to harass the people in every way so as to compel them to leave the country. There is no provision of educational facilities except a little provision made by missionaries. There is not a single secondary school in South Africa which Indian children may attend, and they are growing up in ignorance and darkness. The one reason why the Government does not want to make provision for education is, they fear, that if the people are educated they will demand the franchise later. I said that to the Ministers in South Africa. If the State does not do its duty, we must help the people and supply them with funds and do our duty to secure them freedom from special disabilities and burdens. Another monstrous burden is the £3 tax. I have seen some comments here on that tax which show that those who passed those comments do not realise what misery is entailed by it. That is a tax which every ex-indentured Indian must pay every year for the mere permission to live in that colony. Every male above sixteen years and every girl above thirteen years are liable to be sentenced to hard labour if the tax is not paid. The tax is from the labouring classes. Take an average family consisting of father, mother and two children of over 13 and 16 years. For these four persons £12 must be paid every year. The average wage of a man is 25 shillings. Altogether the income may come to about £2 a month of which £1 must be paid for permission to live in the colony after five years' work. Just fancy an income-tax of eight annas in the rupee on all persons having an income of Rs. 30 a month. If you can realise the harshness of such a tax, you can say whether a tax of £3 per head is just in South Africa. It is usually extremely difficult to pay so much. One leading member of the Natal Legislature said that the tax was a monstrous impost that drove men into paths of wickedness and crime, and women into paths

They live in constant dread of the police. Whatever they can scrape together they pay to the police and escape. Just imagine what this means. The whole community consists of a population of 150,000. In Natal there are 120,000. A large proportion of these are in this state, and 40,000 more who are serving their indenture to-day will be in the same state when their indenture period is closed. One of the most heart-rending sights that I witnessed in South Africa was a meeting of about 5,000 people liable to the tax. One man has grown crazy and he simply writes verses and goes about the country singing verses against the £3 tax. A woman from the province of Arrah who was aged 65 years—I cannot recall that sight without emotion—[the speaker was visibly moved and tears were seen trickling over his cheeks] came and told us that she had been to gaol six times for failure to pay the tax (cries of shame). You will see how grave the misery is that these people are suffering from this £3 tax.

The next question is Government service. The Government service is closed to Indians all over the country. In no Province can Indians enter Government service. One or two somehow or other entered the postal department and even they have been thrown out. The people there do not feel their exclusion from Government service because they are not educated. A community, every member of which is excluded from Government service, must naturally remain in a pauperised and subordinate condition.

Lastly, there is the question of the franchise. In Cape Colony they have the political and municipal franchise but the people are not educated and do not care for it and therefore they do not come under the register. In Natal they enjoy the municipal franchise but no political franchise. In the Orange Free State and the Transvaal, no political franchise exists now and not only now, but there is no chance of its being given even in future. These are the hardships which our people are enduring against which they are struggling. They do not expect that these hardships will be removed at once. They are people who have sacrificed all—from forty to fifty lakh worth of property. Men who were wealthy at one time have become paupers. These people who have made these sacrifices are themselves under no delusion. They realise that the struggle is long and tedious.

The question has been asked in this country what I have been able to do. We have been in the habit of sending deputations to England. Did you get results of the agitation at once? You must knock, knock, and knock till the door is open. Even if it is not opened, your duty is to go on knocking. What can the visit of one man or even visits of a hundred men do when you consider the catalogue of grievances of our Indian brethren in South Africa? I want the people of this country to help our countrymen in South Africa in the struggle which they are carrying on. I have referred to the criticism levelled at Mr. Gandhi, and leave it to you to judge between him and others. Mr. Gandhi has borne the brunt of the troubles and he has made sacrifices, and my privilege was to stand by him for a little while and render him a little assistance. My highest reward is that he is satisfied that my visit has been useful (cheers). But Mr. Gandhi is under no delusion, and I want you to consider whether he can still fight about this immigration or whether he is wise in directing all his energies towards the other grievances I have spoken of. I am sure your judgment will be right. The critics, many of whom are my friends and co-workers, will, I hope, see the necessity of revising their judgment and then they may even regret that they did not wait until my return to India before expressing it so emphatically. In conclusion, I will most earnestly ask the Congress to remember that the struggle is a long and weary one. The men who are engaged in it know how long and weary it is bound to be. They are determined to go on struggling. Only

remember that the community there is an exhausted community. It has already made tremendous sacrifices. A friend for whom I have great respect did not understand me when I said that we have not done all that we ought to do. It is your duty to put steady and continuous pressure on your own Government from month to month, from week to week, and from day to day, to remove the grievances of Indians in South Africa. How much money have we sent, considering the extent of the struggle. Small communities have lost forty to fifty lakhs of rupees at the lowest computation. We have sent 1½ lakhs of rupees during the last three years, and of this amount, half was contributed by one man. The whole country consisting of three hundred millions of people have contributed only Rs. 75,000 when 40 or 50 lakhs of rupees have been lost by our countrymen in South Africa in the course of carrying on their struggles. Therefore I leave it to you to consider whether there is or there is not room for you to do more for those people. Your duty in the matter is absolutely clear. It is to stand solid behind our countrymen in South Africa, and give them every support or encouragement in your power. However remiss you may have been in the past, I urge you to do your duty better in the future, because, after all, in the question concerning the South African Indians, our own status in this country is involved. If we care for our self-respect, we should do more. (Loud cheers.)

Professor Bose on Plant Autographs

The Governor of Bengal presided at a meeting in the Physical Laboratory of the Presidency College, Calcutta, on January 17 (says *India*) when Professor J. C. Bose delivered a lecture of remarkable interest on "Plant Autographs." The audience, exceptionally representative, included the Chief Justice and several judges of the High Court, many high officials of the Bengal Government, and members of the Education Service and of Calcutta society.

Dr. Bose has long been engaged in researches on the irritability of plants, and his results have been recorded by means of instruments of extraordinary precision and delicacy, some of which are capable of measuring and recording to the thousandth part of a second. Invisible movements in plants, hitherto beyond human scrutiny, have thus been brought within the range of observation, and many of these were shown on the screen.

Beginning with a reference to the variations caused by mental conditions in human handwriting, and illustrating the point with facsimiles of Guy Fawkes's signatures, the lecturer asked: Could plants be made similarly to write their own autographs revealing their hidden story? Storm and sunshine, warmth and frost, came and went about the plants: what impress did they leave? In setting out to answer these questions, Dr. Bose explained that he had spent several years in perfecting the apparatus devised for recording the signals made by the plants in response to stimulus, and in totally eliminating the personal equation. The plant attached to the recording apparatus was automatically excited by a stimulus absolutely constant, making its own responsive records, going through its period of recovery, and embarking on the same cycle over again without assistance at any point from the observer. The most sensitive organ for perception of a stimulus was the human tongue. The plant, when tested, was found to be ten times more sensitive than a human being. It was shown that when the plant had a surfeit of drink, it became excessively lethargic and irresponsible. By extracting fluid from the gorged plant, its motor-activity was at once re-established. Under alcohol its responsive script became ludicrously un-

Bose's experiments showed distinctly that the gas would suffocate the plant as readily as it did the animal. Only in the presence of sunlight could the effect be modified by secondary reaction. By means of apparatus specially devised, pulsative plants were made to record their rhythmic throbbings. It was shown that the pulse-beats of the plants were affected by the action of various drugs and divers stimuli, in a manner similar to that of the animal heart, the strangest experience being to watch the death-struggle of a plant under the action of poison.

The Position of Syrians.

An application was made to the High Court, Johannesburg, on the 20th instant, by a Syrian to direct the Registrar to register two stands in Wolhuter Township in his name. The petitioner based his claim on the ground that Syrians were exempted from the application of certain laws to which Indians, Chinese, and other coloured people were subjected. "The Syrians," continued the petitioner, "are an ancient Semitic race, in whose land Christianity started and flourished, and who were the first disciples to Christianity, fighting with great loss and sacrifice against the Turks during the Crusades, and remaining staunch defenders of the faith to the present day. The members of the Legislature which passed the law, being renowned for their zeal for Christianity, would not subject another white Christian race to the differentiation and restrictions imposed by the law. It has never been suggested that Jews, who are also of the Semitic race and came from the same country, are subject to the same law; yet if Law 3 of 1885 applies to Syrians, it must necessarily apply to Jews, and members of both these communities would be required to carry permits and be subject to the Asiatic Acts of 1907 and 1908, and would have to live in locations."

Mr. Justice Ward said that the point raised was of considerable importance, and reserved judgment.

U.S.A. Immigration Bill

A dramatic scene occurred in the House of Representatives, says the (London) *Daily Mail*, when the Immigration Bill, imposing a literary test on all aliens seeking admission to the United States, came up for final consideration.

Mr. Moore (Pennsylvania) declared that if it was placed on the statute book, the Bill would exclude 250,000 foreigners and deprive the Exchequer of £200,000 in taxes, besides costing the Administration an additional £200,000 annually. Mr. Moore recited with much pathos a poem entitled "An Appeal to Congress from those to be shut out," from which I select the following —

We've dug your million ditches;
We've built your endless roads;
We've fetched your wood and water
And bent beneath your loads;
We've done the lowly labour,
Despised by your own breed;
And now you won't admit us
Because we cannot read.

Your farms are half deserted;
Up goes the price of bread.
Your boasted education
Turns men to clothes instead.
We bring our picks and shovels
To meet your greatest need.
Don't shut the gates upon us
Because we cannot read.

The poem completed the conversion of the T

News in Brief

Mr. Parsee Rustomjee has received a telegram stating that Mr. and Mrs. Jalbhoy have left for South Africa.

A Mass Meeting of Indians will be held in the Hamidia Islamic Society's Hall, Johannesburg, tomorrow, under the auspices of the British Indian Association, to consider the recent decision of the Cape Supreme Court relating to non-Christian marriages, and to pass resolutions.

Mr. Ritch, who presided at the annual dinner of the various Indian Football Clubs in Johannesburg, the other day, remarked that he had had the opportunity of witnessing several rounds in the competitions held by these young players, and he had rarely seen cleaner or cleverer play among amateur teams, either in this country or in England.

The Rev. John L. Dube, in his presidential address to the Native Congress in Johannesburg, said that the Government granted to Indians, Chinese, Syrians, and other such races, regardless of character, unrestricted liberty to travel and to trade and to purchase land, while they, the aborigines of the soil, were denied all such privileges. "We fully sympathise with Mr. Dube and his people, but he is mistaken about the Government's treatment of Asiatics.

We learn that some difficulty has arisen at the New Market, Johannesburg. It would appear that the use of the Market tables has now been denied to Indians, and also that, outside the Market, a special part of the road has been allotted for the carts of Indian hawkers. The community naturally resents this differentiation; and, on Saturday last, a deputation of fruit merchants, headed by Mr. Thambi Naidoo, waited on Mr. De Wet, the Chief Market Master, who we understand, gave them a sympathetic hearing, and promised to place the matter before his Committee without delay. Should relief not be granted, it is rumoured that passive resistance will be resorted to by the aggrieved parties.

A case of the utmost importance has just arisen in Natal through the action of the Master of the Natal Provincial Division of the Supreme Court. A Mahomedan Indian left, by his will, all his property to his surviving spouse. For the purpose of assessing the succession duty, the Master has called for the proof of marriage, apart from the statement of the husband himself; that is to say, the Master has declared Mahomedan marriages, celebrated according to the tenets of the Mahomedan religion, to be invalid, and has suggested to the parties concerned that they should get a ruling of the Supreme Court on the point. This case, following upon the Cape case, referred to by us last week, has made confusion worse confounded in the community. We comment upon this in our leading columns.

The following sums, according to the Financial Statements just issued, were spent by the Administration of Natal Province for the period 1st April, 1911, to 31st March, 1912:—Administration and Inspection, £9,331 15s. 3d.; Training of Teachers, £4,049 18s. 8d.; Secondary Education, £16,162 14s. 9d.; Primary Education (Europeans), £91,480 19s. 8d.; Technical and Industrial Education, £70,483 19s. 9d.; Native Education, £12,439 3s. 3d.; Indian Education, £6,904 18s. 1d.; Education of coloured children other than Natives and Indians, £4,605 16s. 1d.; Advisory Boards, £15 0s. 1d. The total of Vote

Not long ago (says *India*) a committee was appointed by the Government of Bengal to consider the question of introducing moral and religious training in the schools. Sir Gooroodas Bannerjee, Raja Peary Mohan Mookerjee, Mahamophadhya Hara Prasad Shastri, Dr. Nilratan Sircar, and other well-known public men were consulted. They appear to have been unanimous regarding the advisability of introducing moral instruction, but religious teaching presented a much more serious difficulty.

The movement in Canada towards the framing of an Exclusion Bill directed against Asiatics, and especially Indians, is gathering strength, and the example of Australia and South Africa is being used in justification of the policy. Miss Elizabeth Ross Grace, who is interested in the formation of an Indian Defence Association, writes from Strassburg Saskatchewan, to the *Manchester Guardian*, appealing for a fuller recognition of the issues involved. She thinks that it should not be difficult, as a beginning, to win the sympathies of Canada for the admission of Indian students and the wives of domiciled Indians.

Sir H. Rider Haggard has been passing through India, on his way to joining the Royal Commission on Imperial Trade which is assembling in Australia. Interviewed by *The Statesman* just before his departure from Calcutta, the novelist said that India, which he had not visited before, had fascinated him more than any land he had ever seen. He was at Benares on a festival day, and the river scene impressed him as one of the most remarkable spectacles in the world. "If you asked me," continued Sir Rider Haggard, "why I thought it so remarkable, I should say it was because of the faith which evidently animated those multitudes, a faith in something which we Westerns cannot imagine as anything that appeals either to our reason or to our sense of helpful religion; and yet evidently a real faith, springing without doubt from whatever may be the home of all faiths, and perhaps in its own strange and devious way tending towards earning the reward of faith, whatever that may prove to be."

Under the auspices of the Mauritius and Colonial born Hindu Benefit Society, held in the Society's Hall, Walmer Road, Port Elizabeth, Mr. D. K. Pillay, Acting Chairman, presiding, it was proposed that a letter be sent to Lady Scott, expressing their sympathy in her sad bereavement. Mr. M. S. Pillay, in seconding the resolution, said it was the duty of everyone to grieve with the nation for the loss of such a noble man as Captain Scott. The meeting instructed their secretary to forward the resolution to Lord Gladstone, requesting him to forward it to the proper quarter. Mr. V. D. Pillay also proposed a resolution of congratulation, to be conveyed to Mr. V. O. Chidambaram Pillay, the South Indian leader, who was just released from His Majesty's jail. Mr. M. S. Pillay seconded, and said that the resolution should be sent through the Indian National Congress.

Mrs. George A. Trude, the wife an elderly judge of Chicago, explained recently at the Chicago Court, in the course of proceedings for divorce, the amount a careful society woman needs to spend on beautifying herself. "My expenditure is most modest, she said, and consists of the following items:—Perfume and toilet waters £120, face powder £90, services of a manicurist £40, hairdresser's bills £70, miscellaneous cosmetics £55. Annual expenditure £375. The bills of many women in Chicago society," Mrs. Trude informed the judge, "are much higher than mine. They spend hundreds of pounds in perfumes while I pay only £1 10s. an ounce for my face powders." Mrs. Trude insisted that she practised most rigid economy in all her buying and explained that she kept her silk stocking bill down to £10 a month; and never spent more than £2 10