

From the Editor's Chair

THE ARMSTRONG CASE

MR. ARMSTRONG may, and, no doubt, does, consider himself an exceedingly lucky man in getting off with the very light sentence of a fine of £25. The verdict of guilty in regard to a common assault only, shows that the more serious charge of "assault with intent to do grievous bodily harm" was not admitted. How a man could order his servants to strip men of their clothing, proceed to flog them with a sjambok across their bare backs, have them dragged through a river and flog them again and again, with merely a mild intention of "warming them up," passes our comprehension. And we cannot help but say that a jury of sane men who could listen to the evidence given, both by the complainants and the accused, and afterwards call it a common assault, are either prejudiced or stupid. But we must remember that we live in a country where public opinion will not express its indignation in such matters, and where the press is so overridden by the influence of employers that it refuses even to publish the reports. Had the position been that of a coloured man assaulting white men, what columns of evidence we should have seen published!

In the course of the evidence, it was brought out that Mr. Armstrong was in the habit of acting as Magistrate on his estate, and he freely admitted that he not only sentenced Indians to receive punishment, but he inflicted the punishment himself, and the weapon used was a sjambok or a stick. With a wave of the arm, he swept aside the absurdity of bringing men to the Court, "where a fortnight would be wasted" in getting them punished. He had no time for such things. He was master in his own house, and believed in "striking whilst the iron was hot." The idea of a black man daring even to speak to him with his head erect was to him intolerable. "I'm Willie Armstrong and you are my slave" was his attitude at all times. And we have no doubt that, so long as men obeyed his commands, they would be treated, as servants, even kindly and generously. Mr. Armstrong may, in his sober senses, be the best of employers; he may, just as he loves his animals, have some affection for his old servants, but what we are concerned about is the fact that an employer considers it a most natural and proper thing to administer rough justice in regard to his work-people and, in some cases, to those who are not. For over twenty years, Mr. Armstrong has "managed" his estate and "warmed up" his indentured Indians at intervals and has never on a single occasion, so he says, invoked the aid of the local magistrate. We did not hear him mention how he regarded the Protector of Indian Immigrants, but we should suppose he would have no time for him. If it is possible for one man to do this, it is not unlikely that other employers do likewise. The moral is this: Place a man in the position of slave-owner, give him almost unlimited powers over them, and it is an absolute certainty that he will abuse the power. The remedy, therefore, lies in abolishing the system of indenture and substituting ordinary conditions of master and servant.

MAHOMED HASSAN'S CASE

We print elsewhere in this issue the full judgment in the case of Mahomed Hassan. The facts speak for themselves. The Supreme Court has decided that the child born outside the Union, of a lawful Indian resident married according to Hindu or Mahomedan rites, is a prohibited immigrant. The Court has carried the interpretation of the law regarding *de jure* polygamous and *de facto* monogamous marriages one step further. We understand that the matter has been brought to the notice of the Minister of the Interior in order to

prevent the deportation of the boy, but, of course, this decision makes it the more necessary that the law should be altered to permit of the entry of the lawful children of parents married according to such rites. The matter will doubtless be dealt with directly or indirectly in the report of the Commission that is now daily expected, but, in any case, the Government will have to deal with it as part of the settlement that is hoped for.

THE DOCTRINE OF NON-INTERVENTION

WE hear a great deal too much, nowadays, of the doctrine of non-intervention by the Imperial Government in the affairs of the self-governing Dominions. We have already held that such matters as the Indian question are not affairs of the Dominions alone, but of the whole Empire, including the sole Imperial factor, India. Asiatic affairs in South Africa are, so far as the Union is concerned, a matter of foreign politics. They affect not only India, but China and Japan, too, and if, for obvious reasons, India cannot directly intervene to protect her sons and daughters the same causes do not operate to prevent China and Japan from doing so, and we can well understand the difficulties of the Imperial Government in such a case. Mr. Harcourt must, therefore, really not push too far the argument raised in the recent House of Commons debate on the South African deportation. We see from our exchanges that, in the course of a communication to the Calcutta Press, in January, Mr. Gokhale, with-unerring political sagacity, offered the following observations on this subject:—

"Suppose the South African Government proposed to-morrow to introduce actual slavery into its Dominions. Would the Imperial Government passively look on? And if not, why not? I think the Imperial authorities must realise, if they have not already done so, that they cannot hope to run an Empire like this smoothly on such cheap terms as that the self-governing Dominions should be left unfettered to ill-treat the Indians, legally settled within their borders, as they like, and yet the people of India should continue to regard the flag of the Empire as though nothing had happened." We cannot add anything useful to so explicit a definition of India's view of the Imperial situation.

The Commission's Report

London, March 14th.—A message received from the Capetown correspondent of "The Times" states that the Indian Commission will recommend the abolition of the £3 licence in Natal, the settlement of the Indian marriage difficulty, and the removal of many administrative irritations under the Immigration Act. He also predicts legislation on the matter, as the Union Government is most anxious to assist the Imperial and Indian Governments to obtain a final settlement.

A leading article says that a compromise along the lines of the report of the Commission will be honourable to both sides, and extremely advantageous to the prosperity of South Africa and the welfare of the Empire.

Natal Press Opinion

An apparently inspired forecast of the recommendations to be made by the Commission of Inquiry into the grievances of our Indian population has reached us through the roundabout channel of a cablegram from London (says the *Natal Mercury*). The report will, it its purport is correctly given, and the Government decide to act upon it, go far to remove the causes of discontent that were made the pretext for the Indian strike. It is proposed that the £3 licence should be abolished. Opinion as to the policy of this step is, as we know, sharply divided in Natal, but, seeing that the impost has largely failed to produce the results expected from it, that it has not been strictly enforced, that

its general enforcement would cause great hardship, and that the amount of State revenue involved is so small, we have strongly felt that the balance of advantage was in favour of its abrogation. In recommending a settlement of the marriage difficulty in accordance with Indian sentiment, the Commissioners are only advising Parliament to carry out what was understood to be its intention when it last dealt with the subject. There are other causes of irritation as between the Union Administration and resident Indians which ought to be susceptible of a compromise acceptable to both parties. We trust it is the case that the Government intend to legislate on the lines indicated, as we believe that the Government would thereby be showing a laudable desire to consult the interests of the Empire, as well as to promote the internal peace of South Africa.

The Imperial Blue-Book

(Continued)

THE GOVERNOR-GENERAL TO THE SECRETARY OF STATE.

In reply to letter communicating sense of your despatch of 14th August, Prime Minister informs me that, despite Section 5 (g) of Immigration Act, Government of Union of South Africa are fully prepared to carry out promise made by Fischer to which you refer. This assurance, however, he makes subject to reservation, in view of continual threats by Indian community of re-opening passive resistance movement, that, if such movement is re-started, Government will have to reconsider its policy of making that section of the community any concession whatever outside provisions of existing laws.—GLADSTONE.

THE SECRETARY OF STATE TO THE GOVERNOR-GENERAL.

Your telegrams 10th September and 3rd October. Working of Immigrants Regulation Act. Should be glad to receive observations of Ministers. Please inform them that I much regret resumption of passive resistance movement under existing circumstances, but earnestly hope that this ill-advised action on part of small number of Indians will not induce Union Government to abandon liberal policy as to entry of wives of Asiatics, laid down in your telegram 22nd September.—HARCOURT.

THE GOVERNOR-GENERAL TO THE PRIME MINISTER.

Governor-General's Office, Pretoria,
10th September, 1913.

MY DEAR PRIME MINISTER,—I learn from the Secretary of State that the Government of India are exercised as to the possible effect of Section 5 (g) of the Immigration Act, which, as finally amended, exempts from the list of prohibited immigrants "the wife or child of a lawful and monogamous marriage duly celebrated according to the rites of any religious faith outside the Union". They observe that 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, and they are apprehensive that the effect of the words quoted above, which were inserted during the passage of the Bill through Parliament, might be to impose a fresh check upon the admission of wives and children of Hindu or Mahomedan residents in South Africa, should it be considered that the acceptance of the amendment in any way overrode the undertaking previously given in the letter which Mr. Fischer addressed to me on the 24th April as to the administrative policy of Ministers in this matter. That undertaking was expressed in the following terms:—

"The Government has told the Indian community that, notwithstanding that judgment" (i.e., the judgment of Mr. Justice Searle in the case of Esop *versus* the Minister of the Interior) "it will still allow one wife per man in as before, so long as she really is his wife, whether she has been married by a

custom which recognises polygamous marriages or not."

A similar assurance was given by Mr. Fischer in Committee of the House of Assembly.

Mr. Harcourt is aware that the amendment inserting the words in question was accepted to meet the Indian point of view, and, of course, he relies on Mr. Fischer's assurance. As, however, the matter is one of great importance in India, he has asked me to obtain from Ministers a statement that Mr. Fischer's undertaking may be regarded as unaffected by the amendment and that it continues in force.

I shall be much obliged if you will be so good as to enable me to give an assurance in this sense.

Believe me, etc.,

GLADSTONE.

THE PRIME MINISTER TO THE GOVERNOR-GENERAL

Prime Minister's Office, Pretoria,
20th September, 1913.

MY DEAR LORD GLADSTONE,—I am sorry that, owing to the inconvenience caused by the recent move of my office into the Union Buildings, your letter, 15/463, of the 10th instant, has not been replied to earlier.

I should be very glad if you would inform Mr. Harcourt that, despite the wording of Section 5 (g) of the Immigrants Regulation Act, the Union Government, subject to what I say below, is fully prepared to carry out the promise which Mr. Fischer made in the matter of allowing individual Indians lawfully resident in any Province of the Union to bring in one wife, so long as she really is the applicant's wife, whether she has been married by a custom which recognises polygamy or not, and to adhere to the administrative practice which has been adopted for some considerable time past in regard to this matter.

I would, however, like to say that the leaders of the Indian community are continually threatening the Government with a re-opening of the passive resistance movement, and, of course, if such a movement is re-started the Government will have to reconsider its policy of making that section of the community any concessions whatever outside the provisions of the existing laws.

Believe me, etc.,

LOUIS BOTHA.

LONDON ALL-INDIA MOSLEM LEAGUE TO COLONIAL OFFICE.

41 Sloane Street, S.W., 15th October, 1913.

SIR,—I am directed by the Committee of the London All-India Moslem League to solicit the earnest consideration by the Right Honourable the Secretary of State for the Colonies of the condition of British Indians in South Africa, a condition not only intolerable to the people concerned but also prejudicial to the best interests of the Empire.

2. Speaking with the fullest sense of responsibility, the Committee consider the treatment meted out to His Majesty's Indian subjects in the majority of the South African Colonies little short of persecution.

3. The Committee do not wish to occupy Mr. Secretary Harcourt's time by enumerating the fresh acts of oppression, which, committed under the cover of laws framed with the more or less avowed object of driving out of the Colonies the British Indians resident or domiciled in those parts, have forced the sufferers to take to "passive resistance," as his attention has been prominently called to them from other quarters. But they feel it their duty to state that a recent decision of one of the South African Courts regarding the recognition in the Colonies of a Hindoo or Mahomedan marriage solemnised outside the Colonies has filled them with amazement.

4. The Committee understand the effect of the judgment to be that, if a Mussulman subject of the King domiciled in the Colonies—in the case in question he was domiciled in Natal—were to contract a marriage in India in conformity with the rites of his

religion, his wife, though lawfully wedded according to his personal law and who would be recognised as such in every civilized State, could not be permitted to enter South Africa (barring perhaps Cape Colony) because, forsooth, the country where the marriage was solemnised permits of polygamous unions, although admittedly she was the sole wedded wife of the man.

5. The Committee have not before them the text of this extraordinary judgment, which appears to have applied a dictum enunciated in a case of a totally different nature to the construction of a rule in the Natal Immigration Act.

6. Mr. Secretary Harcourt, the Committee feel assured, will realise the effect of this decision on the minds of the Mussulmans of India; they will regard it as an indirect attack on their religion, the full enjoyment of which has been solemnly guaranteed to them in every part of the British dominions. And the cumulative result of those acts of harshness, repression, and virtual persecution will be to intensify the prevailing resentment to the detriment of Imperial solidarity.

7. The Imperial Government is the custodian of the general interests of His Majesty's subjects; the Empire of England is not inhabited exclusively by people of British origin or professing the Christian faith; out of the four hundred millions of the King's subjects a fraction only are British by origin. The Committee feel that they are justified in appealing with confidence to the Secretary of State to interpose in favour of His Majesty's Indian subjects. The mere fact that the Colonies are self-governing will not, in the Committee's opinion, prevent the odium of the ill-treatment and injustice from resting on the Imperial Government.

I have, etc.,

G. M. EBRAHIM,

Hon. Secretary.

(To be continued.)

The House of Lords Debate

(Concluded)

EARL CURZON OF KEDLESTON: I now pass to the attitude of His Majesty's Government on the whole case. I confess I did not think, with all respect, that the noble Marquess made a very successful defence of the attitude of himself and his colleagues with regard to the manner and the time at which the Bill came to them in this country. What does the evidence of the Blue-Book show? The Bill was sent to them from South Africa, and reached this country on Saturday, April 26th. Obviously, nothing could be done till the next week, and presumably the officials were at work examining the Bill and then reporting upon it to the Government in the course of that week. But, as early as May 8, His Majesty's Government had made up their mind and were able to send back their approval to the Governor-General in South Africa. The noble Marquess defends himself by saying that he consulted the Colonial Office and they were satisfied that nothing more was to be done. Why did they not consult the Governor-General in South Africa? Why did they not ask, "What is going on in South Africa? How is the Bill received? What is the attitude of the Indians themselves towards it; and what amendments, if any, are going to be made?" I think my noble friend was justified in saying that the various protests of the Indians in South Africa which took place immediately after the publication of the Bill, instead of being telegraphed to this country, were only sent by post, so that they did not get here until after the consent of His Majesty's Government had been given to the Bill without any knowledge of the feelings it had excited. I must say that that is rather cavalier treatment to have given to the Bill.

Then, again, with regard to the action in South Africa. I can well understand the desire of His Majesty's Government to bring the matter to a speedy conclusion,

but it does seem to me to be rather a tall order that, while the Bill passed the Second Chamber in South Africa on June 12, the Governor-General should have given, no doubt under instructions, his assent to it, without the slightest delay, on June 14, before the Despatch giving the final text of the Bill to His Majesty's Government had reached this country. I quite agree with the noble lord that any sense of sympathy or desire to help the community in South Africa during the passage of the Bill appears to have been wanting, and such changes as were made in the shape of amendments they owe, not to anything done by His Majesty's Ministers here, but, as Lord Amphill said, to the efforts of certain gentlemen belonging to the Opposition in the Parliament in South Africa.

I now come to the point of what His Majesty's Government are going to do. In the first place, I am sure we shall all agree that it would be a pitiable thing if, after all these years of exhausting struggle, after the promises of settlement and compromise, after the successful stages that have been reached in those efforts at compromise, the matter were again to assume a serious form, and these unhappy Indians in South Africa were to be driven to resume that most odious of all forms of conscientious objection—namely, passive resistance. Surely we must do all we can to avoid that. What are His Majesty's Government going to do? The noble Marquess admits the blots and inequalities in the Bill. He says that an agitation is already going on and will continue to go on, and he regards it apparently as legitimate. It is a most interesting thing to find His Majesty's Government preaching to us the doctrine of the legitimacy of conscientious agitation. It is a point of which we shall take note. But, my Lords, we want not merely the Indians in South Africa to agitate, or the public at large to agitate, but we want His Majesty's Government to agitate. They are the people who have the only really effective voice in the matter. I hope I am not wrong in thinking that, when the noble Marquess talked about patient and plodding attempts to put things right, he was referring to action about to be taken by himself and his colleagues. I ask him not to be too patient or too plodding, or rather he may be as patient as he likes if he does not merely plod. I would urge a rather more rapid pace. I appeal to His Majesty's Government to realise with satisfaction in the first place that the field of controversy has been enormously restricted; and, secondly, that in the part of Africa concerned there is a legitimate feeling still existing. And I would ask the noble Marquess to address himself, if not to the suspension of the Bill, to urging the Governor-General to use his influence with Ministers in South Africa to take early steps to meet the objections and by amendment to take the few remaining stings out of the Bill.

Passive Resistance Vindicated

Speaking in the Senate on the Indemnity Bill, on Wednesday last, General Smuts detailed the steps taken and referred to other troubles quite independent of this movement—the Indian trouble, to which he foresaw an early and lasting settlement.

"Mr. Gandhi is still here," said Senator Whiteside. "Why did you not send him away?"

"Yes, Gandhi is still here," answered Mr. Smuts. "Because, whatever his objects and whatever trouble he caused the Government, he never advocated methods of violence for the overthrow of the State. Nobody is debarred from agitation in this country. Agitation is the very life of a new country, but men by violent methods want not to alter or reform but to overthrow society or the State. The man who is working for revolution is the man who puts himself above law and outside the law and, when he finds the law against him, he must not squeal."

Coloured Passengers on Cars

Mr. R. Nicol, speaking at a meeting of one of the Ratepayers' Associations of Durban, is reported to have said: His opinion was that the time had arrived when natives and Indians should not be allowed to travel on the same tramway cars as Europeans. The feeling among the public in this direction was strong and fairly unanimous. It had transpired that it was against the law to prevent anyone from using the cars if he or she so desired. In view of this, the requisite legislative authority should be applied for, and if possible obtained. The question of increased expenditure had been raised, but after careful observation of the districts and the hours where and when natives travel, he was convinced that to provide special cars for their own use would develop a traffic at present non-existent, and very shortly turn out a financial success. Besides what he termed the financial inducement, there would be the added one of freedom from restraint and intrusion which now prevails from the intermixture of colour on the public cars.

The *Natal Mercury*, in a leaderette, says: The difficulties inherent in this question are admitted; but we do not see that the problem cannot be tackled in a manner that would make the position much more agreeable than it is at present, both to Europeans and to the coloured people. The provision of separate cars for the two classes would almost certainly, as Mr. Nicol believes it would, result in no loss, but in a gain to the revenue; but, even if there was a risk of slight loss in the matter, the burghers might be expected unanimously to approve of incurring it, for the sake of the social good that would be achieved. An example has been shown by the Pretoria Town Council, who have framed by-laws under which certain cars shall be marked as being reserved for the exclusive use of coloured persons. Europeans will not be allowed to board these cars, while on the cars not bearing this distinctive mark no coloured person would be allowed to travel. What can be done in Pretoria should not be impossible in Durban. The public here, we are persuaded, will not be satisfied until some reasonably effective remedy is applied to the evils of the existing arrangements on our tramway system.

Pretoria's Provisions

The following by-laws for appointing separate tram-cars for the use of white persons, or Asiatics, or other coloured persons respectively, and restricting the use of such cars to such persons, were laid on the table of the Pretoria Town Council recently:—

1. No person who is not respectably dressed or well conducted shall be permitted to travel upon any tram-car the property of the Council. Any person who, in the opinion of the conductor of any tramcar, is not respectably dressed, or is not conducting himself or herself in a proper and seemly manner, may be requested to leave, or be prevented from boarding a tramcar, and any person who shall refuse to leave a tramcar when requested to do so, or shall persist in attempting to board a tramcar after being refused admission there-to shall be guilty of an offence against these by-laws.

2. Such cars as bear no distinctive mark shall be reserved for the exclusive use of white persons only, and such cars as are marked "for coloured persons only" shall be reserved for the use of Asiatics, or other coloured persons who shall not be permitted to travel upon any car not so marked.

Any white person who shall board any car marked "for coloured persons only," or any coloured persons, who board any car not marked "for coloured persons only," and who, on being requested by the conductor to leave such car, shall refuse to do so, shall be guilty of an offence against these by-laws.

3. Any person guilty of an offence against these by-laws may be arrested by any police constable on the

complaint of the conductor of the car, and shall, upon conviction, be liable to a penalty not exceeding £50, and, in default of payment thereof, to imprisonment, with or without hard labour, for a period not exceeding one month, if the fine imposed does not exceed £5, or for a period not exceeding three months if the fine imposed exceeds £5, and such person shall be imprisoned as aforesaid, unless such fine shall sooner be paid.

The Late Mr. Laxmidas Gandhi

We deeply regret to note the death of the late Mr. Laxmidas Gandhi, at Porbandar. Mr. Laxmidas, at the time of his death, occupied the position of Treasurer of the State of Porbandar, to which the Gandhi family have rendered valuable services for generations past. The late Mr. Laxmidas was beloved by all who knew him, for his warm-heartedness and affectionate disposition, and the writer of the present note has pleasant recollections of his generous hospitality when on a visit to Porbandar, in 1909. Mr. Laxmidas, feeling his end approaching, wrote to his brother, Mr. Gandhi, who had always regarded him as *in loco parentis* to himself, appreciating his work here, and suggesting a visit to this country, in order to make arrangements to place his children under Mr. Gandhi's guardianship, and we are aware how keenly disappointed and how deeply grieved Mr. Gandhi has been at the sad news of which he received cabled intimation last week, for Mr. Gandhi had only a few days earlier telegraphed saying that he hoped shortly to be free to go to India.

We tender to the families of Mr. Gandhi and his late brother our sincerest sympathy in the grievous loss that has befallen them.

Mr. Gandhi's Thanks

To the Editor, INDIAN OPINION.

Sir,—I have been so over-whelmed with wires from different parts of the Union expressing sympathy with my wife and myself regarding the death of my brother in India that it is impossible for me to thank severally the Associations and individual senders. Numerous messages have been received from Durban, Maritzburg, Johannesburg and other places. I thank all most heartily for their sympathy. Whilst doing so I would like to say just a word. To me as a passive resister and as a firm believer in the oneness of the Soul, my brother's loss should occasion no greater pain than the death of Nagappan, Narayansamy and Hurbatsing, who were just as much my brothers as my blood brother whose loss so many friends are mourning with me. Valliamah Moonsamy's untimely end is, if possible a greater stab from the hand of Death than my brother's end. Yet I share the common human failing, and the thoughts that arise in the mind from the loss of my brother, who was in the place of father to me and to whom, next to my dead mother, I owe all I am in life, are more vivid than those that arose in me when those three brother passive resisters and the sister passive resister died. The idea that is uppermost in my mind just now is that death should cause no fear in us, if we have lived in the fear of God and have done nothing in violation of the voice of our conscience. Then, indeed, is death but a change for the better and, therefore, a welcome change which need not evoke any sorrow. Such a change, I feel, my brother's death must mean for him. And we in South Africa, especially those who are passive resisters, must learn not only not to fear death but must be prepared to face it and welcome it when it comes to us in the performance of our duty. So have died Narayansamy and his three successors. I wish for no better end and I am sure no other passive resister does.

Finally, may I ask those friends who have over-whelmed me with their sympathy in my bereavement to help me, if the points of passive resistance are satisfactorily settled in the near future, in my desire to

return to India to fall at the feet of my brother's widow and to take charge of the domestic cares of five widows in my father's family, in which the hand of death now leaves me the responsible head, according to the Hindu usage.

I am, etc.,
M. K. GANDHI.

Echoes of the Strike

On the 26th ultimo, at Verulam, the preliminary examination of eight Indians, who took part in the disturbances at Hill Head and Blackburn on the 27th November last, charged with perjury, was commenced by Mr. B. G. H. Rossler, Assistant Magistrate. Mr. E. H. Langston appeared for the defence.

Mr. Colin Campbell swore to a statement, made on the 20th February, charging Vardhan and others with perjury in connection with the firing in the cane field, and Marimuthu adhered to his deposition charging Parsaraman and others with perjury in connection with the death of Selvan.

Lieut. Clark and two troopers gave evidence similar to that given before the recent inquiry.

Medical evidence was led, and Dr. Tuff of Addington Hospital identified one of the men, Pallaynee, as having been in hospital. He had a bullet wound in the small of the back. He did not extract the bullet, as it was in a dangerous place. The bullet entered through the back.

Pallaynee was discharged, and we understand that he is going back to hospital to have the bullet extracted.

The seven men were committed for trial. They reserved their defence.

The examination, which extended over four days, was closed on the 12th instant.

A charge of "public violence" is pending against Kullen and thirty-one other Indians, arising out of the Hill Head and Blackburn disturbances on the 27th November last. The accused retained Mr. Langston for their defence. The preliminary examination opened on the 25th ultimo and is not yet finished. Several of these men and of those charged with perjury have been in hospital suffering from bullet wounds and other injuries.

Indian Children Barred

The following is the text of the judgment given in the Transvaal Division of the Supreme Court, on the 2nd instant, in the matter of the Immigration Officer of the Transvaal vs. Mahomed Hassan, by Justice Mason, Judges Bristowe and Ward concurring—

"This is a special case stated by the Immigration Board under Section 3 of Act 22 of 1913. The sole question at issue is whether a child born outside the Union, of a marriage admittedly polygamous and celebrated outside the Union, comes within the exemption of Sub-Section (8) of Section 5 of the Act. It is unnecessary for us to decide the position with reference to children generally, under either the Act of 1907 or Act 22 of 1913, which replaces it. The Court has held, in Sukina's case (1912 T.P.D. 1079), that "wife" means a lawfully married wife, a wife such as is recognised in this country. But, with reference to children, it is not necessary for us to determine what the position of children, who do not come within the specific words of the section, may be. The Section exempts from the class of prohibited immigrants a person who is proved, to the satisfaction of proper authorities, to be the "wife, or the child under the age of sixteen years" of an exempted person, "including the wife or child of a lawful and monogamous marriage duly celebrated according to the rites of any religious faith outside the Union." We are asked to declare that the child of a polygamous marriage is included within this Sub-Section. It seems

to me that that would be substantially in direct contradiction of the evident intention of the Sub-Section. The evident intention of the Sub-Section is to include the wife or child of a lawful and monogamous marriage duly celebrated outside the Union and, therefore, necessarily to exclude the wife and child of a polygamous marriage celebrated outside the Union. The truth is that the words can only be given effect to if we adopt the exclusive result as well as the inclusive result of the words used in the Sub-Section. Under these circumstances, it is impossible for us to hold that the appellant is entitled to succeed. We must, therefore, hold that the child of a polygamous marriage celebrated outside the Union does not come within the exemption of sub-section (g) of section 5 of Act 22 of 1913."

On the application of the Attorney-General, Mr. Van Hees not opposing, the Court ordered costs against the appellant.

Mr. Van Hees asked for stay of execution pending application to the Appellate Division for leave to appeal, which was granted for two months, both as to deportation and costs.

News in Brief

Mr. and Mrs. Polak arrived in Johannesburg on Tuesday, the 10th instant, and were welcomed at Park Station by a number of leading members of the Indian community. They were also welcomed, on Friday afternoon, by the members of the Transvaal Indian Women's Association, presided over by Mrs. Moodaly, when flowers were presented. Mrs. Polak, who is returning at the beginning of April with the family, left on Sunday night, and was seen off by a number of Indian and European friends. During her stay in Johannesburg, she and Mr. Polak were the guests of the Tamil Benefit Society.

Reuter telegraphs from Capetown that a deputation interviewed the Prime Minister on the subject of labour in Natal. The deputation consisted of Messrs. Otto Siedle, Walter Bosman, and J. P. Udal, Senator Sir Liege Hulett, Messrs W. F. Clayton, G. Leuchars, and G. P. Robinson.

A Reuter telegram from Washington says that the Senate Immigration Committee has reported favourably on the Burnett Immigration Bill, including the literary test.

From the report of the Secretary for Indian Students, Mr. C. E. Mallet, for the first year of the existence of his department to June 30th last, we learn that there were 1,700 students in the United Kingdom, of whom more than 700 are members of the Inns of Court, 100 are at London Colleges, 48 at the London medical schools, 183 at Oxford and Cambridge, nearly 300 at Edinburgh and Glasgow, 40 at Manchester, 12 at Birmingham, nine at Bristol, and 13 at Leeds.

In the course of an interview by the *Daily Chronicle*, Mr. Ramsay Macdonald states, in regard to his visit to India:—"I attended various meetings—as a mere spectator—called for the purpose of collecting money and passing resolutions about the South African situation, and I have rarely been so impressed by the earnestness and determination of masses of men. Mahomedans vied with Hindus in their speeches and offers of help, and I should not be at all surprised if, in time to come, this will mark a very decided departure in Indian Politics. Its general effect is to make Indians feel that they have not a part in the Empire, and that they receive no protection from it."

इंडियन ओपिनिअन

बुधवार, ता. १८ मार्च १९१४

हिन्दी कमीशनका रिपोर्ट

लंडन 'टाइम्स'की कंपटानसे खबर मीला है कि हिन्दी कमिशन पा० ३ का कर रद्द करनेकी, लगनका कानून सुधारनेकी और इमीग्रेशन कायदाकी तकलीफ मीटनेकी भला मण करेगा। यह खबर मोजे वाला खबरपत्रोंने फीर आगामी भाखा है कि इस विषय पर यह पारलामेंटमें कानूनभी होगे क्योंकि युनीयन सरकारका इरादा इस झगडोंका तोड़ करनेका और शाही सरकारको मदद करनेका है।

पा० ३ का कर

सुना है कि कितनेक गोरे मालेक गिरमीटमें नहि होवे ऐसा अपना हिन्दी नोकरको तिन पवनका कर भरनेका और नतो दुसरा गिरमीट देनेका दबाण करते है। हम उमेद रखते है कि इस तरह कि धमकिते कोइ डर न जावे और अब कर न भरे। दुसरा गिरमीट देनेकी बिलकुल जरूर नहा है। कर बंध हो जनिके बाद दुसरा गिरमीटमें पढेनेका रहे गा नहि। थोडे दिन सबुरी एकद जाना-और गुलामी खत नही लिख देना। आशा है कि इस कायदा थोडा दिनमें होगा। हमने सुना है कि कितनेका जगहमें तिन पवनका पइसा मासीक तन्हखाहमेंसे तन्हखा देने समय काट लेनेमें आते है। इस तरह नोकरका पइसा काटना गेरकायदेसर है। हम इच्छता है कि इस तरह पइसा काटनेका कोधरभी होवे उन्का समाचार हमको मिले ॥

कीतनेक केस

बीरलम माजीस्ट्रेट कोर्टमें गत मासमें दो केस हो गया उन्में गिरमीट वालोंका वकील मि० ब्रीटरने ऐसी एक दलिल कीआ है कि दुसरी गिरमीट लिखानेका खत पर प्रोटेक्टरकी अथवातो सरकारने उस कार्यके लोए नीमा हुआ खास अमल दारकी पास सही होना चाहिये इन सिवाय दुसरोको पास सही हुए सब गिरमीट खत जूठा है। इन दलील पर मारीत्सवरगका सुपरीमकोर्टमें अभी एक टेस्ट केस हो रहा है।

ता० २७ नवेम्बरका हीलहेड और ब्लेकवानका बखेहेमें भाग लेने वाला ८ हिन्दीओं पर खोटा सोगन खानका आरोप रखा गया है। यह केस ता० २६ फेब्रुवारीके दिन बीरलम कोर्टमें चलाया। पल यानी जीस्को पीठ पर गोली लगा था वह इस्पीतालमें आये रहे ऐसा साक्षी एड्विगटन इसपीताल का डा० टफने दिया रहा उस लीये उन्को छोड दिया। बाकी सात आदमी पर केस चला। चार दिन तक केस चलनेके बाद केस १२ तारीखको बंध रख दिया। तहोमतदार अपना बचाव पीछेसे रजु करेगा।

कुलन और दुसरा ३१ आदमीपर जाहिर जबरजस्ती करनेका आरोप रखा है। उन्का केस ता० २५ फेब्रुवारीको हुआ और अभी पुरा नही हुआ है। यह दोनो केसमें वकील मि० लंगस्टन रहा। उन्मेंसे कीतनेक आदमी गोली का घाव और दुसरी इजासे सारवारके लोए इस्पीतालमें जा भये है।

“इन्तियन ओपिनीयन”

पुतर्कित्तुम . . 1914 (बुधवार) मार्च १८

समाचारङ्क

मिस्टर ऑन्टोरुस पाट्रियार् सेन्त सेववाक किम्पेययन्तु लण्डनमें पोय सेन्तु विट्टार्. अम्के इरुक्कप्पट्टवर्कन्कु मिस्टर कार्न्ति यैयप्पन्नि, वेल्नैयार्कन् वेल्नै रीप्पाट्टम् से यत्तपोत्ता तमत्ता रीप्पाट्टत्तै निरुत्तियत्तर्क काक रोराम्पवुम् पुत्तुत्तियार्क पेसिन्. त वीर तनक्कु जेन्नरल् पोर्त्ता तन्नुल् कडियववैर यिल् एव्वित्तमायिन्नुम् इन्तियार्कन्कु उच्चिसेय वतार्क वाक्कन्तित्तत्ताक्कुम् सेन्नुर्.

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रोरयिल्वेयिल् वेल्नैसेय्युम् उर् इन्तियन् सम् पनत्तिलिन्नुन्तु मात्तम् उरुपवुक्क, मुन्नुपवुन् वरियेय मुन्निन्दि उरन्नु मात्तत्तिन्कु प्पित्त तार्कत्तै त्तेयिववुक्किन्तु. कवर्न्नुम्मेन्ड अत्तिकारिक्कन् अल्वित्तमाक्क प्पिप्पत्तन्कु सट्टमिन्कुक्किन्तु वेन्नु विसारीत्तुवुक्किन्नुम्. एज्जमानन्नुक्कु इल्वित्तम् अत्तिकारमिन्कुक्किन्तु वेन्नु नम्पयिडमि ल्लै.

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नाट्टिन्काम् रोरट्ट सट्टन्कन् मक्कन्नि एन् नुम् वेल्नैयानिडत्तिल् वेल्नै सेय्युम् इन्तियार् कन् उन्पत्तापोर् स्तिर्कन् एन्पड वेल्नैक्कु पो कात्तैय मुन्निन्दि अत्तु अत्तु जेयिलुक्कु सेन्निन्कुक्किन्नुर्कन्. अवर्कन्तत्तन्कन् अक् किरममाक्क नटत्तुवतार्क सेन्नुर्कन्. सेन्त अक्कसट्ट मात्तत्तिलिन्नुन्तु जेयिलुक्कु पोयववुक्कि त्ताक्कत्तै त्तेयिवित्तार्कन्.

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मिस्टर मेरिमेन् केप्पेन्नेन्नु उर् कट्ट दत्तिल्, मिस्टर ऑन्टोरुस पाट्रियार् इल्वुक्कु वन्नु इन्तियार्कन् विल्लयत्तिल् रोराम्पवुम् पिरयार्से एत्तत्ताक्कुम् तन्मन्नुक्कु त्तेयिववुक्किन्तु एन्नु सेन्नुर्.

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प्रीमान् कार्न्ति अवर्कन्निन् तमयैयवार्किय मिस्टर लट्टुक्किन्नु कार्न्ति सेन्त वार्त्तिल् इन्तियार्विल् इत्तुवित्तुवित्तार्.

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प्रीमान् कार्न्तियवर्कन्निन् सप्पारम् मरन्निवार् तियार्त्तिन्नु इत्तपोत्ता कोन्नुत्तम् सेन्नुक्कि म्मेन्नु इरुक्किन्नुर्कन्.

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इन्तिय विसारिन्ने सक्कत्तिन् रिपोर्त्तुक्क सक् किरत्तिल् वेल्नियार्कियिडम्. अत्तै कवर्न्नुम्मेन्ड स प्पेयिल् पेसि उर्वित्त मुत्तियुक्कु नम्मा सक्कत्तिकां कोन्नुवुक्किन्नुर्कन्. अत्तत्तत्ताक्क नम्मा तल्लैवार्न् प्रीमान् कार्न्तियवर्कन् केप्पेन्नेन्नु तत्तुक्किन्नु