

# Indian Opinion

PUBLISHED WEEKLY IN ENGLISH, GUJARATI, HINDI AND TAMIL

No. 10—VOL. XII

WEDNESDAY MARCH 11TH, 1914

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

## THE IMPERIAL BLUE-BOOK

FROM the Blue-book [Cd. 7111], issued by the Imperial Government in December last, we give the following extracts from the "Correspondence relating to the Immigrants Regulation Act and other matters affecting Asiatics in South Africa":—

INDIA OFFICE TO COLONIAL OFFICE

India Office, Whitehall, London, S.W.,  
2nd August, 1913.

In continuation of previous correspondence on the South African Immigration Act, I am directed by the Marquess of Crewe to transmit, for the consideration of Mr. Secretary Harcourt, a copy of a further communication from the Government of India.

The final alteration in wording of Section 5 (g) of the Act does materially affect the point urged by the Government of India in their letter of the 3rd July, but it appears to have been accepted to meet the Indian point of view, and I am, therefore, to express Lord Crewe's reliance on the assurance given by Mr. Fischer in debate that "Indians will as heretofore be allowed to introduce one wife each into the country."

GOVERNMENT OF INDIA: DEPARTMENT OF COMMERCE  
AND INDUSTRY: EMIGRATION.

Simla, the 3rd July, 1913.

MY LORD MARQUESS,—We have the honour to refer to Mr. Ferard's letter, dated the 30th May, 1913, enclosing copy of further correspondence regarding the South Africa Immigration Bill.

2. We observe that His Excellency the Governor-General, in his telegram of the 27th May, reports that an amendment in Clause 5 (g) was moved by Mr. Alexander and accepted by the Minister, the effect of which is to include among non-prohibited immigrants "the wife or the child of a lawful and monogamous marriage duly celebrated according to the rites of any religious faith outside the Union and duly registered at the place of celebration and having all the legal consequences of a lawful marriage duly celebrated within the Union."

3. It would appear very doubtful whether any marriage of a Hindu or a Mahomedan can be correctly described as "monogamous" even if the Hindu or Mahomedan concerned has only married one wife, nor is it usual for such marriages to be registered in India. We are apprehensive, therefore, that the effect of this amendment might be to impose a fresh check upon the admission of wives and children of Hindu and Mahomedan residents in South Africa, should it be considered as in any way overriding the undertaking given in Mr. Fischer's letter to Lord Gladstone of the 24th April last (which forms one of the enclosures to Mr. Ferard's letter under reference) to the effect that the Government "will still admit one wife per man as before so long as she is really his wife, whether she has been married by a custom which recognises polygamous

marriages or not." The matter is one of great importance in India, and we should be glad, therefore, to receive an assurance that Mr. Fischer's undertaking may be regarded as unaffected by the amendment now reported and is continuing in force.

4. We would further remark that the embodiment in Statute of the condition of "monogamous marriage" may prove an obstacle to the carrying out of the undertaking above described, even assuming that that undertaking has not been definitely abandoned.

We have, etc.,

HARDINGE OF PENSHURST,  
O'MOORE CREAGH,  
HARCOURT BUTLER,  
SAIYID ALI IMAM,  
W. H. CLARK,  
R. H. CRADDOCK,  
E. D. MACLAGAN,  
W. S. MEYER.

To the Most Honourable the Marquess of Crewe, K.G.,  
His Majesty's Secretary of State for India.

THE SECRETARY OF STATE TO THE GOVERNOR-GENERAL

In a letter dated the 14th August, 1913, Mr. Harcourt writes:—

2. While there may be some force in the point urged by the Government of India, I believe that the amendment in question was accepted to meet the Indian point of view, and His Majesty's Government rely on the assurance given by Mr. Fischer, which, I observe, was repeated during the debate on the Bill in the House of Assembly. As, however, the matter is one of great importance in India, I should be glad to receive an assurance from Ministers that Mr. Fischer's undertaking may be regarded as unaffected by the amendment in question, and continues in force.

MINUTE TO MINISTERS.

Government House, Cape Town, 21st May, 1913.

The Governor-General informs Ministers that the Secretary of State for the Colonies has communicated to him certain observations by the Secretary of State for India upon the position of British Indians in the Union under the Financial Relations Bill which has now passed into law.

Lord Crewe, while he was glad to note that the existing rights of appeal against licensing decisions in Natal would be retained, reminded Mr. Harcourt that these limited rights had not been found sufficient to prevent cases of hardship in that Province. He feared, moreover, that the existing position of Indian licence holders in the Transvaal might be most prejudicially affected under the provisions of the Bill as it did not appear to protect them from the possibility of being deprived of the right of appeal to a judicial authority which they at present possessed against refusals to grant fresh licences or transfers of existing licences.

He, therefore, expressed the hope, with which the Governor-General confidently associates himself, that this aspect of the case would continue to receive the careful and sympathetic consideration of the Union Government.

In regard to the £3 tax on Indians in Natal, it appeared to Lord Crewe that, as the proceeds of the tax were to be retained by the Central Government, the question of reducing the tax had presumably become one dependent on the financial conditions of South Africa as a whole, and not on the revenues of the Province. He was anxious to suggest, for the consideration of Ministers in dealing with this matter, that the entire exemption of women from the tax had already been contemplated, and he regarded it as certain that the hopes raised in India by the courteous and sympathetic hearing accorded by Ministers to the representations recently made by Mr. Gokhale must remain unfulfilled as long as it was possible to represent that certain Indian women were subjected to taxation so severe in its incidence as to make a respectable way of living difficult. He added that, as was generally known, there was a strong feeling in India against the retention of the tax in any form, whether on men or women.

The Governor-General trusts that Ministers will find it possible to give favourable consideration to these observations.

GLADSTONE,  
Governor-General.

#### MINUTE FROM MINISTERS

Prime Minister's Office, Pretoria, 23rd July, 1913.  
Ministers have the honour to acknowledge the receipt of His Excellency the Governor-General's minute, No. 7/747, of the 21st May last.

In regard to the question of the position of British Indians in the Union under the Financial Relations Act, Ministers would observe that, according to the provisions of sub-section (3) of Section 11 of that Act, the right of appeal is safeguarded only in respect of trading licences existing at the commencement of the Act and that it will be competent for a Provincial Council to frame an Ordinance giving discretion to local authorities or boards or to officers specially appointed, in regard to the issue of licences not in existence at such commencement. So long as a Provincial Ordinance complies with this statutory provision, it will be extremely difficult for the Union Government to interfere in any way, but the Government will, no doubt, continue to use its influence in the direction of discouraging any harsh or vexatious legislation in this respect in the Provinces.

With regard to the £3 licence on ex-indentured Indians in Natal, Ministers would state that a Bill was introduced into the Union Parliament during the last session to repeal this licence in its application to women, but that time did not admit of the measure passing into law. Ministers regret that they do not see their way clear to propose the abolition of this licence.

There seems to be no doubt that this licence was introduced into and passed by the Natal Parliament on grounds of policy, the object being to limit as much as possible the number of free Indians in Natal. The proposal first made was that the indentures of Indians should expire in India so that they could be repatriated before being freed from their indentures; and it was only because the Indian authorities objected to this provision that the licence was resorted to and adopted as an alternative procedure calculated to achieve the same object. So far as the Union is concerned, the question is peculiar to Natal, and Ministers feel convinced from enquiries made that the reversal of the old Natal policy through the abolition of this licence will meet with very grave objection in that Province.

LOUIS BOTHA

(To be continued)

## The Late Miss Moonsamy

The Tamil Benefit Society, Johannesburg, at a recent meeting, passed resolutions, expressing sympathy with the parents and friends of the late Miss Valliamah Moonsamy and placing on record its sincere appreciation of the sense of duty and patriotism of this noble daughter of Mother India, who sacrificed her life in the cause.

The Indian Women's Association passed similar resolutions. There were about 150 ladies present, about twenty-five travelling specially from Germiston to Johannesburg to attend.

The British Indian Association, in the presence of about four hundred people, under the chairmanship of Mr. Cachalia, passed resolutions of condolence and appreciation. Mr. Bhawani Dayal recited a poem which he had composed for the occasion.

The Hindu community and the Patidar Society expressed its deep feelings in a resolution.

A meeting of the Germiston Indian Association and another of the Indian Women passed resolutions conveying their deepest sympathy with Mr. and Mrs. Moonsamy Moodaliar in their bereavement.

The Hindu Women's Sabha, Durban, passed a resolution expressing profound grief at the death of a beloved sister, a loyal and devoted passive resister.

At the Anniversary celebration of the Durban Indian Women's Association, a resolution of sympathy was passed, the whole gathering standing.

## The Transvaal Resisters in Natal

(Concluded)

Mr. P. K. Naidoo, the Secretary of the Johannesburg Tamil Benefit Society and another old offender, was, with his wife, the last of the Resisters to leave Natal. He led the Cape border-crossers on the 18th October, and left Johannesburg for Newcastle on the day after his return from Christiana. He accompanied Mr. Gandhi on the great march, was arrested at Standerton with Mr. Rajoo Narsoo and others, was found guilty and sentenced to six months' hard labour, suspended for twelve months. Thence he proceeded to Maritzburg, where he was one of those instrumental in bringing about the strike. He was arrested here and allowed out on bail of £300, the case being recently withdrawn. Thereafter he continued to work between Maritzburg and Durban until the declaration of the provisional settlement. Mrs. Naidoo was one of the first party of women Resisters, who proceeded to Verening to court arrest and thence to Natal, where, after having been largely instrumental in rousing the Mines, they were sentenced to three months' rigorous imprisonment as 'vagrants.'

Mr. Ramnarayan Singh, another Germistonian, did useful work at Newcastle. He was in the great march with Mr. Gandhi, and was arrested with Mr. P. K. Naidoo at Standerton and, like him, received a suspended sentence. He subsequently went on to Durban, where he assisted in various ways, returning home on the announcement of the provisional settlement.

Messrs. S. B. Medh and Pragji K. Desai, with Mr. Manilal Gandhi, opened the present campaign, on the 29th September last as licenceless hawkers. They were arrested on the second day of their proceeding forth and sentenced to seven days imprisonment with hard labour, being, at the same time, charged under the Asiatic Act, which charges were, however, withdrawn. Two days after their release they were again sentenced, for the same offence, this time to ten days' rigorous imprisonment. On their second release, finding that the authorities would no longer arrest in Johannesburg, Mr. Desai proceeded on picket duty to Volksrust and thence to Newcastle, where shortly after he was sentenced to three months' imprisonment as a 'vagrant,' one of the incidents of his prison life here being forcible vaccination. Mr. Medh, at the same time, proceeded to New-

castle, but, having occasion, shortly after, to re-cross the Transvaal border, he was challenged at Volksrust and received a three months' sentence a day later than his companion. Both were subsequently transferred to the Maritzburg and thence to the Durban Gaol, where, in common with the other Resisters, they successfully hunger-struck as a protest against certain glaring grievances. Mr. Medh and Mr. Desai returned to the Transvaal on the conclusion of the negotiations.

## From the Editor's Chair

### COLONIAL OFFICE MUDDLING

WITH this issue we print the first of a series of extracts from the Blue-book [Cd. 7111] published last December, with reference to the South African Indian question. What we said last week in condemnation of Colonial Office methods receives added weight from a perusal of some of these precious documents. It would appear from the despatches that it was the Government of India that first questioned the legal interpretation of the expression "monogamous marriages" used in the Immigration Act. With this in mind, the Colonial Office should certainly have proceeded at once to make it clear to the Union Government that it expected of them that the question should not be raised by them, as the Indian community were not likely to raise it. Instead of this, Mr. Harcourt thought it better to rely upon an assurance of administrative liberality by the late Mr. Fischer, which he must have known would be entirely unsatisfactory to South African Indians. Later, we find that even this assurance Mr. Fischer and General Botha threatened to withdraw if passive resistance were resumed, and we observe the undignified spectacle of an Imperial Minister imploring the Union Government not to break their promise, but to allow one concubine per man to enter, as an act of grace! Evidently, principles did not appeal very much to him at the time, and it is doubtful whether they have done so since. Later, we find him accepting the Union Government's pretence, for getting every *de facto* Indian marriage declared illegal by the Courts, that the Immigration authorities believed that Kulsum Bibi was not the sole wife of her husband, a belief that was exploded by the Immigration Board upon the evidence adduced before it. The real fact is that the Immigration Officials had determined to force the Court to interpret the word "monogamous," and, had the case not been that of Kulsum Bibi, it would have been that of some other unfortunate. The Colonial Office, however, was either cleverly bamboozled, or characteristically preferred to shelter itself behind any plausible excuse offered by a subtle Minister. The reply, too, to the Imperial Government's representation on the licensing clauses of the Financial Relations Act as usual begs the question. The London Committee's complaint was that the Act might materially alter the legal position of Indian licence-holders, especially in the Transvaal; the reply, in effect, admits this to be the fact but the Union Government "will, no doubt, continue to use its influence in the direction of discouraging any harsh or vexatious legislation in this respect in the Provinces." There is remarkably little evidence to show that it has ever done so in the past. The Colonial Office replies to the pertinent communications addressed by the London Committee and the All-India Moslem League, London Branch, indicate a passionate love of formalism and hardly any appreciation of the existence of a human problem replete with human and not merely legal difficulties. We very much fear that, if ever that problem becomes insoluble, it will be because of the dilettantism of the politicians placed in charge of that great Department of State, and the paralysing unadaptability of the permanent officials upon whom they prefer or are obliged to depend.

### HOW THE TAX IS COLLECTED

WE have before us a receipt for two pounds, being an instalment payment on account of the annual licence of £3 for the year ended June, 1910. It bears the stamp of the Receiver of Revenue for the 3rd instant. The owner of this receipt was engaged to the Mechanical Department of the South African Railways as a labourer, on the 13th October last, at a wage of £1 7s. 6d. per month. All went well until the end of December, when he was informed that he must either re-indenture or pay the £3 licence. He was told that money would be deducted from his wages, but this he did not agree to. At the end of January he was handed 7s. 6d., the balance of £1 being withheld by the Labour Department. He expressed dissatisfaction, but it was of no avail. He continued to work up to the 28th of last month, when a further £1 was deducted. He, therefore, left the service. The man is still liable to pay £13 to settle up to the 30th June, 1914. It was, evidently, the intention of the Labour Department to go on deducting £1 per month from the wages of a man earning £1 7s. 6d. After next June he would be liable for another £3 which, it is likely, the Department would proceed to confiscate.

Here we see how a man, placed in such a position, is almost compelled to re-indenture. By entering into a further term of two years' re-indenture, this poor man could have had the whole of this large sum waived. But freedom, even if it means a life of hardship, has an irresistible attraction, and the man refuses to continue working under the conditions. Moreover, the man may, at any time, be brought before the Magistrate and sent to gaol, not for non-payment of the tax, because the Government are not over anxious to collect the money, but for refusing to bind himself for two years to the Government Railways. We understand that there are others who are being waylaid in a similar manner. Whatever the legal position may be, we are convinced that such action, on the part either of Government Officials or private employers, amounts to robbery pure and simple. We invite our friends in Parliament to take note of the above.

## Sir Duncan McKenzie's men

In the Durban Court on the 3rd instant Moonsamy Naidoo made his tenth or twelfth appearance (says the *Natal Advertiser*) on the same old charge of refusing to return to the service of Sir Duncan McKenzie at Nottingham Road. He admitted ten or twelve previous convictions for the same offence against his employer, and said he had been many months in prison, but return to that service he would not.

His Worship passed sentence of thirty days' imprisonment, with hard labour.

[NOTE: It will be remembered that Sir Duncan McKenzie was charged at Howick, in November last, on eighteen counts, with ill-treating his Indian employees. Mr. F. E. Foxon, Magistrate of Estcourt, who was "specially appointed" to try the case, found the accused not guilty on all counts. We may mention, without, however, calling in question the fairness of Mr. Foxon's judgment, that he is a rabid anti-Asiatic, as shewn in his two last annual magisterial reports wherein he suggests legislation prohibiting the issue of trading licences to Asiatics.—Ed. I.O.]

It appears, from information supplied to us, which we believe to be true, that six men and three women, indentured to Sir Duncan McKenzie, left the estate owing to ill-treatment. They have been repeatedly sent to gaol for periods varying from seven to thirty days. On the 4th February last they were discharged from prison after having served a term of thirty days for refusing to return to the estate. They again refused to return and, the same afternoon, they were sentenced to a further term of thirty days' imprisonment. We understand that the Indians noted an appeal. These people have been in gaol since August last.

## Rev. C. F. Andrews' Departure

The *Cape Times* gives the following report of the meeting of Indians organised by the Indian Community of Capetown:—

The meeting, which was largely attended, and which was held in the Empire Bioscope Hall, Hanover Street, was presided over by Mr. V. R. Vartak. Among those present were the Hon. W. P. Schreiner, Sir Frederick Smith, Mr. H. Meyler, M.L.A., Bishop Cameron, Rev. W. Lloyd Herford, Rev. Dr. Booth, Rev. Clements, Mrs. Hook, Mr. H. P. Ash, M. Wasi (Secretary), Mr. and Mrs. M. K. Gandhi, Mr. Gool and the Misses Gool, Dr. Gool, Messrs. A. Parekh and Hadji Ismail Aboobaker (Durban), and Imam Sahib Abdul Kadir Bawazeer (Chairman of the Hamidia Islamic Society of the Transvaal.) Mr. Andrews, who was received with prolonged applause, was garlanded on mounting the platform.

### Letter from Mr. Merriman

The Chairman read the following letter from Mr. John X. Merriman, M.L.A.: "It is with great regret that I have to inform you that I am unable to be present at the reception to the Rev. Mr. Andrews owing to absence in the country. I am sure that the Indian community is right in expressing its earnest gratitude to one who has, by example and precept, brought home to South Africa the need that exists for an effort to bring about some mutual understanding of the difficulties which arise from the contact of men with diverse origins, and a different view of their duties as citizens. I feel sure that the visit of Mr. Andrews has done a great deal to remove difficulties, and that a successful solution of the trouble that has arisen will have been greatly forwarded by his self-sacrificing efforts. His words have awakened feelings and thoughts which will live long in the memory of his hearers."

The chairman said that meeting was the truest testimony of the admiration and affection they bore for their distinguished guest. During the short time Mr. Andrews had been in their midst he had, by his sincerity and ceaseless work, won a place in their hearts, and they had been privileged to watch his great work. He had not spared himself in their cause and his scholarship and his goodness had enabled him to command a hearing from the best men in the land. On behalf of the Indians of the Peninsula, he wished Mr. Andrews a pleasant voyage and a long life. (Applause.)

Mr. Wasi, the Secretary, then presented Mr. Andrews with a collection of books, comprising the following: "Tolstoy the Man" (Edward A. Steiner); "The South African Scene" (V. R. Markham); "Saldanha, the Realisation of Life" (Tagore); "The Conflict of Colour" (B. L. Putnam Weale); "The Essential Kafir" (Dudley Kidd); "Kokoro, Hints on Japanese Life" (Hearn); "A People at School" (H. Fielding Hall); "The World Soul" (H. Fielding Hall); "The Passing of Empire" (H. Fielding Hall); three volumes of Shakespeare; "The Woman and the British Empire" (Bryce); and "Race Prejudice" (Finot).

Bishop Cameron said he was glad of the opportunity to wish Mr. Andrews a good voyage. It was of great benefit to have had an opportunity of meeting him, and, of course, he had heard of Mr. Andrews before. He was quite sure that his visit had been of the greatest possible advantage in promoting a better understanding between the people of this country and the people of India. He was sure the visit had done good, and he hoped that good would continue. (Applause.)

### Brotherhood of Humanity

The Hon. W. P. Schreiner said that men of Mr. Andrews' type made one feel that the world was richer than one sometimes imagined it to be. He had come from India at considerable sacrifice, and in the shadow of his bereavement, and they had taken him into their hearts. Mr. Andrews was inspired by a senti-

ment he thought they should all sympathise with—the sentiment of the entire brotherhood of humanity. (Hear, hear.) If that sentiment were appreciated in the highest places there would be far fewer difficulties—the Indians would understand the difficulties of the European population, and the Europeans would understand the difficulties of the Indians. Might those troubles vanish from their midst! He knew that Mr. Andrews' visit would have a great deal to do with the removal of the disputes which had arisen through the misunderstanding between man and man. If that were done, there would be no strikes or anything of that kind. (Applause.)

Mr. H. Meyler, M.L.A., said that, coming from Natal, he knew how valuable it was to have gentlemen in their midst who understood the Indian character, and Mr. Andrews had come among them thoroughly understanding that. His transparent sincerity and absolute keenness would do much to bring about a better feeling between the two peoples. Mr. Andrews had made a bridge by means of which a much better understanding had been arrived at, and he hoped that before the end of the session of Parliament they would have some practical result of the work he had done. (Hear, hear.)

Sir Frederick Smith, on behalf of the City Council, wished Mr. Andrews a pleasant voyage. There were many members of the City Council who were viewing the Indian question with a good deal of anxiety and very serious thought, and they were anxious for a solution of the difficulties of their fellow-citizens, the Indian community.

Imam Sahib Abdul Kadir Bawazeer (Chairman of the Hamidia Islamic Society of the Transvaal), and Dr. Gool also spoke.

Mr. Andrews replied, first in Hindustani and then in English. He thanked his European friends who had received him with wonderful frankness and generosity from the beginning to the end of his visit to South Africa. It was a difficult capacity in which he came, for he had had to come as a private individual without any official credentials whatever. That had been necessary if he were to have any chance of succeeding in his visit. His fellow-countrymen had understood that, and they took him at once at his word, and believed in the sincerity in which he came. If he had been able to do anything to help to a peaceful solution of the problem, it was due to the trust of his fellow-countrymen in the mission he had been trying to undertake, just as on the other side real love had been poured upon him by his Indian fellow-countrymen. He would like to express an ideal that had been growing in his mind. From the moment he left Colombo until he reached Durban, he passed over almost unbroken seas. India looked across to Africa, and Africa to India, and they were the nearest neighbours in the world. Surely, between those two great civilisations, one ancient and the other new, there should be growing up the greatest of all possible friendships. India ought to be giving to South Africa some of its great riches, and South Africa ought to be giving to India some of that amazing activity and courage that created in a new country enormous possibilities.

The proceedings then terminated.

### Press Comments

The *Cape Times*, in the course of an editorial, said: We print elsewhere an interesting letter from the Rev. C. F. Andrews, of the Cambridge Mission at Delhi, who has been on an un-official visit to this country in connection with the Indian question. . . . This highly-strung Anglo-Indian idealist came over keenly exercised over what probably seemed to him in Delhi unmitigated and unaccountable obstinacy and pigheadedness on the part of the Union Government and European South Africans in general in respect of the treatment of British Indians. He goes away, one is glad to find, with "a very grateful heart for the kindness and goodwill which he has received," and

with the conviction that "an atmosphere of settlement" has been created since the beginning of the year. The explanation he finds partly in "Mr. Gandhi's chivalrous attitude about the strike," and partly also in "General Smuts' great considerateness at a time of overwhelming pressure." Were he less modest, he might also have attributed the happy restoration of a "conciliatory and reasonable spirit" in part to his own mediatorial good offices. At all events every South African who realises how this business has been bungled by both sides in the past, and how embarrassing the bungle has proved both to the Imperial Government and to the Government of India, will rejoice with Mr. Andrews that an "atmosphere of settlement" has followed the political dust-storms and thunderclaps of last year. Everybody, too, will share the hope that this atmosphere "will not be allowed to evaporate without effective action" in the shape of legislation at an early date to settle the Indian troubles once for all. Fortunately there is good reason to believe that Mr. Andrews is not unduly sanguine in the view he takes of the prospects of a settlement. . . . The question of the status of the wives of domiciled Indians is the thorniest problem of all; but, if we understand Mr. Andrews' reference aright, a solution along the lines he indicates is not beyond the sphere of practical South African politics. . . . The proposal for the legalisation and registration of one marriage, and one marriage only, suggests a way out which, if it is definitely accepted, as a final settlement by the Indians, seems within the limits of arrangement open to the Union Government.

### "Cape Argus"

The *Argus* writes editorially as follows:—

A very remarkable personality, and one of whom more may be heard in the future, is leaving our shores to-day, after a brief visit; we refer to the Rev. C. F. Andrews, of the St. Stephen's (University) College, Delhi, India. He has made many friends during the busy fortnight he has spent in the Cape Peninsula; and upon them his intellectual gifts and quiet enthusiasm have made a real impression. A wider public have made his acquaintance in the role of lecturer. He has twice discoursed on the literary renaissance in India with special reference to Rabindranath Tagore, the great Indian poet, who, though little known hitherto to the European public of South Africa, has already attained world-wide recognition. . . . Mr. Andrews is the intimate friend of the poet, and he knows native India as few Europeans know it. Resigning his position as a don at Cambridge ten years ago, the reverend gentleman went to India, and there he has lived ever since in daily touch with the best native thought and feeling. His wonderful gift of sympathy, his true humility and open-mindedness enabled him to win early the affection of Indians of all creeds and classes; and, in spite of his own deprecatory modesty, it is clear that he has got to understand the mind and feeling of native India in a way that is simply impossible to most Europeans.

. . . . As our readers are perhaps aware, Mr. Andrews came here in the hope that he might be of some assistance in bringing about a settlement of the Indian question. He neither sought nor obtained official backing; and, indeed, there appears to have been some nervousness in India lest his appearance in our midst might be misunderstood and resented. Fortunately, nothing of the kind has happened. Mr. Andrews, in the course of his tour through South Africa, has met men of all classes. He has talked over the Indian questions with Ministers, politicians, planters, and all concerned; and he has left everywhere a most favourable impression of his tact, good sense, and intimate knowledge of the questions involved, as well as of his single-minded desire to smoothe away difficulties and promote a settlement. The Indian community in South Africa are grateful to him for what he has done, and with good reason. It is as yet too early to say what will be the final outcome of the question.

. . . . He does not believe, we gather, that it will need any real or substantial sacrifice on the part of the European population to secure a settlement that will satisfy public opinion in India, which, it is well to note, is chiefly sensitive on the religious question. At all events, his mission has been to throw oil on the troubled waters, and in this he has, so far as can be judged, largely succeeded. The Indians took entirely the right course in abstaining from agitation during the late disturbances; and we feel confident that if the Commission which is still sitting will recommend a statesmanlike solution on broad lines, there will be every disposition on the part of the Government and Parliament to embrace the opportunity of getting the question settled once and for all.

## The House of Lords Debate

(Continued)

LORD CURZON continued:—The next point is the right of appeal to the Supreme Court, which has hitherto been a right of appeal on questions of fact as well as of law, but in future is to be a right of appeal on questions of law only. The noble Marquess defended the change in the practice by pointing out that, under the new legislation, there will be set up Boards, I think he called them Immigration Boards—

—THE MARQUESS OF CREWE: Yes.

EARL CURZON OF KEDLESTON: Boards to which the appeal on points of fact will go, appeals on questions of law being taken, if so desired, to the Supreme Court later on; and he seemed to think that the creation of these Immigration Boards ought to satisfy all legitimate desires on the part of the Indians. But I am told that that is not the case. I believe that in South Africa, as in other parts of the Empire, they regard with peculiar respect and reverence the decision of the Supreme Court and that it is no consolation to them when they lose the protection of the Supreme Court on questions of fact, to be told that a new board, a board of inferior status and authority, called the Immigration Board, is to be set up to satisfy their needs.

Then I take the third point, which is the racial bar. This is still, under the Bill, going to be maintained in the Free State, because the Asiatics will have to make a declaration on entering the Orange Free State which they are not called upon to make when they enter other parts of the South African Union. That, again, may be in actual operation a small matter. It may not affect a very large number of people; but, again, although it is a small point, it is unquestionably a point of principle, and I can fully understand their objections upon the matter. They are fully entitled to say, "If this racial bar, which we were told was to be removed everywhere, is going to be maintained in this form in this particular part of the Union, what guarantee have we that in future legislation there may not be an attempt to extend the area of operation and to subject us to more penalties of this description?" It does not seem necessary for me to elaborate this point because the noble Marquess again admitted that this was a blot on the Bill, and this time he carried his admission a little bit further. I was glad to notice that he said he hoped an arrangement might be achieved about it, which leads me to think that it is a matter to which, as Secretary of State, he is about to devote his earnest attention.

Then there is the fourth point, as to the right of domicile in Natal, after three years' residence, of the ex-indentured Indian, a right at present enjoyed but which is being taken away by this Bill. As I understand, the case is really stronger than Lord Sydenham put it, because not only does it apply to the Indian, the man who, after serving five years under his indenture, then settles down in the country to some occupation, paying his £3 a year, but it applies to his wife and family, and it applies to all of them in a very invidious form. What does it mean in operation? It means that, if the man

of whom I am speaking, in the interests of his business or for whatever reason it may be, wishes to leave the country for the purpose of seeing his friends or relatives in India, or goes to any other part of the South African Union, he thereby loses his right of domicile. That is a very serious thing. And it means, in the case of his wife and family, supposing his wife goes home to see relations in India, or supposing he sends his children out to Bombay to be educated, that they lose their right of re-entering the country. Again that seems to me to be a very serious disability.

What the Indians feel about the matter is this. They feel, not only that they are losing a right in Natal which they at present enjoy, but they regard it as an attempt to force them back into indentured labour, or, if they are not willing to go back into indentured labour, then to drive them out of the country. That is a quite legitimate feeling on their part, and I am not surprised that they should regard it as a somewhat insulting provision in the Bill. I wish the noble Marquess had shown a rather greater appreciation of this part of the case, which really seems to me to be one of the strongest.

**THE MARQUESS OF CREWE:** The noble Earl speaks as though this was an entirely new provision. I was endeavouring to show that it was the maintenance of a provision which may be regarded as invidious, but in practice it is not a new one.

[NOTE: The Minister of the Interior, in a letter dated the 19th August last, assured Mr. Gandhi that the right of domicile of these people was not taken away, and this agrees with the best legal opinion in Natal.—Ed. I.O.]

(To be continued.)

## English Press Comments

What, then, can the Imperial Government do to help these unfortunate people (asks the *Morning Post*?) It can, of course, continue to exercise all legitimate and constitutional suasion on the Union Government—that is, by argument and the representation of Imperial interests. But it might do something more. It might provide a refuge for such British Indians as refuse to submit to conditions which they regard as intolerable. It might, through the Colonial Office frame a colonisation scheme, say, in the Sudan, where a large area of magnificent land is being brought under irrigation and requires nothing so much as cultivators. A well-prepared scheme on these lines, generously carried out, would be of benefit to the Sudan and would also show the British Indians that the Imperial Government, although it has thrown away its power to intervene in South Africa, is still deeply interested in their welfare and is prepared to take practical steps for their benefit.

The *Nation* asks:—

Should the current of events set towards Imperial Federation, is India, with her large educated population, her civilized traditions, stretching far into the azure of her past, her great commercial interests, her enlarging powers of self-government, to have no voice in this Imperial Government? It has been a conspicuous defect in the so-called Imperial Conference of the past that her representatives have not been summoned, and that her interests have only been indirectly taken into consideration. It would, indeed, be a pretty unity of Empire which should entrust our anti-Asiatic colonies with a joint control of India, and instil into the Government of the country, wherein three-fourths of our subjects reside, the present temper of the Transvaal and Natal! A plain demand ought to be formulated to the effect that any enlargement of the factors of Imperial Government by representatives of the Dominions, whether through Conference, Imperial Defence Committee, Privy Council, or some new organ of Imperial Govern-

ment, should make provision for the direct and sufficient participation of the representatives of India, with a number and a standing proportionate to the great place she occupies in our political system.

In his second speech to the deputation, Lord CREWE hastened to contradict the assumption that the Government had any definite policy whatever upon the most serious Imperial difficulty which has arisen for years past, (says the *Daily Telegraph*.) The Minister's words must be set out in all their astounding simplicity: "I have not yet had an opportunity of discussing this question with my colleagues." Seriously, when one considers all the facts—the racial clash and the bloodshed in one part of the Empire, the eruption of anger and indignation in another part, the unprecedented action of the Viceroy—it is hard to think that any more breath-bereaving confession was ever uttered by a Minister of the Crown. Since Lord HARDINGE addressed his demand for an inquiry to the India Office, and to the South African Government, on November 19th, two Cabinet Councils have been held, at both of which Lord CREWE was present. At neither of them, it appears, was this most urgent and vitally important question so much as mentioned. We are left to assume that the attention of Ministers was wholly engrossed with the more interesting problem of how best to dish the other side in the controversies which they have created at home. In that avowal of negligence and procrastination we have the measure of the statesmen now entrusted with the supervision of Imperial interests.

Whatever trouble and danger exist, it is Liberal policy which bears the entire responsibility. When the Cabinet of Sir Henry Campbell-Bannerman undertook to "restore self-government" to the Transvaal and Orange Colonies and to promote the subsequent Confederation of South Africa, there was no obligation to surrender a single one of the Empire's rights to safeguard the interests of Indian settlers and Native races. No leading politician or soldier of the ex-troopers of Presidents Kruger and Steyn imagined that England was going to strip herself of prerogatives which belonged to the very essence of Imperial responsibility and power. A Court of Appeal on Indian cases naturally belonged to the authority of the Sovereign Power. . . . Still heavier obligations entitled the Empire to protect the just rights of the Indian settlers belonging to the greatest of all the Imperial dependencies. In the case of the Indians there were no exaggerated pretensions to maintain. Common justice and humanity were quite sufficient to assure the content and gratitude of the industrious coolies and ex-coolies, who were the best miners and the most assiduous agriculturists in Natal. The peaceful prospect was destroyed by the sole act and exclusive stupidity of the Liberal Cabinet and Party. The Transvaal received a charter of real independence. . . . A South African Confederation followed suit, whose detachment from Imperial guidance has just been exemplified in General Botha's claim that England is but "the sister" of her emancipated Colonies. It is hardly even sisterly to accumulate such dangers for the Mother Country as might easily follow on the definite exasperation of Indian races, says the *Outlook*. It must be admitted that General Botha has defended himself only too well from the suspicion of tenderness towards England or India. His declarations at Capetown that no wrongs have been inflicted upon the Indian settlers, that all the trouble has merely arisen from their refusing to obey the law, are really nothing but word-splitting and playing on the meaning of language. If "wrong" only means what is contrary to the actual law, no such "wrong" has been done to the Indians. All that they complain against is strictly "legal." Legal is the prohibition of liberty of movement. Legal is the imposition of the £3 poll-tax inflicted upon Indians alone. General Botha knows perfectly well that it is the "legality" which constitutes the culminating injustice. It is also "legal" to have



a mine or factory declared to be a legal prison, to make work in the private mine or mill equivalent to the serving of a sentence in a real gaol.

All this is "law," and it is precisely this fact which increases a hundredfold the difficulty and the exasperation. Against the ill-usage by private employers the Indian could appeal to laws and tribunals; but when the law itself authorises his deprivation of the protection of law, nobody can know better than General Botha that the worst aggravation of the situation has taken place.

## Our Question Debated in London

At a private meeting held in London on the 28th January last, writes the London correspondent of the *Amrita Bazaar Patrika*, the question of the treatment of British Indians in South Africa was keenly discussed. Through the kind hospitality of Sir Alexander Lawrence, the meeting, under the auspices of the Liberal Colonial Club, took place at his house in Kingsbridge and the audience consisted of ladies and gentlemen who are not accustomed to attend Indian meetings. An ex-Member of the South African Senate stated the case for South Africa; Mr. Dubé was invited to put forward the Indian point of view. It was stated at the beginning that the debate was private, and so everyone felt free to speak out strongly. Certainly Mr. Dubé did, also those who followed him, among the number being Mr. Hawkins, brother-in-law of Prime Minister Botha, Sir West Ridgeway, and others. The outcome, it may be stated, was an expression of feeling which largely coincides with Mr. Gandhi's point of view: that residential Indians should be treated well and not subjected to disabilities, but that immigration should be restricted if not altogether abolished. It was felt, too, by several of the speakers that the subject was not simply a South African, an Indian, or even an Imperial concern; it was all this but it was more: it was a world-wide concern, for, in the idea of brotherhood, towards which so many are aiming, there is not room for race or sex domination and superiority. It was all to the good that the discussion took place in new surroundings and in a different atmosphere; more of such meetings would carry weight.

An important meeting, announced by the East India Association for the 9th February, has been postponed. Sir Richard Wilson was to have been the reader of a paper on the position of Indians in South Africa, with Viscount Bryce in the chair. The paper, which is already in print, takes a very strong line and even contemplates disruption of the Empire on the big, main question, with cogent arguments in favour of justice to Indians as not only a South African but an Imperial duty. It has been decided that, as the meeting would have led to emphatic statements, it was well to keep the paper back until the commission of inquiry in South Africa had reported. It is to be hoped that Sir Roland's view of the case will not be pigeon-holed and forgotten until it is covered with dust of months or years.

An interesting letter on the subject was published by the *Times* last Wednesday from Mr. Baty, of the Temple, who is well known to many Indians studying for the different Inns of Court. He points out that teaching of history shows how "in times of stress adventitious elements have a way of coming to the surface and of being mistaken for essentials." He argues that in the struggle between Charles I. and English freedom, the House of Commons was forced to the front; in the struggle between "Parliament and the American colonies, the colonies won and ever since Parliament has gone in fear of free colonies." Yet the true strength of the movements was the spirit of ordered liberty. He adds: "So long as they speak in

the name of that spirit, Kings may surely defy Parliaments and Governments the colonies which their navies protect." The *New Statesman* has an emphatic letter, signed "Anglo-Indian," pointing out the danger in India which is being engendered through the situation in South Africa and the idea that the Imperial Government cannot help and that the colonists have forgotten the splendid services of Indians during the Boer war.

Writing of the debate at the United Empire Club when Lord Amptill introduced the subject of the Indian problem in South Africa, the correspondent says:—

Indians would, of course, have been glad to have been present, but it was not a public meeting; it was a meeting for members of the Club. Mr. Dubé was there, however, and speaks very highly of Lord Amptill's speech and his replies to points raised by others in the discussion. Mr. Richard Jebb put forward again his "only solution" which has already appeared in the press, namely, the transporting of Indians from the Union to other parts of South Africa. If this is not done, he sees no other way out of the situation. Lord Amptill pointed out that it was not a policy to be suggested for Ulstermen, who were making things very uncomfortable in Ireland, and, though suggested for the suffragettes, was not likely to be carried out. Among the speakers were a member of the South African Civil Service and an Australian. The South African said it was a question of self-preservation and trade competition, and a white South Africa, and that, though justice must be done, it was not easy to see how. The Australian was not a keen supporter of the "White Australia" policy for the reason that the whites cannot develop certain parts of the Commonwealth. When it was suggested that the South Africans were distrustful because they felt that Indians would ultimately demand political rights and privileges, Lord Amptill said that they could not be blamed for such a demand, but that was not the immediate question; the question of the moment was neither trade competition nor political rights, but British honour; promises had been repeatedly made by the Union Authorities, and it was vitally important to know whether or not, they had been fulfilled. Applause greeted the hits at the present Government here—as was only to be expected—but it was felt that the Imperial Government could not shirk the question, and that the bigger question of the treatment of British Indians throughout the Empire must be one of the important subjects for the next Imperial Conference.

## Indian Children Barred

In the Transvaal Division of the Supreme Court, on the 2nd instant, the case of the *Immigration Officer v. Mahomed Hassan* was heard. This (says the *Transvaal Leader*) was a case reserved by the Immigration Board for the decision of the Supreme Court—viz., whether the child of a polygamous marriage celebrated outside the Union is not a prohibited immigrant under Section 5 (g) of Act 22 of 1913.

Mr. Beyers, K.C., Attorney-General (with him Mr. Barclay Lloyd) for the applicant; Mr. Van Hees for the respondent.

Mr. Justice Mason, in the course of his judgment, said: The sole question is whether a child born outside the Union, of a marriage which is admitted polygamous, comes within the exemption of Section 5 (g) of Act 22, 1913. It is not necessary in this case to decide as to the position of children generally under the Act. No doubt the Court has held that a wife means a lawfully-married wife, whose marriage is recognised in this country. Section 5 (g) exempts from prohibited immigrants the wife and child of a person who is not a prohibited immigrant, including the wife or child of a lawful and monogamous

marriage duly celebrated according to the rights of any religious faith outside the Union. We are asked to declare that the child of a polygamous marriage is included in the exemption. That seems contrary to the wording of the Section itself. In these circumstances it is impossible for us to hold that the respondent is entitled to succeed. A child of a polygamous marriage celebrated outside the Union is not exempted under Section 5 (g).

Mr. Justice Bristowe and Mr. Justice Ward concurred.

## News in Brief

We present with this issue a supplement containing the photographs of three ladies who were not included in the former groups which we have reproduced and whose record as passive resisters was published in our issue of the 25th ultimo.

It is our painful duty to record the death of Mr. Gandhi's elder brother, Mr. Laxmidas Karamchand Gandhi, in India, on Monday last. We extend our sympathy to the family.

Messrs Mahomed Shaffee and Jaffer & Dawood of Newcastle contributed goods to the value of £3 5½d. and 19s. 6d. respectively towards the maintenance of the strikers there.

The following officers of the Natal Indian Women's Association were elected at the recent Anniversary:—President: Mrs. R. K. Nayanah; Vice-Presidents: Srimati Sowbagyaminal and Miss A. Paul; Treasurer: Miss Siggamoney; Secretary: Srimati Goonaruthinum.

The South African Coloured Union has addressed a circular letter to the leading Members of both Houses of Parliament, containing the undermentioned questions and asking replies thereto, it being the intention of members of the Union to meet the Prime Minister in deputation at an early date on these matters: (a) whether you are in favour of equal justice in wages, promotions, etc., being granted to coloured skilled or unskilled labour on all Government works within the Union; (b) whether you are in favour of coloured persons having the right to trade, travel, etc., without any pass restrictions within the Union; (c) whether you are in favour of coloured persons purchasing and disposing of land, holding title-deeds, transfers, etc., within the Union.

The Post Office building which was erected recently at Murraysburg, C.P., (says *A. P. O.*) contains a little window at which Coloured people are served. The most respectable Coloured people must wait in the sun, wind, or rain outside until the Postmaster or his assistant is ready to serve them. A little while back the local Schoolmaster, a certificated teacher, was turned out of the building and requested to wait outside at the window until he could be served. The arrangement, says the Postmaster General, was put into operation "after due consideration of all the circumstances, and, it is hoped, will prove to be in the interests of both sections of the community." Needless to say (adds our contemporary) the Coloured people are not satisfied with the arrangements. Certainly no private firm would treat its customers as scandalously as the State monopoly. If any firm in Murraysburg dared to ask its Coloured customers to wait outside and be served on the pavement, it would soon have to "shut up shop."

Writing to the *Western Mail*, Sir Hiram Maxim says:—"Some years ago it was necessary for me to live in St. Petersburg for several months, and I became acquainted with a good many Russian officials and politicians. They were constantly telling me

that the Indians would very much prefer to live under the Czar than under the British Government. Because, if they were Russian subjects, they would be protected everywhere; under the Russian flag there would be equal rights to all, something which did not exist under the British flag. The only thing that is required to put matters right in South Africa and India is fairplay, equal rights, and justice all round. The two nations that have the most to say about equal rights are the British and the American, and it is a curious fact that in these two countries there is not, and never has been, anything approaching equal rights."

A Reuter telegram from Victoria, British Columbia to London states that the Royal Commission recommends the total exclusion of Asiatics, owing to the impossibility of their absorption, even though they become Canadian citizens.

At a meeting of the London Indian Association, Mr. Dubé was one of the speakers; he took up the socialistic attitude of the growth of parasitic professions—lawyers among the number, his own profession—living on the workers; that when the worker has produced his work, whatever it may be, someone else comes along and takes the most of it out of his hands. This is the day of the lawyer," said Mr. Dubé, with something of a sigh.

Writing to Mr. Gokhale to enclose a contribution of £5 to the Passive Resistance Fund, Sir Valentine Chirol, a member of the Indian Public Services Commission, says: "Will you kindly transmit to the proper quarter the enclosed small contribution to the fund you are raising on behalf of the British Indians in South Africa. Few Englishmen who take a genuine interest in the welfare of India and have faith in the value of the British connection both for India and for the Empire can fail to have been moved by the statement you made in Bombay."

The unskilled labour supply is the recruiting ground from which the skilled labourer is drawn. By abandoning the field to the coloured races (says the *Times*) the white man—whether he is an American or a South African—encourages his coloured competitor to aspire to the status of an artisan. He himself—and his children cut themselves off from the only school where the essential foundation of a training in skilled labour can be obtained. As a white artisan he commits suicide. This folly is accentuated in South Africa by the reluctance of the white artisan to allow his child to be trained as an apprentice and by his uncompromising hostility to the importation of white skilled labour from abroad. Fearing the competition of his own children at home and of his own race from over-sea, he accelerates the competition of the coloured race.

Amongst the most prominent contributors to the South African Passive Resistance Fund were H. H. the Thakore Sahib of Gondal, Rs. 10,000, H. H. the Ranee Sahib, Rs. 2,000, H. H. the Nizam, Rs. 5,000, H. H. the Gaekwar, Rs. 5,500, and many other Indian Princes. Mr. Ramsay Macdonald, Sir Valentine Chirol, and Sir Murray Hammik, late Acting-Governor of Madras, were amongst the most prominent European contributors, besides the Bishops of Calcutta and Madras. If any one believes that Mr. Gandhi or any other of the leaders in South Africa is desirous of continuing the present situation a moment longer than he can help it, he is utterly unaware of the character of these men, and of what the movement has cost them of the most precious things in life.—*Indian Social Reformer.*