

Indian Opinion

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Constitution of Commission Disapproved

OVER 1,500 Indians assembled on the Indian Recreation grounds on Sunday afternoon to consider the Commission of Inquiry appointed by the Government to inquire into the causes of the strike, and to pass a vote of sympathy with the relatives of the late Soorjai. The meeting was convened by the Natal Indian Association and held under its auspices. The Chairman, addressing those present, said that the meeting had been called to express their views on the Commission which had been appointed by the Government to inquire into the causes of the strike and the ill-treatment of the Indians. A Resolution would be placed before them which expressed their indignant protest that the Government had not seen fit to allow the community whose interests were so vitally affected to nominate representatives on the Commission. At the close of the recent strike among European Miners in Johannesburg, the latter were allowed to elect their representatives and the man whom they nominated was one of themselves. This was only just and right. Mr. Wylie, the only Natal man on the Commission, was a Lieutenant-Colonel of the Defence Forces and, as one of the chief causes of the disturbances had been the high-handed action of the police and the Defence Forces, they contended that he was unfit to sit on the Commission. Apart from his connection with the Defence Forces, he had never taken up an impartial attitude on Indian questions. It is inexplicable that he should have been appointed on the Commission in face of the opinion expressed by him that the £3 tax on ex-indentured Indians should not be repealed. They would remember that Mr. Wylie had been conspicuous in the Anti-Indian Demonstration engineered against the landing of Mr. Gandhi not a decade ago. Mr. Esselen, too, was not a man to inspire the confidence of the Indian people. He was known to be biased on Indian questions and was a typical Transvaaler. They must not misunderstand that, in taking objection to the inclusion of these gentlemen, they were not doing so on personal grounds. If the Indian community were expected to come forward and render their hearty assistance in placing the facts known to them before the Commission, there must be some degree of confidence in the members of that Commission. One of the chief difficulties was the way in which they had been hampered on all sides in obtaining access to people on estates and mines and at other places who desired to make complaints. These people had been practically imprisoned at their respective places of employment and, when they had succeeded in making their escape, they had been assaulted and driven back by the Police. If the Commission was not to be a complete farce, they must have access to the people concerned to collect further evidence on matters which had been brought to their notice and to assist those on whose behalf complaints had been made to place

authentic information before the Commission. There had been matters of which they had heard, but, owing to there being no facilities for investigating complaints, they had to believe much had happened which it was impossible for them to prove. It was a matter of common justice that those who had been ill-treated should have a full opportunity of stating their grievances without fear or favour, and in this they should have the assistance of Commissioners who understood their thoughts and characteristics. The Chairman trusted that the Government would accede to their requests.

A resolution of sympathy with the family of the late Soorjai would be placed before them which would no doubt have their heartfelt support. They knew the circumstances in which the deceased had died, but, as the matter was *sub judice*, they must withhold their comments on the subject till the Magisterial inquiry into his death had been completed. But this did not prevent them from considering the position and circumstances of the wives, mothers and children who had lost their relatives during the strike. In regard to this matter, their Association had applied to the Protectors Office for information as to whether any compensation would be made to the bereaved people, but, so far, no reply had been received from that office. There were a number of these people for whom some provision must be made by way of compensation. This was a matter which was receiving the attention of the Association.

The following resolutions were then put to the meeting and carried unanimously:—

"That this Mass Meeting of Durban Indians expresses deep sorrow at the death of our late brother Soorjai who, we consider, died for the cause, and offers its deep sympathy to the wife and family of the deceased."

"That this Mass Meeting of British Indians assembled at Durban places on record its emphatic protest against the constitution of the Commission appointed to enquire into the strike and the ill-treatment of Indians participating in the strike and urges that some representatives be specially nominated by the India community."

Meetings at all Centres.

Johannesburg, Dec. 15 (Reuter).—Reuter's is informed that at public meetings of the Indian communities at Johannesburg, Capetown, Durban, Maritzburg, Kimberley and Potchefstroom, held yesterday, resolutions were passed recording satisfaction at the appointment of a Commission to investigate the position and grievances of the Indians, and expressing an earnest protest against the constitution of the Commission, inasmuch as both Mr. Wylie and Mr. Esselen are notoriously antagonistic towards the Indians of South Africa, and calling upon the Government to add to the personnel

of the Commission Sir James Rose-Innes and Mr. Schreiner, K. C., or, in the alternative, two other South Africans of repute who the Indians can feel are free from prejudice against them.

Rand Church Council's Views.

Johannesburg, Dec. 14 (*Mercury Special*).—The Witwatersrand Church Council has passed the following resolution: "That this Executive of the Witwatersrand Church Council rejoices that a Commission has been appointed to inquire into the questions affecting Indians in South Africa, and especially with regard to the strike in Natal, but is convinced that, in view of the interests involved, the Commission appointed is not sufficiently representative, and, therefore, strongly urges that the Commission should be strengthened by the appointment of two others, in order to ensure a satisfactory solution of the questions at issue."

The *Natal Mercury* thinks that the Indian community are ill-advised in protesting against the personnel of the Commission of Inquiry. "We do not need anyone from outside", it says, "to assist in the administration of justice here". It considers that it is a purely local business in which Imperial co-operation is not required.

The Death of Soorzai.

While the matter of the death of Soorzai, or Amhalaram as he is officially known, is under inquiry, it is not possible to state definitely whether his death was caused by injuries received from flogging or by some other cause. That will come later. The circumstances in connection with the matter may, however, be stated. Soorzai came to the Phoenix Settlement on the morning of the 27th ultimo and made a complaint to Mr. West that he had been flogged with a sjambok and ill-treated in other ways. His back showed several swollen ridges which might have been caused by a sjambok. The poor fellow was a pitiful object. Paralysed down one side, his hand hung limp and he could scarcely walk. His weeping wife with her little child stood near, together with several of their fellow-workers who had witnessed the assault. The man's back was shown to a corporal of the police and to three Europeans. The police were asked to take the case in hand, but this the Corporal refused to do. He requested that the man and his wife might be allowed to remain at the settlement. The next morning, no action being taken by the police a messenger was sent with them to Verulam, where depositions were drawn up and signed before the Magistrate (Mr. Matthews). In cases of this kind, it is customary for the Magistrate to have the Complainant medically examined, but this was not done in this instance and the people returned to Phoenix. On the evening of the 1st instant a policeman and another man came and took away the man and woman, stating that they would be kept in hospital and that Dr. Stanton would attend to them. These two men avoided seeing Mr. West but informed Mr. Maganlal Gandhi that the woman, who was suffering from a chest complaint, would also be taken care of. What actually happened was that the woman was left at the barracks of her employer and her husband was taken away. He was not examined by Dr. Stanton but on the 3rd instant he was brought before the Court at Verulam and charged with desertion. By chance, Mr. E. H. Britter, who had taken Soorzai's deposition, was in Court when the case was called. He appeared on Soorzai's behalf and was able to show to the Magistrate that the man was a cripple and that he had complained of being thrashed by the person who then prosecuted him. The man was cautioned and discharged. He was then charged with behaving in a manner towards his master likely to provoke a breach of the peace. Eventually the case was remanded for a week and the man was lodged in gaol. It should be noted at this point that nearly a week had passed and no summons had been issued

against the person who was stated to have flogged him, and the master had found no difficulty in having his slave put into gaol at once, in spite of his crippled condition and injuries. A few days afterwards the poor fellow became worse and, on the 10th instant, he died at the Verulam hospital where he had been removed by Dr. Fisher. About half an hour before the news came that the man was dead, the case against him had been brought forward and withdrawn.

The next morning Dr. Hill, the District Surgeon, made a *post mortem* examination of the body and his report will be placed before the Magistrate who will make an inquiry. Dr. Fisher assisted Dr. Hill, and Dr. Copley and Dr. Nanji were instructed by the Natal Indian Association to watch the proceedings. After a lapse of fourteen days, the swellings on the back had disappeared and there were apparently no outward signs of ill-treatment.

The Funeral

The same afternoon, the body was brought to Durban en route for the Umgeni crematorium. It was met at the station by the officials, of the Natal Indian Association and Mr. Thambi Naidoo and followed to Umgeni by a procession of some four hundred mourners. Amongst those who followed the hearse were the wife and children of the deceased, Messrs. Omar Hajee Amod Johari, A. Christopher, Sorabjee Rustumjee and other members of the Natal Indian Association, Mr. Imam A. K. Bawazeer (Chairman of the Hamidia Islamic Society of Johannesburg), Mr. Thambi Naidoo (Chairman of the Johannesburg Tamil Benefit Society), and Miss S. Schlesio (Hon. Secretary, Transvaal Indian Women's Association). Mr. and Mrs. West, Mrs. Pywell and Miss Molteno were European sympathisers. Mrs. V. S. Pillay and the other nine Passive Resistance Ladies from the Transvaal were also present, as were some seventy strikers from Verulam. Wreaths were sent by the Natal Indian Association, the Tamil Benefit Societies of Johannesburg and Pretoria, the Zoroastrian Anjuman, and the British Indian Association of Johannesburg. The Transvaal ladies prepared festoons of flowers and the Phoenix Settlement too sent floral tokens.

Great Meeting in Bombay

London, December 11th.—Reuter's correspondent at Bombay telegraphs that a crowded and representative meeting was held in the Town Hall, Bombay, yesterday, to protest against Indian disabilities in South Africa.

His Highness the Aga Khan, who presided, said it was impossible to find in the modern history of India a parallel to the intensity of feeling to which Indians had been stirred by the recent occurrences in South Africa. If such treatment had been meted out to Englishmen in any foreign country, it would have been treated as a *casus belli*. Public opinion in India could not believe that the Imperial Government was helpless. The conviction was, however, becoming painfully obvious that Britain was unable or unwilling to do anything to protect her foster children, and this must shake their confidence in the power of the Imperial Government and deal a blow to the prestige of the Empire. He appealed to the audience not to do anything which would make the position of the Government of India or the Imperial Government more difficult, but to hold their breath until an independent inquiry had been made. He paid a warm tribute to Lord Hardinge, whose firm and outspoken attitude had subdued in magic fashion the fiery passions which had been aroused in India, and appealed for a full inquiry into Indian grievances in South Africa.

Other speakers included Sir B. D. Mehta, Sir N. Chandavarkar, Judge of the Bombay High Court; Sir J. Rahimtoola, member of the Bombay Legislative Council; Sir R. C. Jeejeebhoy, and Dr. Stanley Reed, the editor of the *Times of India*.

Resolutions were passed protesting against the £3 tax, the non-recognition of Indian marriages in South Africa, appealing for the intervention of the Imperial Government, urging an inquiry into Indian grievances, and appealing for subscriptions.

The gathering was marked by intense earnestness.

Messages of sympathy were received from the Gaekwar of Baroda, the Maharaja of Cooh Behar, and the most important cities of the Presidency.

During the meeting it was announced that a large number of donations had been received towards the fund for the Indians in South Africa, including Aga Khan, £660; the Gaekwar of Baroda, £360; Sir Dorabji Tata, £330; Lady Tata, £66; the Maharaja of Cooh Behar, £66; and various other sums.

From the Editor's Chair

THE COMMISSION

THE Government have at last decided to hold an official inquiry into the causes of the strike in Natal and the allegations of ill-treatment. They have appointed three men who will be capable, no doubt, of sifting evidence. As legal experts we have no objection to these gentlemen, but the Indian community naturally ask the question: Are the commissioners absolutely unprejudiced? We are sorry to say that this question cannot be answered with satisfaction to Indians. For instance, Colonel Wylie has quite recently expressed his opinion that the £3 tax, which is the only cause of the strike, should not be removed. Mr. Wylie is also a Lieut.-Colonel of the Defence Forces and would be certain to take the view that coercion by the police and military forces was justifiable. Mr. Esselen is known to be prejudiced against the Indians. If two out of three commissioners inspire no confidence whatever in the Indian community, what is the use of talking about an impartial commission? Surely the Indian community should be allowed to nominate representatives on this commission. We concede the same right to the employers. Three men, we consider, in any case, are not sufficient. If the Government have nothing to fear, they should welcome the appointment of men who have the confidence of the parties concerned. The whole world is looking on, and if the Government remain stubborn and refuse to amend or add to the personnel of the commission as at present constituted they run a tremendous risk of spoiling whatever reputation they may have for fair dealing. Some may say that, after all, it is only a question of weighing evidence and the personal views of the commissioners is of no consequence. We cannot agree with this view. All men are human and, if, for instance, a man has made up his mind that Indians in general are untruthful—a common belief among many people who do not understand or appreciate the difference of language, custom and environment of the Indian—it will be quite impossible for that man to get out of his head the idea that the evidence of an Indian is not equal to that of a European. It is, therefore, necessary that the commissioners should be absolutely above suspicion.

A CURIOUS POSITION

THE recent judgment of the Appellate Court, given by Lord De Villiers, Chief Justice of South Africa, may leave a confused impression on the mind. An Indian, named Daya Ratanjee, stayed away from Natal for a longer period than was considered necessary by the Immigration Officer who thought he would punish him by refusing to admit him on his return. The Appeal Board appears to have agreed with the Immigration Officer but it consented to state a case for the Supreme Court's opinion. Now the Supreme Court had power to express an opinion only on the point raised. But

it went further and, assuming that a decision had been given, it reversed it. Now the Attorney-General asks the Appellate Court to quash the decision of the Supreme Court and Lord De Villiers promptly refuses permission to appeal on the grounds that the Court has no jurisdiction. So where does Daya Ratanjee now find himself? Exactly where he was at the start with the exception that the Appeal Board has now got the opinion of the Supreme Court that a man who possesses a certificate of domicile holds a document which is *prima facie* evidence of his right to return, no matter how long he has been absent from the country. It remains to be seen whether the Board will accept the Supreme Court's opinion and admit this man and all others in future.

Commission Appointed

Pretoria, December 11th, (Reuter).—The Government has appointed the following to form a Commission to inquire into Indian grievances in Natal: Justice Sir Wm. Solomon (chairman), Mr. Ewald Esselen, K.C., (Johannesburg) and Mr. J. S. Wylie, K.C., (Durban). The following are the terms of reference to the Commission:—

(1) To inquire into and report as to the disturbances in connection with the recent strike of Indians in Natal, the causes and circumstances which led to that strike and those disturbances, the amount of force used in the suppression of the disturbances, and the necessity for the use of such force, and as to any acts of violence alleged to have been committed upon prisoners sentenced in connection with the strike.

(2) To make recommendations in respect of any of the above matters.

The Chairman, Justice Sir William Solomon, has had a distinguished legal career. He was called to the Bar at the Inner Temple in 1877, and for many years practised in the Cape, being elevated to the Bench in 1897. He was transferred to the Transvaal in 1902, where he is now the senior Puisne judge. He has been a member of several previous Commissions.

Mr. Ewald Esselen, K.C., is one of the leading members of the Bar in the Transvaal, and has had a somewhat varied career. He has sat in the Cape House, but resigned when he was appointed judge in the Transvaal by the Republican Government. This position he resigned in 1890, and afterwards sat in the Transvaal Volksraad for Potchefstroom. He was elected Attorney-General of the Transvaal in 1894, but resigned the following year, and practised as an advocate up to the opening of the war. He served as an ordinary burgher during the war, and has since that time practised on the Rand and in Pretoria.

Mr. J. S. Wylie, K.C., is one of the best-known public men in Natal. He is the leader of the Natal Bar, is a member of the Provincial Executive, and on two occasions represented Durban in the old Colonial Legislative Assembly. He is also Lieutenant-Colonel commanding the D.L.I.

Mr. Wylie's Opinion on the Tax.

Mr. Jas. S. Wylie, K.C., one of the Commissioners appointed, recently gave the following opinion to the *Natal Witness*:—"As the Government of Natal was unable to get the Government of India to agree to the termination of immigrants' indentures in India, this tax was imposed with the view of acting as a safeguard against the Colony being flooded with time-expired Indians and their families; and, as I am still of the opinion that the presence of these people amongst us is not in the best interests of the Province, I am not in favour of the tax being repealed."

The British Indian Association of Oudtshoorn, Cape Province, held a meeting on the 1st inst. urging the repeal of the £3 tax and opened a subscription list. A first instalment of £21 has been already forwarded.

On Behalf of Indians in S.A.

London, November 7th, 1913.

The hall was crowded to its utmost extent and there was a fringe all round of those who could not find seats; there was a formidable programme of resolutions; there were speeches which were characterised by very plain speaking; but the most impressive feature of the gathering last Wednesday evening at the Caxton Hall, Westminster, on behalf of British Indians in South Africa was the earnestness of purpose animating those who spoke and those who listened. The question has now come home to Indians and to many Europeans as a personal matter; this is a distinct gain. It is easy to be enthusiastic at a meeting, to fall under the spell of the magnetism of the moment, but, after long experience of protest and indignation meetings, I cannot but think that the fervour of last Wednesday will be deep-rooted enough to make itself felt beyond the walls of the Caxton Hall. I noticed that there were many of the newer comers among Indian students present; it is well that the young men should know what the struggle in South Africa really stands for, what it means besides physical suffering; that aspect of the case was clearly stated by responsible speakers; and a further important fact to be remembered is that the same resolutions were passed at meetings for the same purpose in Glasgow, Edinburgh, Dublin, Leeds, Cambridge, Birmingham, and Newcastle-upon-Tyne. This shows the widespread feeling aroused, and is certainly a notable advance on previous efforts. I remember meetings in London addressed by Mr. Gandhi himself at which more than half the audience was European; on Wednesday, though there was a good European representation, the audience was overwhelmingly Indian. It was alive with eagerness to see justice done and did not hesitate to suggest retaliatory measures of which one, voiced by Mr. J. M. Mehta, M.A., LL.B., was that ship after ship should leave India for South Africa, laden with young men ready to face life in South African gaols, and by filling them to overflowing, ruin the country by the great outlay that would be involved in feeding them—even on prison food! If something of the Gandhi spirit were wanting—the spirit of convincing oppressors by the sufferings of the oppressed—it must be remembered that trust and hope have again met with a rude awakening and it looks as though the old fight will have to be waged over again. This time, however, India is also awakened; the Indian Government has made a move, and I note that to-day's *Westminster Gazette* ends a "leading" article, entitled "The Protest of the Three Thousand," by saying that, though the Imperial Government in dealing with a self-governing Colony, "can only use suasion, it must maintain its appeal to the Union Government to remove the restrictions on internal migration, to mitigate the heavy licence fees upon indentured labourers; and in other ways to consult the susceptibilities of the resident Indians, some of them men of refinement and culture, who would do credit to any community. We assume," adds your contemporary, "that the people of South Africa share our pride in the Indian Empire, and they must see that on present lines they are storing up trouble for us all, and adding a most serious complication to our task—already difficult enough—in India."

Mr. Wazir Hasan, Secretary of the All-India Moslem League, took the chair, and Mr. M. M. Gandevia, hon. secretary of the organizing committee, read out a long list of regrets for inability to attend. Among those prevented from being present were Lord Sydenham, who believes that there is more hope for remedy now that the grievances are better understood; Lord Amthill, whose name was received with keen appreciation; Lord Lamington, Sir M. M. Bhownagree, whose devoted service to the Cause when it was almost unknown and up to the present time was enthusiastically applauded; Sir Frederick Pollock, the eminent jurist,

who said he felt strongly that the trouble was because the Indians were more businesslike than their competitors; Sir Herbert Roberts, Mr. S. H. Swinney, and Dr. V. H. Rutherford.

The chairman gave the key-note to the meeting when, at the outset of an interesting address, he declared that "so long as the ordinary rights of citizenship in the Empire were denied to Indians in the Colonies, it was difficult for them to accept with any degree of loyalty their share of Imperial obligations." He said that in choosing imprisonment Mr. and Mrs. Gandhi, their companions and even the children who were ready to take their share in passive resistance had chosen "the lesser degradation—the degradation of their bodies to prison rules rather than the degradation of their souls," and added that he would willingly suffer with them. He declared that it was hopeless to appeal to the Colonies, but he appealed most strongly to the Imperial Government, and urged His Majesty's Ministers not to regard the speeches as "idle talk." He protested, too, against the recent judgment with regard to marriages, and appealed to the Proclamation of Queen Victoria as the standard of treatment which Indians had a right to expect.

I append the long list of resolutions with their movers and supporters; it goes without saying that all were carried unanimously and with enthusiasm. They were strongly worded and included a protest resolution which said that, so long as the ordinary rights of citizenship were denied to Indians, it was difficult for them cordially to accept any share in Imperial obligations; another urged upon His Majesty's Government the extreme necessity for taking steps to redress Indian grievances in South Africa; a third, moved by Mrs. Sarojini Naidu and seconded by Mrs. B. Dubé, expressed profound admiration for the heroic conduct of Mrs. Gandhi, and her companions; a fourth was an indignant protest against the slur on Indian wifehood by reason of the latest decision in the South African Court; a further one was in favour of retaliatory measures.

Mr. Mahomed Ali's speech, in moving the protest resolution, went characteristically to the point. Quoting Lord Morley's statement to the House of Lords: "India is your Lordships' only Empire," he said that the only Imperialism the son of Sir William Harcourt could give was no better than the Imperialism of Lord Milner, who thought that subject races were unfit for partnership in the Empire and tried to compel them to honour racial dominance. "How can we have obligations to the Empire without enjoying rights?" he asked; "Indians have helped in Colonial development and will no longer be dumb in their rightful demands."—Prestige, he observed, was always afraid to give way to clamour; it would be better to listen to reason in time, but statesmen had, as yet, attempted no courageous solution of the situation in South Africa. A noble conception of Empire would be the co-operation of all in justifying the ways of man to God and of God to man.

Colonel Warliker, who supported, argued that it could not be on the ground of colour or race—"though we may be a little tarnished by the sun, we are descended from the same stock as Europeans," he observed—or of intellect, that such unjust treatment was meted out to Indians in the Colonies. Mr. Asaf Ali summed up the situation by maintaining that Indians expected from Britons the same treatment that Britons expected when they went to other countries.

Mr. Dubé, in a forceful speech, dealt with the difficulties of Indians leaving and returning to South Africa, with the £3 poll tax in Natal—his declaration that he preferred to believe Mr. Gokhale as to what was really promised than either Prime Minister Botha or Mr. Smuts was loudly applauded,—with the marriage question, and with Lord Crewe's statement concerning the Ulster agitation and its effect on India, that he wished people would think of the Empire as a whole and not simply of the corner in which their in-

terests lay. He made a very apt quotation from Mr. Balfour's speech the previous evening about Ulster, and showed that the arguments he used in favour of a settlement of that question—statesmanlike and satisfactory—were exactly applicable to the Indian case in South Africa. Mr. Harcourt's statement that nothing could be done till passive resistance came to an end was the negation of statesmanship, and, in the interests of India and of the Empire, there must be no delay in finding a solution of the difficulty and taking steps to redress the grievances of Indians.

One of the most impressive speeches of the evening was that of Mr. Sorabji Shapurji, whose direct, selfless, appealing statements went home by reason of their earnestness and simplicity. There was no vaunting of what he had done, but the facts he gave of the work Indians were required to do in the Transvaal prisons could only have come from personal experience. The fact that now the women had joined in and that the children were eager to do so showed the determined way in which the new struggle was being undertaken. A solution of the question had been shelved from time to time, and the delay was undermining the confidence of Indians in British statesmanship and in the Empire.

Mrs. Naidu's speech in moving the resolution of profound admiration for the conduct of Mr. and Mrs. Gandhi and their companions was profoundly touching. No legislation, she said, could kill race consciousness; she was not so much sorry for those who went to prison in South Africa as proud of them, for it proved that the ideals of womanhood associated in India with Sita, Savatri, Draupadi and others were living to-day in Indian women, and in the days to come the names of Mrs. Gandhi and her comrades would stand side by side with the heroines of old, when children were taught the ideals of Indian womanhood. Mrs. Dubé briefly seconded the resolution.

Major Sinha dealt with the question of polygamy and the recent decision in the Courts in South Africa, and waxed indignant at the slur cast on Indian wifehood and motherhood. As he spoke, the audience continually expressed approval of his denunciation of the decision and utter repudiation of its justice; he said he shuddered to think what might happen in India if a jihad were to be proclaimed in defence of the honour of Indian wives and mothers, especially when those who boasted about monogamy often practised polygamy secretly. An Irishman present at the meeting asked permission to speak and made an impassioned protest against this slur on Indian womanhood. Other speakers included Mr. Darival, Mr. H. N. Ball, Mr. Sundara Rajamabe, Mr. Dalgada, and at a very late hour one of the most remarkable Indian meetings I have ever attended came to a conclusion amid extraordinary enthusiasm.—OBSERVER.

Government Snubbed by Appellate Court

An interesting point in the construction of the Immigrants' Regulation Act has been dealt with by the Appellate Court at Bloemfontein. The Immigration Appeal Board at Durban decided in the case of Daya Ratanjee that he had abandoned his domicile in Natal; and the appellant asked for a case to be stated.

This was done, and the Natal Provincial Division of the Supreme Court, sitting at Maritzburg, not only disagreed with the decision of the Board, but went further in purporting to set aside the Board's decision.

The Attorney-General for Natal moved before the Appellate Court for leave to appeal, but the Appellate Court refused leave, on the ground that it had no jurisdiction. It at the same time pointed out that the Natal Supreme Court had exceeded its powers in purporting to set aside the decision of the Immigration Appeal Board, and that the Act gave no such powers to the Supreme Court.

The judgment of the Appellate Court was delivered by Lord De Villiers, Chief Justice of South Africa, who said:—This Court has already decided in Bibi's case that there is no appeal in respect of an answer given by a Provincial Division to a question reserved under Section 3 of Act No. 22 of 1913. The Attorney-General of Natal has, however, contended that, as, in the present case, the Natal Provincial Division has not only answered the question of law reserved, but has reversed the decision of the Board and of the Immigration Officer prohibiting the intended immigrant, leave to appeal ought to be granted. I confess that I cannot understand this order of the Provincial Division because it was only asked for an answer to the special case stated for its opinion under the third section of the Act No. 22 of 1913. The Court seems to have considered that it had jurisdiction under the first sub-section to reverse any decision of the Board. But even if the first sub-section raised a doubt on the point, which in my opinion it does not, the second sub-section makes it clear that all the Court could do was "give such answer on such case, supplemented by such information, if any, and make such order as to the costs of the proceedings, as it may think right." It could not reverse the decision of the Board, nor, indeed, had any decision been given by the Board which could be reversed. The Board had, indeed, according to the case stated, expressed an opinion about the domicile of the intended immigrant, but the sole object of stating a case was to have the opinion of the Provincial Division whether such intended immigrant retained his legal position, and rights, as holder of a domicile certificate. That opinion was duly given, and will no doubt have its due weight with the Board, and the circumstances that the Provincial Division has gone out of its way, and purported to reverse a decision which has never been given, cannot in any way affect the proceedings before the Board, or give the Immigration Officer a right of appeal which he would not otherwise have under the Act of 1913.—*Natal Mercury*.

Progress of the Strike

The case in which twelve members of the Indian Association were charged with inciting to violence was called on before Mr. A. T. Roberts, in the Borough and District Court on Thursday. The accused were Messrs. I. A. H. Moosa, A. H. Kagi, S. Emamally, C. V. Pillay, A. Christopher, B. K. Patel, Sorabjee Rustomjee, J. H. Lazarus, W. B. Lazarus, Thambi Naidoo, R. Bughwan, and Arjun Sing.

The case was adjourned till January 8th, the Magistrate remarking that, if it was decided that summonses should be issued, they could be issued for that date. On Mr. Renaud applying for the accused to have access to the minute-book of the Natal Indian Association (the book having been taken under a search warrant), the Magistrate thought this could be arranged.

NOTE: In order to collect evidence against these men, a search warrant was issued last Saturday and the books and papers of the Association were taken away. It is certainly extraordinary that the Crown have not been able to get their evidence together during all this time with the assistance of the C.I.D. and all the forces of the law at their disposal.

The Reunion Affray

The case against eleven Indians charged with violence at Reunion on November 24th was resumed in the Borough and District Court on Thursday, says the *Mercury*, the case having been adjourned from the previous day for further evidence as to identification. Mr. Michel defended.

The charge arose out of a scuffle with the police, when a body of the latter went to arrest certain Indians then on strike. Further evidence was now given by Mr. Reuben Aubrey Swales, overseer of the Reunion Estates, who stated that the men who were to be

arrested had been lined up by the police, and the ringleaders were ordered to be handcuffed. When Corporal Gordon proceeded to carry this out, the first accused, Gounden, resisted, and another of the accused caught the corporal by the arms and impeded him. Gounden called to the crowd of Indians to assist him, and stones and bricks then began to fly about. He saw Gounden pick up half a brick and aim it at witness, but he dodged it and struck Gounden on the back. Corporal Gordon was struck by the Indians. Witness could not identify the whole of the accused as having thrown stones.

In reply to Mr. Michel, witness said the Indians had all been called into the yard so that the "wanted" men could be picked out.

Sergeant Margetts here asked leave to withdraw the charge against six of the accused, the charge against whom rested on the uncorroborated evidence of a native constable. The six were accordingly discharged.

Mr. Michel asked the Magistrate to discharge the remaining five prisoners, as it was not proved that they gathered in the manner stated in the charge. He maintained that there was no public violence.

After Sergeant Margetts had replied, the case was adjourned till the afternoon.

On the case being resumed the Magistrate acquitted the remaining accused mainly on the ground that the Crown had not proved the particular crime with which they were charged.

The *Advertiser* learns that the Government is contemplating a scheme of repatriation of the Indians.

At Verulam alone, between Nov. 10th and Dec. 10th 1774 strikers were brought before the Court for refusing to work. About 200 were discharged to suit the convenience of their employers and the rest went to gaol.

Pretoria, Dec. 11 (Reuter).—The following statement as to the number of Indians at work, on strike and in gaol, in Natal, was issued by the Minister of the Interior's Department to-day:—"Dec. 10, 1913: Coolies working in the coal area, 3,686; North Coast, 11,060; South Coast, 7,864; Zululand, 1,400; total 24,004. Coolies on strike: Coal area, 165; North Coast 302; South Coast 154; Zululand, none; total, 621. There are still some hundreds of coolies in gaol. Roughly speaking, some 300 coolies are being supplied with rations by the Indian Association."

Calcutta's Protest Meeting

London, December 4th.—Reuter's correspondent at Calcutta telegraphs that the meeting of protest against the treatment accorded to Indians in South Africa took place in the Town Hall, and attracted an enormous concourse.

The Maharaja of Burdwan presided, being surrounded on the platform by crowds of politicians, both Nationalists and Moderates. No European were present except reporters and two missionaries.

Resolutions were passed giving unqualified support to the passive resistance movement in South Africa, expressing strong indignation at the inhuman treatment of the strikers, and the gratitude to the Viceroy for the attitude he had taken. A resolution was also passed appealing for funds.

The Maharaja of Burdwan, in the course of his speech, demanded a searching inquiry into the whole question. Lord Crewe's speech had given them some hope, but till something was done the feeling in India must remain bitter. He urged that they should retaliate by repatriating every Indian from South Africa.

During his speech the excitement grew intense, and the shouting and clapping increased till the speaker's voice was drowned.

Mr. Surendramath Bannerjee and other speakers, both Hindu and Mahomedan, followed, but it was impossible to hear a word, and the excitement amongst the crowd became such that hysterical outbursts occurred in all parts of the hall, recalling religious

revival meetings, and created a greater effect upon the spectators than any eloquence could.

In the course of the meeting a Mahomedan nobleman said that the brutal assaults on helpless and innocent men and women staggered humanity, and had given a rude shock to the civilised world.

A missionary, Mr. Milburns, emphasised that it would be better to have a separation of England and the Colonies, than that the Colonies should be allowed to perpetrate brutalities.

A Hindu leader asked if Britain would allow loyal Indians to be devoured by Africander wolves.

News in Brief

A cable has been received from the Hon. Mr. Gokhale, Calcutta, that the Rev. C. F. Andrews and the Rev. Mr. Pearson are visiting South Africa to make personal inquiries as to the position of Indians. Both gentlemen are members of the Cambridge Mission, Delhi, and belong to the Church of England. Mr. Andrews is a distinguished professor and author.

Mr. Mahomed Ebyahim Kunkey of Johannesburg, the veteran Passive Resister, crossed the Transvaal Border from Natal on the 5th instant. He was arrested at Volksrust, deported across the border, re-entered and was re-arrested the same day, his case being remanded for a week. On the 12th instant, he was sentenced to three months' imprisonment with hard labour.

Mrs. Stevenson, President of an Indian meeting at Rajkot, held for the purpose of encouraging South African Indians, cables that a large and enthusiastic meeting of the ladies of Rajkot was held on the 3rd instant, earnestly sympathising with the passive resistance movement and that funds were being collected.

On Monday afternoon at the Central Station, Durban, an Indian striker who had been released from gaol, was forcibly and violently thrown into the North Coast train by a Native constable, who then left the man in the care of an Indian sirdar. This is how the strike has been endeavoured to be suppressed.

On Saturday morning two indentured Indians stood in the prisoners dock in the First Criminal Court, Durban, charged by the Protector of Indian Immigrants with refusing to return to their employers when ordered to do so. This was a typical case. A man goes to the Protector and makes a complaint of ill-treatment which is considered by that gentleman to be "frivolous." He is ordered to return and the Protector is expected to escort the man back to his employer. Instead of that he brings him before the Magistrate who sends the man to prison for seven days. Before the men were sentenced and again before they were removed to the cell, they protested and said they would not return to their masters because they had been ill-treated, but no notice was taken of their complaint. The names of the men were Ali and Baya Gadu and they were employed by Mr. Harrison of Avoca and Mr. Nicolson of Glendale respectively.

The Unionist Conference dropped the discussion of the Indian question and withdrew the motion which had been set down in the name of the Natal Council. Mr. Meyler said he was quite satisfied that the Unionist Party, when the right time came, would be as determined as ever to uphold the rights of the subject people of this country, and would insist on the fullest investigation into the allegations of assaults and ill-treatment of prisoners and various other questions likely to arise.

Reuter's correspondent at Victoria, British Columbia, telegraphs that a number of Hindus, who have just arrived, have been stopped by the Immigration Department for deportation, despite the decision of the Supreme Court on November 26th, which held that the Government had exceeded the powers given it by Parliament.

INDIAN PUBLIC OPINION ON THE STRIKE.

About 1,000 Indians gathered at a mass meeting held by the Natal Indian Association at the recreation ground near the Corporation Power Station, on the 30th ult., when a number of resolutions were passed bearing on the strike and the recent disturbances in connection with it. Mr. A. K. Bawazcer (chairman of the Hamidia Islamic Society, Johannesburg) presided, supported by Mr. Christopher and other leaders of the movement locally.

The Chairman, in the course of his address, said they were met to voice their grievances in the hope that those in authority would even at this eleventh hour perform a bare act of tardy justice to that section of their countrymen who for years had borne the incidence of the £3 tax with its consequent suffering and degradation. Thousands of their countrymen had come out as one man to strikingly demonstrate the intensity of their feeling against the existence of that tax. (Applause). To most, this demonstration had come as a surprise, and it could only be accounted for by that spontaneity which had been engendered by long years of patient suffering. The method of seeking redress known as passive resistance had but to be mentioned to a number of them at the one end of the Province, and, like the "Fiery Cross" in Scott's "Lady of the Lake," the movement spread to the four corners of this Province. They read of the deaths of their defenceless countrymen reported in the Press. They had been shot down by armed police. They had heard more. It was alleged that the police in self-defence shot them down, but he felt confident that this was not the true version of the affair. Their people had for centuries been regarded as a peace-loving race, and it would be freely admitted that they had been true to this characteristic of theirs in this sub-Continent. He could not for a moment believe that they were the aggressors in this or in any of the deplorable affairs that had come to their knowledge. The introduction of the Mounted Rifles to suppress a peaceful movement was the beginning of the trouble. The police in forcing the people to resume work or in effecting the arrests of alleged ring-leaders and strikers had not shown that tact which might have prevented any trouble occurring. It did seem strange that the police, who had all the advantages of attack and defence should complain of being attacked by a number of Indians who they allege were armed with implements of agriculture. Here, again, he could not conceive their countrymen as the aggressors unless they for the moment postulated that they had lost their reason, and had acted as madmen. For, what chance would they have stood against the mounted and armed police? Assuming for the sake of argument their countrymen were the aggressors in one case (which they certainly did not admit), surely it could not be contended that they were necessarily the aggressors in all cases. It must be admitted that they were often the subjects of attack by the police. But this neither the police nor the Press had admitted, and there had been no redress in these cases. The Press in its desire to assist the Government to restore order appeared to have lost sight of the fact that the Indians could not have been in all cases, if in any, responsible for the unfortunate incidents of the demonstration or any of the disorders happening on the mines or on the estates. As to the allegations of ill-treatment on the mines and elsewhere, the speaker proceeded to say that if a commission were appointed he believed serious allegations would

prove to be well founded. The Europeans who participated in the Rand strike could understand the Indians' feelings. It was fortunate for the Government and for the peace of South Africa that the mines in the Transvaal were not converted into prisons and the European miners sentenced to serve their imprisonment on the mines. In other words, if the Government had forced the European miners to do as prisoners the work on the mines on which they had struck work, even as Indians are being forced to do to-day, South Africa—which rang with righteous indignation when the strikers on the Rand were shot down—would have resounded louder had the men been imprisoned on the mines. So much as the feelings of the Europeans were outraged during that strike, to-day the feelings of the Indians were outraged. The moment a definite assurance on the question of removing the £3 tax is given the £3-tax demonstrators would at once be advised to resume work. But the passive resistance movement in regard to the several matters raised in Mr. Cachalia's letter would go on until justice was done in these matters also; and it could not be otherwise. The marriage question was an important one; the racial bar was a vital one, and the deprivation of the right of the Colonial-born Indian to go to the Cape was not in accordance with the terms of the settlement of 1911, which stipulated for the preservation of existing rights.

After cables expressing sympathy and proffering help from Agra, Bombay, Lucknow, and other centres had been read, the following resolutions were carried:—

"That this mass meeting of Indians assembled in Durban hereby emphatically protests against the retention of the £3 tax on ex-indentured Indians and their descendants, and grieves that the Government has not yet indicated its intention to introduce repealing legislation, notwithstanding the striking demonstration of protest throughout the Province by Indians."

"That the Indian community is beholden to the leaders now in gaol for the stand taken up by them in the interests of that section of the community labouring under the iniquitous tax of £3, and admires them for the spirit of self-sacrifice evinced by them in the leadership of the cause, and expresses its unswerving loyalty to them."

"That, in view of the assaults on strikers and the death of some of them by shooting, this meeting strongly supports the request of the Hon. Mr. Gokhale for an immediate commission of inquiry, with Indian representation on it."

"That this meeting deeply sympathises with the relatives of those who have lost their lives during the demonstration against the existence of the £3 tax."

It was announced by Mr. Thumbi Naidoo that the Association had tried to obtain an interview with Mr. Smuts while he was in Durban, but had received a reply that, as he was going away, he had not the time at his disposal.

MEETING AT MARITZBURG.

Maritzburg, Nov. 30 ("Mercury" Special).—At an enthusiastic mass meeting of Indians this afternoon in the Temple grounds, a resolution was carried to the effect that "Indians solemnly resolved to continue the present agitation until the £3 tax was repealed."

It was further resolved that the Government be requested to appoint a Commission to go into the question.

A resolution was also carried to the effect that only the release of Mr. Gandhi and the other leaders at once would lead to a stoppage of the strike.

The meeting was attended by a large gathering of Indians, who were addressed by several Indian women from the Transvaal, and by prominent Indians from Johannesburg.

Young Colonial-born Indians supported the resisters, and declared that Colonial-born Indians were with the movement.

Mr. H. L. Greene, a prominent Socialist, came down and addressed the meeting at length, and the crowd of Indians cheered him lustily. Mr. Greene declared that the contract under which Indians were brought out to this country was null and void. A contract made with starving men was null and void. Unless the contract was understood by both parties it was null and void. He declared that the indentured Indians who came to this country did not understand the terms of the contract they entered into. He attacked the Police Magistrate, Mr. Hime, and said that certain proceedings in the Police, when the resisters were brought up, resembled a Punch and Judy show. He said Mr. Hime told these resisters that they understood exactly the terms of the contract before they left India, and they knew the laws of the country they were coming to. 'Not one white man in a hundred knew the laws of this country' before coming to it, let alone indentured Indians. The seriousness of the position was being realised by the statesmen of England, who were concerned as to what would happen as a result of the dissatisfaction which was existing. The white worker had to join the Indian in this movement. They had to replace Naik, Dookie, and P. K. Naidoo, who had been arrested. Three better men they could not possibly find.

Mr. Greene counselled the Indians to avoid violence in any shape or form. They had to love their enemy, and thus throw him out of court. By loving their enemy he would be nonplussed. Gopal, their secretary, had approached Mr. Griffin, but he reminded them that Mr. Griffin was elected on one important plank, and that was the removal of the Asiatic trader.

Mr. Gopal, secretary of the Committee, also addressed the meeting, and attacked Lord Gladstone, who, he said, had to dance to Mr. Smuts's tune. He also declared that the Indians had not the slightest confidence in some of the magistrates of this Province. He (the speaker) could teach many of the magistrates the laws of this country. Some of them had only risen from Zulu interpreters. He warned them to guard against traitors, spies, and cowards—men who had been in their own camp, and had sold them to the C.I.D. Mr. Gopal declared that an Englishman, whatever he was, was actuated by a sense of justice and fairplay. The Englishman was an Englishman to the backbone, but the Boer was not.

JOHANNESBURG MEETING.

Johannesburg, Dec. 1 (Reuter).—A big meeting of Indians was held yesterday to protest against the use of violence towards the Indian labourers in Natal. Mr. W. Hoskin, Mr. Ritch, and certain members of the Labour Party were on the platform.

Mr. Hoskin criticised the action of a certain magistrate in Natal in warning Indians that natives would annihilate them if they did not behave themselves. The magistrate, he said, was not fit to sit on the bench, and should be removed to some sugar estate, where his abilities would be more suitably

employed. (Applause.) He also criticised two other magistrates in Natal, and said it was a shame that the whites had tried to starve the Indians into submission. (Shame!) Mr. Hoskin announced that Mr. Ritch would go to Natal during the week and see what he could do for those poor people. He (Mr. Hoskin) would probably go also. It was a strange fact that the people who could do most in smoothing out the difficulty were being sent to gaol. (Hear, hear.)

Mr. Ritch said he and Mr. Hoskin were called traitors and scum because of their attitude towards the unfashionable side of the question. There was no misrepresentation on the Indian side; it was all on the other side. He knew it was true that men had been flogged. (Shame.) He had seen the men's bodies; he had seen brutal marks on those bodies, and he had heard the admission of people on the mine that they had flogged those people. He saw the body of a man on a certain mine—he did not say he had been flogged to death—but he had been beaten, and that before the beating he was ill. (Shame.) The wife of that man was prevented from seeing the body of her husband. (Shame, and some excitement.) He did not, he said, want to stir up their feelings, but such brutality must be searched out and dealt with. (Applause.)

Another speaker announced that he had come as the substitute for Mr. Bain, the secretary of the Transvaal Federation of Trades, and mentioned that a telegram of sympathy had been sent by the Federation. (Applause.) Their brothers in Natal had been shot down in cold blood—murdered. The white race had had their own experience outside the Corner House. He was not going to speak against passive resistance, but he warned them to be careful, and be ready to be shot down. He was not there to stir up race prejudice, and he offered them the advice that the agreements signed under compulsion were invalid in law.

Resolutions similar to others passed in other centres yesterday were unanimously adopted.

✓ PRETORIA RESOLUTIONS.

✓ On receipt of the news of the sentence of nine months of Mr. Gandhi at Dundee, and arrests of Messrs. Polak and Kallenbach on Nov. 12, 1913, businesses were suspended forthwith, and a meeting was convened at the premises occupied by Mr. V. K. Patel at Stand No. 395, Asiatic Bazaar, Pretoria, under the chairmanship of Mr. M. V. Patel. About one hundred people were present.

After strong speeches were delivered by the chairman and others the following resolutions were unanimously passed, and loud cheers were given for Mr. Gandhi:—

"That this meeting of British Indians residents of Pretoria strongly condemns the drastic action of the Union Government in sentencing Mr. Gandhi, a true patriot, and arresting Messrs. Polack and Kallenbach, European sympathisers with the Indian cause, while fighting for the Indian community in the Union of South Africa."

"That this meeting strongly supports the action of Mr. Gandhi in reviving passive resistance, which is the only remedy for voiceless subjects of the British Empire in this country, and same to be carried out at any cost to the bitter end."

"That cables be sent to His Excellency the Viceroy of India and Honourable Mr. Gokhale at Poona asking for their immediate intervention with the Imperial Government."

That a fund to be raised at once, and money forwarded forthwith to the passive resistance committee, subscription to be continued until the present struggle is over."

The following telegrams were subsequently dispatched:—"From Pretoria Indian Association to Viceroy, Calcutta: Pray your Excellency's immediate intervention removing disabilities South African Indians labouring."

"From Pretoria Indian Association to Honourable Mr. Gokhale, Poona: Community earnestly waiting for your immediate efforts pressing Imperial authorities repealing obnoxious tax and other disabilities, also release Messrs. Gandhi, Polak, Kallenbach, others."

✓ MEETING AT CAPETOWN.

The National Theatre, William Street, was the scene of a gathering of local Indians on the 23rd ultimo, says the "Cape Times," the meeting being held under the auspices of that newly created organisation, the Awakened India Society. The proceedings were timed to commence at three, but it was nearer four when the prominent members of the society filed on the stage with the president (Mr. A. Kahn) at their head. The present position of Indian affairs in the country was the subject of discussion. When business commenced over a hundred were present, but many others put in an appearance as time went on. Among those on the platform were: Messrs. M. Malik, S. V. Sathe, D. Naidoo, Halim, Vartak, Dr. Gool, E. Shabodien, Gool, Ash, and others.

The President of the Society (Mr. A. Kahn) said, it was hardly necessary for him to explain the motive for calling the meeting, because they all knew of what had been happening in Natal, and the reason why the Society had been formed.

The main points at issue at present were the £3 poll tax, the marriage question, and immigration difficulties in general. The £3 tax had been already proved indefensible, and the Government had by now found it difficult to forward any other than the lame plea of policy. They were there to denounce the Government's obstinacy in not moving in this matter. The marriage question demanded equal attention, and he asked all of them to consider the resolution that would be put before them and exercise their sense in carrying it out.

It was their first duty to express their sympathy for the sufferings of their great leaders, who were at present in prison. If their leaders were free today the untoward development in Natal, of which they heard so much, and out of which so much had been made by the opposition, would not have taken place. He wished to say that passive resistance "is based on soul force and not brute force." In conclusion, he said he was glad to see that the meeting was representative of all sections.

RESENTMENT RECORDED.

Mr. Gool moved the first resolution, which read as follows:—

"That this meeting of British Indians of the Cape, having in view the intense suffering of its fellow-countrymen in Natal, who have been forced to adopt the only drastic means of showing their indignation at injustice, wishes to record its deep resentment at the continued obstinacy of the Government, in not promising to repeal the universally condemned £3 poll tax, thus relieving the very grave situation caused thereby, and restoring confidence in the humanity and justice of South Africans and keeping untarnished the fair name of the British Empire."

Mr. Gool said: The eyes of the British Empire are directed upon the strike of indentured labourers in Natal, who have been forced to adopt this most drastic form of protest against the £3 poll tax. All honest-minded men abhor strikes, because the suffering caused thereby affected not only those who took part but also those like the women and children, who have nothing to do with it. The

white workmen have their vast organisations, their votes, and their firearms to help them; the unfortunate Indian cannot even call his soul his own.

Petitions, resolutions, deputations, the visit of the Hon. Mr. Gokhale, have all been of no avail. The only way open for them to show their indignation at injustice was to cease work and suffer otherwise, to raise the standard of passive resistance.

Suffering alone will open the eyes of the world to the fact that these people have still their self-respect; suffering will quicken the conscience of the people. No violence whatever was meant; but the Government thought fit to arrest the leaders—hence the riots. The loss to property has been caused by the obstinacy of the Government to repeal that which all have defined as indefensible and unjust. This will always remain as a monument to the incompetency and prejudice of the Government when dealing with Indian questions.

The motion was seconded by Mr. Sathe, supported by Mr. Ismail, and carried unanimously.

APPEAL FOR RELEASE OF LEADERS.

Mr. S. Ismail (president of the British Indian Association) then moved:—

"That this meeting wishes to record its heartfelt sympathy with Messrs. Gandhi, Kallenbach, and Polak, and hopes that, in view of the untoward developments, the Government will release these leaders, so that life and property may be safeguarded."

In seconding, Mr. V. R. Vartak said he had to thank them for the very great honour they had conferred on him by asking him to second this resolution, through which that meeting, representing the Cape British Indian community, extended its heartfelt sympathy towards their unanimously accepted great leaders, Messrs. Gandhi, Kallenbach, and Polak, who were at present enjoying the Government's hospitality in gaol. He rightly took pride in being given an opportunity of showing his deep sympathy for those who had so nobly sacrificed their own interests for the sake of their fellow-countrymen. There were many, but certainly in the minority, who were inclined to doubt the reasonableness of the step taken by these eminent leaders; but let him assure them that those who took the trouble to follow the chain of reasoning in support of this method, namely, passive resistance, of securing rights without shedding a drop of blood, or without needless waste of time in petitioning—which they knew, so far, had failed—will be perfectly satisfied with the soundness of the remedy.

It doubtless involved a great sacrifice of self, and a vast amount of courage was required to do that. Their great leaders had shown their ability to disregard their self interests in the name of their country and for the sake of their fellow-countrymen. When rights could not be obtained without resorting to brutal force, it should be regarded that the time had not come yet to resort to force. That, in his opinion, was one of the reasons for the use of passive resistance, and their leaders had realised the fact, and trusted to the safe working of that strong "soul force" which, a little deep thought will show, was maintaining the harmony of that world of theirs.

The resolution was supported by Mr. Bhana, and carried amid cheers.

THE MARRIAGE QUESTION.

The third resolution, proposed by Mr. Rahin, read as follows:—

"That this meeting deeply deplores the action of the Government, through its Immigration Department, in opening up again the marriage question as a consequence of the recent judgment in Natal,

which completely annuls the intention of Parliament of admitting one wife of an Indian married by non-Christian rites. The action is more to be regretted, not only because it shows, on the part of the Government, a wish to set up a new moral code when dealing with Indians, but also because it is rightly construed as a direct attack on their religious susceptibilities."

Mr. Halin, in seconding, said: "Of all the grievances from which our people suffer, none is so important nor so far reaching as the question of admittance of our wives into the Union. We were led to understand that special provision would be introduced to allow the entrance of the only wife of an Indian, and now, through the Immigration Department, the Government had re-opened this question. It was definitely the intention of Mr. Schreiner, when he introduced the words "monogamous marriages" to meet the special case of Indians, and this was accepted by the Government. A learned judge in Natal has found a flaw in the legislation, and the late Minister of the Interior, on landing from England, suddenly discovered that Parliament never intended to allow the wife of an Indian to land, apparently because those marriages are not recognised as legal in South Africa.

I must here emphasise that we do not want our marriages to be made legal here, nor do we care as long as these marriages are recognised by ourselves and our co-religionists as legal and binding. It is, therefore, plain that the Government has trifled with our most sacred feelings and with our self-respect. We are losing not only all our trust in the Government to redress these glaring and admitted wrongs, but in the honesty and justice of the white man at large. This feeling, I am certain, is bound to have dire consequences, not only in India, but in the other dependencies of Great Britain. Therefore I second this resolution."

This was supported by Mr. Malik, and carried unanimously.

Mr. V. Naidoo moved:—

"That this meeting respectfully asks the Government to adopt the proposal of Mr. Gokhale for the appointment of a Commission of impartial men to inquire into the Indian question in South Africa."

This was seconded by Mr. R. Moodliar, supported by Mr. A. Moodliar, and carried.

THE ACTION OF THE GOVERNMENT.

Dr. Gool, who was the first speaker to use the English language, said that he was sorry to see that the attendance was not larger, because it showed that they did not take that interest in their problems which they should. They had grievances; and they should show that they had these grievances. These grievances ought to be redressed, and he hoped that they would be. All subjective races had grievances; although they had not had grievances at first in South Africa. He must pay a tribute to the fair way in which the Press of the Cape had treated them. As to their grievances, Mr. Gandhi and Mr. Gokhale said that they had pledges from the Government that it would remove the £3 poll tax. It was difficult to know what the Government had done, but they tried to put it on the Natal members now. The words "indefensible" and "unjust" could be justly applied to that poll tax, and the action of the Government showed a want of uprightness on their part. Dealing with the marriage question, he accused the Government of bad faith and of "slimness" in evading their promises, which showed that they treated them (Indians) like children, and trifled with their most sacred feelings. They treated them as if there was no Greater India.

WHAT THEY FOUGHT FOR.

Continuing, the speaker said he wished to show that they were tending in the wrong direction in

order to arrive at a solution; not only of the Indian question, but questions that affected the coloured people of this country. All honest men abhorred the way in which the law had been read.

It had been suggested in order to solve the problem, that the Government should compensate the Indians and send them back to India. That would be a very good thing if the Government would place a £3 poll tax on Indians, and with that money send the Indians back, but if such a thing happened it would shake the foundations of the Empire.

In conclusion, the speaker declared that they were fighting to make citizenship of the Empire something "worth while." "We are fighting for that self-respect that we have already lost," he added. "When an Indian comes to this country the brand is placed upon him. We are fighting for something intangible, but something that is higher than a licence." (Cheers).

GOVERNMENT ON ITS TRIAL.

Mr. Ash (of Wellington), a European, said that they had a cause which every European should support. He was not in favour of violence and heat, which would not do them any good. He was sorry the present Government had not done justice to British subjects. General Botha and General Smuts might be clever men, but they were not doing justice to them (the Indians) when they termed them Asiatics. In that question, as in other questions, the Union Government was upon its trial, but it did not show that broad spirit which it should show in a British dominion. Why had not Generals Botha and Smuts told Mr. Gokhale that there was only one road? There was a want of faith on the part of the Government. Mr. Gandhi was a man every whit, and an honest man who would not mislead them; and he had every respect for him. He hoped that a solution of the problems would be arrived at, and that Mr. Gandhi would be released shortly. He was a great patriot, and they did not know the amount of work he had done; yet when he took up the passive resistance movement he had been treated worse than a criminal. In England such things would not take place as took place in South Africa. General Botha and the Cabinet had to learn great lessons, but the greatest was that they could not trifle with British subjects. (Cheers). Had Mr. Gandhi and the others been treated with British justice? His opinion was that they had not been treated with justice.

Mr. T. B. L. Edgcome also spoke in favour of the release of Mr. Gandhi and in sympathy with what the previous speakers had said.

A vote of thanks to the chairman concluded the proceedings.

PORT ELIZABETH SUPPORT.

A general meeting of the Mauritian and Colonial-born Hindu Benefit Society was held at their hall, 10, Walmer Road. There was a large attendance of members. The chair was occupied by Mr. Poncosamy Naidoo, the vice-president, in the absence of Mr. M. M. Pillay. The following resolutions were passed:—

"That the Mauritian and Colonial-born Hindu Benefit Society of Port Elizabeth hereby resolves its sympathy with the Passive Resistance movements."

"That this meeting enthusiastically supports the strike of the Indian labourer, until Government give an understanding to repeal the £3 tax and other grievances concerning the labourers."

"That this meeting authorise the Secretary to submit these resolutions to the Minister of the Interior by telegram, and copies to be forwarded to the local Press and the proper quarters."