

Indian Opinion

PUBLISHED WEEKLY IN ENGLISH, GUJARATI, HINDI AND TAMIL

No. 14—Vol XII

WEDNESDAY APRIL 8TH, 1914.

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

THE POET TAGORE'S SCHOOL

MR. J. RAMSAY MACDONALD M.P. describes in the *Daily Chronicle* his interesting visit to the school of Rabindranath Tagore:—

"Some half-century ago Maharshi Devendranath, the poet's father, finding that an unbroken attention to the affairs of the world was not good for the soul, sought some secluded spot where he might occasionally retire for solitary meditation, and under two chatim trees which grew on the plain he found it. There he could sit under the shade with nothing but the vast flat of untilled land, green after the rains, but a brick-dust desert under the sun, in front of him, and think of Him, who, according to the carving on the marble seat and tablet which now mark the spot, "is indeed the rest of my heart, the peace of my mind, and the joy of my soul." There he built a house where the devout might dwell whilst on devotional mission, and a kind of a chapel where for about forty years prayers were said daily. But no one went there except the Tagores, and it looked as though the place, like so many similar places in India, was to fall into decay with him who built and endowed it.

"But the son, Rabindranath, desired otherwise. A garden of trees had grown up round the house. The area of shaded place had extended, and here he proposed to found a school. Thus, since 1901, the voices of children have broken the solitude of the waste. Dormitories thatched with grass were built and were filled. Masters' houses appeared in sheltered places and red and purple creepers covered them. The waste became playing fields. When I was there about 190 boys and 20 masters were in the settlement.

"It is difficult to explain the feelings which possess one who goes to such institutions. They have nothing to do with Government; their staff is not official; their system is not an enforced mechanical routine. At the Shantiniketan they complained that, when their boys reached the University matriculation standard, educational methods had to be adopted which the teachers regretted. These schools are native to the soil like the trees which grow out of it. They are therefore not incongruous, and a lack of incongruity must surely be a test imposed upon every national system of education.

"Here India leans upon herself and issues from herself. There is no attempt made to impose something foreign, to uproot or to force; no necessity to guard alien methods by alien instructors. The teachers are Indian, Indian in their thoughts, in their habits, in their sympathies, in their dress. Government aid has been refused because the conditions under which it would be given could not be acceptable. 'They would have made my boys sit on benches,' said Mr. Tagore with a quiet smile, 'whereas I think it far better that they should sit on mats under the trees.' Hence it has been frowned upon; it has been put on the police

black list; attempts have been made to suppress it; it has been the subject of threatening official circulars issued to parents. The persecution has only endeared it to its founder. It has been kept going at the cost of much sacrifice. Into its exchequer Mr. Tagore has put not only the Nobel Prize, but the royalties on his books.

Chanting Hymns at Dawn

"I awoke early in the morning whilst the dawn was still but a tinge of light in the darkness. Outside there was sweet singing, and I was told that every morning the school choir went round the gardens chanting hymns. The day is closed in the same way. For a quarter of an hour in the morning and the evening the boys sit in meditation. Twice a week they assemble in the chapel for common worship, and Rabindranath speaks to them and exhorts them to good living. They do all their own housework, even to their washing, and their clothes are spotless. There used to be a manager, but they have recently dispensed with his services and elect from themselves a committee to do his work. One of the results is that in the purchase of rice alone a saving of a hundred rupees a month is being made. This practice of self-government runs throughout the school.

"The masters elect from amongst themselves a head who acts for a year, but who may be re-elected. The present principal, Mr. Roy, has been chosen three times. Discipline is enforced and punishments meted out by captains and courts of school justice elected every month by the boys. There are small causes and appellate courts created in this way, and they decide at least once a fortnight all cases which arise in the life of the classes and the play-ground.

Alive with the Life of India

"Moreover, the Shantiniketan is no mere seminary for the education of boys. It is alive with the life of India. It is aware of what is going on outside. It shares in the larger Indian life. The particular interest of the school at the moment is the enlightenment of the mass. They asked me to speak to the boys, and I inquired as to the subject. 'Tell us,' they said, 'how the masses may be instructed.' They had really been answering me that question themselves and showing me in practice how to do it.

"For under the trees I had seen an interesting sight. The villages around are inhabited by the aboriginal Santals, and the boys of the school go out sometimes with foot-ball or bat and begin a game. When a crowd has gathered the game is stopped and the players talk of knowledge to the villagers. From this an evening class is formed and the Shantiniketan boys go out and teach in it. The day I was there about a dozen of these children had come in and were being taught under a tree. They were lively imps with wide interested eyes and so full of life that they could not keep still. They were

being shown the delights of the stereoscope and were being taught to describe accurately what they saw. Two boys were looking after them. It was their tribute to India and their service to the reincarnated motherland to which all their youthful enthusiasm was devoted.

Report of the Department of Justice

(Concluded)

In Standerton there were 9,181 Europeans, 15,099 natives and 755 Asiatics.

In Johannesburg, Asiatic appeals against orders for deportation had fallen off. There had only been two as against 30 in the previous year. This was partly due to the fact that disputed points had gradually got settled, but the principal cause was that by section 4 (2) (b) of Transvaal Act No. 36 of 1908 applications had to be made within one year after the commencement of the Act. This provision was for a long time not insisted upon, but now that practically all Asiatics had been registered, who were entitled so to be, out-of-date applications were rejected.

In Lichtenberg the Magistrate reported that the Asiatic invasion was still continuing in the commercial sphere to the detriment of European storekeepers.

The chief Magistrate of Durban reported that house-breaking had in many cases been committed by juvenile offenders, native and Indian boys, and several of these had been sent to a reformatory. Amongst Asiatics 592 contraventions of the Asiatic Laws were dealt with, 271 cases of theft, 199 cases of drunkenness and 87 cases of breaches of the Masters and Servants Law.

In the Inanda district, offences under the Indian Immigration Laws accounted for the highest figures in the criminal record.

The Magistrate of the Polela district advocated that Sections 85 and 87 of Law 25 of 1891 were inconsistent as under the former an Indian man was liable to a fine of £10 or 30 days imprisonment with hard labour for adultery, but the woman was liable to imprisonment, only, to the extent of 30 days.

In the Inanda district the Magistrate suggested that, if whipping were extended to adults, there would be less trouble between masters and servants. He thought that the corporal chastisement provision of Ordinance 2 of 1850 should also be restored.

In Inanda the average value of agricultural land was from £4 to £5 per acre and in urban areas from £100 to £150 per acre. A large number of mortgage bonds had been entered into by Indians, but practically all were redeemed.

In Inanda district three cases of leprosy among Indians occurred during the year, one proving fatal. It was also believed that cases existed among the Kanangwas tribe. Two lunacy cases occurred, one in an Indian and the other in a native. Other cases were under observation of a number of Indians addicted to dagga smoking. An outbreak of smallpox occurred during the early part of the year distributed in two European cases, 10 Indian cases and one Mozambique native. Plague also broke out, and two natives and one Indian died. A large number of deaths from measles occurred among natives and Indians. Seventy-two cases of consumption, chiefly among the Indians, occurred.

"The Coming of the Indian."

The Magistrate of Durban, in dealing with the progress of education in his district, remarked that the desire for education was increasing rapidly among the native, Indian and coloured population generally. The result was that, among the Indians specially, there was growing up a class of men, who became lawyers' clerks, tallying clerks, etc. They were quick and intelligent, and in some cases became very reliable men. They worked for a lower salary than Europeans and as a

class were of sober habits. They dressed in European clothing for which they were very good customers. In many cases Colonial-born Indians spoke their language very imperfectly and habitually conversed in English among themselves. A problem which would have to be faced was that lads from this educated Indian class would not work in the fields. Manual labour was distasteful to them. Their spare time was passed at cricket, football, cycling, etc., and it was for this class of community that the municipality had under consideration the establishment of a separate sports ground.

The Magistrate of Estcourt dealt with the other phase of the matter, relating to Indian trading. He pointed out that in his district out of 57 retail stores and hawkers licences no less than 24 belonged to Asiatics. Unless legislation was introduced he feared that the trade would gradually fall into the hands of the Asiatic to the detriment of the Europeans, and in the strongest terms he took the liberty of urging upon the Government the necessity of introducing an Act, stating that no retail or other licence should be granted to any Asiatic who was not within the district in which the business was situated, as he found that licences were being granted to Asiatics who were away in India. He thought that no transfer of a licence should be granted to Asiatics and that no Asiatics should be allowed to take a partner into the firm and on the death of the holder of a retail licence a European trustee should be appointed to dispose of the stock-in-trade to the best advantage and the store should be closed, sold or transferred to a European.

The Magistrate of Eshowe, in Zululand, commenting on the principle obtaining in Zululand of stores held under licence issued under control of the Minister of the Interior, with whom rested the granting or withholding of the licence, remarked that it had had the beneficial result of eliminating the Indian trader from that sphere.

Indenture Test Case

A case of great interest and of the utmost importance to employers of Indians was heard before the Natal Province Division of the Supreme Court yesterday (writes the Maritzburg correspondent of the *Natal Mercury* on the 3rd instant). It was a review of a decision of the Verulam Magistrate (Mr. Maynard Matthew) on the question of the validity of an Indian's re-indenture contract. The judgment will, it is estimated, affect from 15,000 to 18,000 re-indentured Indians. There are about 18,000 Indians in Natal working under re-indenture contracts, and most of these would be covered by the ground taken in the appeal heard yesterday, which, if it succeeds, means that these Indians become free because of their contracts not being valid.

Mr. E. H. Britter, of Verulam, appeared for the appellant, and Mr. De Villiers, Acting Attorney-General, intervened on behalf of the Crown.

The case is that of *Voorlapu Ramsamy v. Dartel de Chazel*, the respondent being a North Coast planter of La Mercy. The matter was argued by Mr. Britter on February 26th, but the respondents were in default, and the judges intimated that this was a question of great importance, and the Attorney-General would be communicated with and asked to intervene on behalf of the Crown.

It appears that Mr. De Chazel prosecuted the appellant, in the Court of the Magistrate at Verulam, for refusing to work, and the question of the validity of the contract was then raised by Mr. Britter, on the ground that it had been signed by the Assistant Magistrate, who was not a special officer appointed under the law to attest re-indenture contracts of Indians who came to Natal after the year 1895.

An involved argument took place on both sides, but the point was made that the Magistrate was not a

desirable person to attest the contracts, in consequence of his comparatively close social relations with the big employers of Indian labour in his district.

There appeared, from the statements of counsel, to be a lack of clear direction in the Statutes on the point raised.

The Judge-President said the case had been very ably argued on both sides, but the Court would like to take time to consider the judgment. Judgment would be reserved.

From the Editor's Chair

A MARRIAGE PROCLAMATION

THE Union Government *Gazette* of the 24th March contains a marriage proclamation which is of some importance, as it bears on the expected legislation on the Indian marriage difficulty. We give elsewhere the proclamation in full. In effect, it requires banns to be published of intended Mahomedan or Hebrew marriages, in terms of the existing Natal legislation. If the proclamation has reference in practice only to Hebrew marriages, we can have nothing to say. If it anticipates the Indian marriages legislation and is intended to be a feeler, it is an ill omen. For the essence of the Indian proposal is that Indian marriages *celebrated in accordance with the religious ceremonial prescribed by any of the great Indian faiths should be recognised by the law of South Africa so long as they are monogamous in fact.* Now Indian religions do not require publication of banns. We have our own method (in our opinion, far superior to that of the publication of banns) of widely advertising approaching marriages. No Indian priest worthy of the name can possibly perform a marriage ceremony if there is any objection offered against it in terms of the religious custom or law. And it is the caste or the guild which takes severe notice of any breach of the canonical law. Whilst we do not wish to offend the sentiment of the Europeans of South Africa regarding monogamy, we certainly do not contemplate surrendering our religious principles by a hair's breadth. We think it but right to utter this note of warning whilst the proposed legislation is still unpublished.

THE TAX

MR. MEYLER continues to watch with unabated vigilance the course of events regarding the Indian trouble. He has elicited from the Minister of Railways and Harbours some valuable information regarding the collection, by rather harsh means, of the £3 tax from the Railway Indians by the Department. The latter have been deducting from the paltry wages of the Indians employed by them the arrears of the £3 tax. We do not propose to go into the Minister's statement that the amounts were deducted from the wages because the men themselves had consented. The fact that, in the case mentioned, two-and-a-half months had passed without deductions being made militates against any such supposition. But our object in drawing attention to the matter is that the Government should have authorised the deduction in any case whatsoever. If they are going to repeal the tax in terms of the recommendations of the Commission, they might, at least, have suspended the deduction pending the deliberations of the Commission. For everybody assumes that, if the tax is abolished, naturally the arrears will be remitted. The Government could not, with any show of justice, contemplate collection of the arrears from hundreds of poor people, if they are sincerely desirous of closing the Indian trouble. We trust, therefore, that, Mr. Meyler having drawn attention to the scandal, the practice referred to by him will be stopped.

The Imperial Blue-Book

(Concluded)

LONDON ALL-INDIA MOSLEM LEAGUE TO COLONIAL OFFICE.

41 Sloane Street, S.W., 25th November, 1913.

SIR,—I am directed by the Committee of the London All-India Moslem League again most respectfully to invite the attention of the Right Honourable the Secretary of State for the Colonies to the gravity of the situation that has arisen in South Africa, which is naturally exercising an extremely disturbing effect in other parts of His Majesty's dominions. For the purpose of this representation, the Committee consider it unnecessary to dwell on the causes that have brought about the condition of affairs in South Africa, which no citizen of the Empire can help viewing with sorrow and grave anxiety. But they think they are entitled to lay special emphasis on the moderation and self-restraint with which the Indian leaders in South Africa have so far prosecuted their endeavours to obtain from the Union Government freedom from vexatious, not to say cruel and harassing, differential treatment virtually amounting to persecution, and to ensure for themselves and their fellow-countrymen a tolerable existence in the country of their adoption, which forms a part of the British Empire. All their efforts in this direction have been met with repression, prosecution, and convictions under laws framed with the more or less avowed object of either driving the British Indians out of certain parts of South Africa or of reducing them virtually to a condition of serfdom.

2. As British subjects, the British Indians in every part of His Majesty's dominions are justified in expecting for their fellow-countrymen in South Africa enjoyment of at least the elementary rights of British citizenship. Out of regard for local prejudices the British Indians in South Africa have refrained from seeking some of the privileges of Imperial citizenship, but what they demand, and what the Committee conceive they have a right to demand, is just, equitable, and humane treatment.

3. Had similar treatment been meted out to any section of His Majesty's subjects, English or Indian, in any foreign State, we are certain His Majesty's Government would have at once interfered, and that peremptorily, to put a stop to it. It is more than anomalous that such harsh treatment should be permitted or be allowed to pass in silence in British Colonies which enjoy the protection of the British Empire.

4. The Committee venture most respectfully to appeal to the Right Honourable the Secretary of State to urge on the Union Government the necessity for the immediate introduction of remedial and ameliorative measures and to direct an investigation of the British Indian grievances by an independent and representative body.

I am, etc.,

G. M. EBRAHIM,
Hon. Secretary.

THE GOVERNOR-GENERAL TO THE SECRETARY OF STATE.
Your telegram 21st November. Indian sentences.

Magistrate, Dundee, reports that sentences of seven days were imposed under Section 35, Law 25 of 1891. Heavier sentences on indentured Indians were imposed under Section 3, Chapter 4, Ordinance 2 of 1850, except one case tried under Section 36, Law 25 of 1891, for being grossly insolent to employer.

In Newcastle District unindentured Indians were sentenced under Section 3, Chapter 4, Ordinance 2 of 1850, coupled with Section 25, Act 22 of 1896, except in case of juveniles, who were sentenced under Act 23 of 1909. One unindentured Indian was sentenced under Section 2, Chapter 5, Ordinance 2 of 1850. Indentured Indians were sentenced under Section 31 and 35 of Law 25 of 1891.

It appears that Magistrate, Newcastle, sentenced 127, unindentured Indians to fines of £5, or 6 months imprisonment, for contravening Section 3, Chapter 4, Ordinance 2 of 1850, coupled with Section 25, Act 22 of 1896, and, as under Section 24, Act 22 of 1896, maximum penalty is three months' imprisonment with hard labour, steps are being taken to remit excess sentences. I am advised that the other sentences are in order, and that where they do not appear to be in accordance with various laws they are covered by Sections 24 and 25 of Act 22 of 1896. The two juveniles who, as reported in my telegram of the 20th November, were sentenced to corporal punishment, received sentences of seven strokes under Act 23 of 1909. In addition, four juveniles, who were omitted from return previously furnished, received sentences of ten strokes. Six juveniles in all, therefore, received sentences of corporal punishment.—GLADSTONE.

COLONIAL OFFICE TO THE ALL-INDIA MOSLEM LEAGUE.
Downing Street, 29th November, 1913.

SIR,—I am directed by Mr. Secretary Harcourt to acknowledge the receipt of your letter of the 24th instant in which the Committee of the London All-India Moslem League call attention to the gravity of the situation which has arisen in South Africa, and appeal to the Secretary of State to urge on the Union Government the necessity for the immediate introduction of remedial measures, and to direct an independent investigation of the British Indian grievances. I am to say, in reply, that the Committee do not appear to be fully and accurately informed as to the circumstances of the situation and that the open defiance of the law by Indians in South Africa seriously embarrasses the Secretary of State in the continuance of his representations to and consultation with the Government of the Union of South Africa.

I am, etc.,
JOHN ANDERSON.

An Eloquent Sermon

The sermon at St. George's Cathedral, Capetown, on the 15th ult. was delivered by the Rev. C. F. Andrews. He recalled Christ's words, "Come unto Me all ye that are weary," and said they were among the dearest of all to the Christian heart. They had meant to countless generations the peace and joy of Christian life. He would like to bring home to them the setting of those words as they appeared to one who had spent a great portion of his life in the East—to show them in their Eastern setting as they were first uttered on the shores of the Lake of Galilee. There, indeed, was the very essence, he believed, of the gospel of Christ. Christ, but a peasant of Nazareth, in His rough woollen cloak, had come down from the country-side, where He had lived a life of hard, grinding poverty—utter poverty—in one of those oppressed Galilean villages for 33 years; He came down from that country-side to the wealthy cities of the plain. There, on the shores of Galilee, had grown up a mushroom civilisation, one of those by-products of that great Roman Empire that stretched all over the world. The preacher went on to describe the degenerate Roman of that time, and quoted Mathew Arnold. It was that kind of degenerate Roman who was living in those cities, and whose baths were being discovered to-day; and side by side with the Roman was the Greek, equally degenerate—the money-lender of those times. And through the wealth on which those Romans and Greeks lived their luxurious life, the peasantry was crushed and oppressed in the most terrible way. They read the story in Cicero and Tacitus. Those peasants of Galilee were living at that time a half-starved existence, and Christ himself lived in a starved condition. But in Him was burning the love of God for the wealthy as well as for the poor, for those in authority as well as for those who were crushed and oppressed. He came down to those cities,

and did among them His mighty works of love. They turned from him in contempt and contumely, and thrust Him out and even attempted to stone Him. Then He turned back to His simple country-folk, to those peasants He knew so well, and they did not despise Him; they did not cast Him out. They came in their thousands, flocking round Him, to hear every word that came out of His lips. They fed Him in the wilderness. He tended their sick, He laid His hands upon them and healed them all. He did not have time even to eat, so dear was His ministry to them. He turned to the simple peasants and said, "Come unto Me." What was the rest and peace He offered to the souls of those poor, simple people? It was simply this, He would make the burden light to bear.

Proceeding, Mr. Andrews said that Christ's teaching was that God was with the poor—that was the thought and that was the gospel that Christ preached to all of them; it was the gospel He always taught. It was an austere gospel in certain ways. What did that gospel preach to them to-day? What was the message of Jesus Christ of Nazareth to those in this land of South Africa? He had been going up and down this land for nearly two months, and he had learnt it so well as to feel its difficulties acutely. He could understand their difficulties better than he could two months ago. He was leaving at the end of that week, and he hoped there were some things he might say that morning without impertinence. Would they forgive him for doing so? As he had gone up and down this land there was one thing he had tried to do, and he had gone to much personal trouble. One thing he had been longing for and searching for was the mission of Christ—to find Christ, to worship Him, to find His presence. He had found Him, again and again, among his own countrymen. He had seen, again and again noble lives being led. He was travelling with Mr. Gandhi from Johannesburg to Durban and was ill in the train with malaria, and there came an Englishman into their carriage. He had been drinking all night, and was in reckless misery, but he treated Mr. Gandhi like a gentleman and told him (the preacher) quite honestly his sins and failures. The man told him he was going to the devil as fast as he could. "I found Christ there," concluded Mr. Andrews. "I did not find Him in Johannesburg. I cannot tell you the horror of that city. But I found Him in the Indian location and in the Kafir location. I found Him there. It was there that I found Christ!"

Question of Licensing Appeals

In the Natal Provincial Council on the 2nd instant, Mr. MITCHELL moved: "In view of certain recent decisions given by the Supreme Court (Natal Provincial Division), which appear to be in direct conflict with Act No. 18, 1897, it is the opinion of this Council that immediate steps should be taken to clearly define the position of Licensing Officers and Appeal Boards in relation thereto. Mr. Mitchell pointed out that it was provided in the law that the decisions of the Licensing Officers and Appeal Boards should not be subject to review unless the officer had gone outside the powers given him by statute. Indian merchants immediately realised that this would operate against them, but on December 12th last the Judge-President of the Supreme Court, Mr. Justice Dove Wilson, quashed the proceedings in a case from Estcourt, and ordered a licence to be issued. This put a new construction on the law. In consequence of this judgment, whenever a white man wished to sell his business to an Asiatic he could get the licence transferred. The result of this was that Asiatic traders were being enabled to enter his district, which he regretted. (Hear, hear.) The Licensing Officers were now absolutely helpless, and Asiatics would now occupy the positions formerly taken by Europeans. This was a serious state of affairs, and he asked the Council to pass his motion.

Mr. WHYTE seconded the motion.

The ADMINISTRATOR asked the mover to strike out the first two lines of the motion. He knew, of course, that they had in that Council the best brains of the Province, but it was not competent for the Council to pass what amounted to a vote of censure on the Supreme Court.

Mr. MITCHELL said he was willing to amend the motion in the manner indicated.

On the proposition of Mr. KENTRIDGE, the debate was adjourned until the next sitting of the Council, which will be on the 21st instant.

Colour on the Cars

The important question of coloured people being permitted on ordinary service tram-cars at Johannesburg was decided by Mr. Justice J. C. Ward on the 2nd instant, says the *Natal Mercury*, in the Rand Division of the Supreme Court, in the matter of the application by two coloured men, Williams and Adendorff, for an order restraining the Johannesburg Municipality from refusing to allow them to travel on any cars of the municipality, the application being refused, with costs.

Counsel for the plaintiffs had contended that the Provincial Council legislation empowering the Municipality to make by-laws applicable to the case was *ultra vires*, being class legislation.

In giving judgment, his Lordship reviewed the facts which were not in dispute, the two applicants being Cape coloured men, and having been removed from the tramcar. The respondent Council justified its action on the ground that the conductor and inspector on the car were acting in accordance with the Council's by-laws and regulations for employes on the tramways. Under Rule 10 no coloured persons were allowed to travel on the ordinary service cars. Special service cars could be put on for coloured traffic, and labelled as such, and only coloured persons would be allowed to occupy seats on such cars, and would be charged ordinary fares.

Proceeding, his Lordship quoted the Municipal Ordinance passed by the Transvaal Provincial Council in 1912, and said that, under its provisions, there was no doubt that the Council's by-law was valid, provided the provision were *intra vires* the Provincial Legislature. Quoting cases of the Canadian and Australian Courts, which referred to the delegation of powers by Colonial Legislatures, he questioned whether there was any distinction to be drawn between the Provincial Legislatures of South Africa and those of Canada or Australia. In South Africa the Provincial Council made Ordinances not repugnant to any Act of Parliament in certain classes of subjects. He could not see, therefore, that any distinction could be drawn with regard to the Transvaal Provincial Council. It was a subordinate Legislature. Under the South Africa Act Parliament had full power to make laws for the peace, order and good government of the Union, and the Provincial Council, subject to the provisions of the Act, may make Ordinances in relation to municipal institutions, Divisional Councils, and local institutions of a similar nature. A careful consideration of the provisions of the South Africa Act had led his Lordship to the conclusion that in so far as that point was concerned, there was no distinction to be drawn between the position of the Provinces of Canada and the several Provinces of the Union under the South Africa Act. The status of the Provincial Council, in his opinion, was not analogous to that of a municipal institution, which was an authority constituted for the purposes of local administration.

Concluding, his Lordship held that the section of the Ordinance under which the Town Council

framed its by-laws was not *ultra vires* the Provincial Council, and said that, as it specially conferred power on the Municipality to make the by-law, it did, and, as the by-law empowered the respondent Council to do what it claimed the right to do, in the present case the application must be refused, with costs.

Judgment was given accordingly for the respondent Council.

A Marriage Proclamation

His Excellency the Governor-General-in-Council has authorised the publication of the following proclamation which appears in the *Union Gazette* of the 24th ulto. It is signed by General Smuts:—

Whereas it is enacted by section *twelve* of the Order-in-Council of Her late Majesty Queen Victoria, dated the 7th day of September, 1838, for regulating marriages in certain British Colonies, Plantations and Possessions, extended to the District of Natal, now known as the Province of Natal, in the Union of South Africa, by Law No. 17 of 1846, that it shall, in certain cases, be lawful for the Governor of any of the said Colonies to appoint, by writing under his Hand and Official Seal, one or more such fit and proper persons, as he shall from time to time deem necessary and expedient to be called Marriage Officers, to solemnize marriages within such part or parts of the Colony in which such appointment shall be made, as the Governor shall from time to time direct;

And whereas it is enacted by Law No. 19 of 1881 (Natal) that it shall be lawful for the Governor from time to time, and in the manner and form as in the twelfth section of the Order-in-Council aforesaid, to appoint Marriage Officers for the solemnization of marriages of persons professing the Jewish faith, and of persons professing the Mohammedan faith; and that the said Law No. 17 of 1846 and Law No. 19 of 1881 shall be read together and construed as one law;

And whereas it is also enacted by Section thirteen of the aforesaid Order-in-Council that until some law shall be made, passed, allowed and promulgated for regulating marriages by persons appointed as Marriage Officers in accordance with the provisions of Section twelve of the aforesaid Order-in-Council, it shall be lawful for the Governor to direct, declare and promulgate the manner by which the intentions of parties to marry before any such Marriage Officer shall be made public;

Now therefore, under and by virtue of the powers in me vested by Section sixteen of the South Africa Act, I do hereby direct, declare and promulgate that the manner by which the intention of parties to marry as aforesaid shall be made public shall be—

- (1) in the case of Marriage Officers appointed under Section twelve of the said Order-in-Council, by affixing in some conspicuous place in or at the Court of the Magistrate of the Division in which each of the parties intending to marry resides;
- (2) in the case of Marriage Officers appointed under the said Law No. 19 of 1881, by affixing in some conspicuous place in or at any place or building—within the Magisterial Division in which each of the parties intending to marry resides—commonly used for public worship by the Hebrew or Mahomedan congregation as the case may be, there existing;

a notice in writing setting forth the names of the parties, and their intention to marry, which notice shall be signed by the Marriage Officer by whom the marriage is to be solemnized and shall remain affixed for not less than twenty-one days preceding the solemnization of the marriage.

[NOTE: We refer to the above in our leading column.—Ed. I.O.]

Deductions for £3 Tax

In the House of Assembly, on the 31st ultimo, in reply to Mr. Meyler's question: (1) Whether a certain free Indian employed by the Mechanical Department of the Railways in Natal, drawing £1 2s. per month, had £1 stopped out of his wages in both the months of January and February last in respect of arrears of the annual £3 licence due from him; (2) who authorised these deductions; and (3) was it the intention of the Government to make similar deductions from the wages of every free Indian employed by them who was in arrears in respect of payments of the annual £3 licence.

The MINISTER OF RAILWAYS replied (1) that the facts were as stated by the hon. member, except that the Indian referred to received free rations and accommodation, also free firewood, coal, and medical treatment; (2) the Indian agreed to the deductions when he was engaged. He was then in arrears with licence payments to the extent of £15; and (3) some time prior to Union the Natal Government instructed that arrear licence fees must be recovered from the wages of Indians in the Railway employ, and this arrangement had not been disturbed.

Indentured Labour within the Empire

The subject of "Indentured Labour within the Empire" was considered on the evening of February 17 at the second of the Conferences called by the Nationalities and Subject Races Committee at the Westminster Palace Hotel. Mr. H. W. Nevinson presided.

The Chairman, in opening the proceedings, observed that he had seen how closely the system of indentured labour coincided with a form of slavery under the Portuguese, and he was not blind to the grievances of a similar kind which obtained within the British Empire. He hoped that, wherever abuses were found, no pains would be spared to remove them.

The Rev. J. H. Harris, of the Anti-Slavery and Aborigines Protection Society, maintained the system of importing Indian coolie labour into the British Colonies was sound in principle, but so defective in administration that certain features of it, both in India and the Crown Colonies, constituted grave scandals. There was a growing demand in many quarters for the abolition of coolie emigration, but an exhaustive study of the question in all its bearings would show (he thought) that the cessation of emigration would prove very unfortunate for the Indian Empire and the Crown Colonies, no less than for the coolies themselves. It was the urgent duty of public opinion to secure adequate reform, a task in which the planters should co-operate, otherwise abolition would become inevitable. Owing to the abuses which had resulted from the employment of contract labour in tropical and sub-tropical regions, the opinion was current that indentured labour and slave-owning were synonyms. There was, however, nothing inherently vicious in contract labour—indeed, most of us were in some way or other serving under contract. At the same time, it was essential that the labourer should enter into the contract of his own free will, and that he should understand the terms of the indenture. The exercise of either fraud or force upon the labourer constituted, in practice at least, action tantamount to slave-trading. The employer, on his part, must faithfully carry out his obligations under the contract as loyally as he demanded fulfilment on the part of the labourer. Finally, the administration should see that all the obligations of the contract were observed by both parties to the indenture. It could not be denied that in each of the foregoing respects the British coolie labour system left much to be desired. The evidence taken before Lord Sanderson's Committee made that painfully clear, and yet the principle which was supposed to underlie the system had been plainly

enough stated by the late Lord Salisbury, when he wrote in 1876 as Secretary of State for India: "Above all things we must confidently expect as an indispensable condition of the proposed arrangements that the colonial laws and their administration will be such that Indian settlers who have completed the terms of service to which they agreed as the return for the expense of bringing them to the colonies will be in all respects free men, with privileges no whit inferior to those of any other class of Her Majesty's subjects resident in the Colonies." (Hear, hear.) Natal secured Indian labour upon that "indispensable condition," and her present troubles were largely due to her departure from the principle so laid down. Upon Natal and upon all other British Colonies which desired to recruit Indian labour the cardinal fact must be impressed of "no citizenship, no coolies." (Hear, hear.)

Proceeding to outline a scheme of reform, Mr. Harris said that the first necessity was to shorten the period of contract to three years. Next, criminal punishments must no longer be inflicted for breaches of civil contract. (Hear, hear.) Thirdly, the whole cost of immigration must fall upon the planters, although the State might be empowered to assist the emigration of families. There must be a legislative limit imposed upon the hours of children's labour, and the employment of children below a certain age should be prohibited. Educational facilities must also be provided in all colonies. It was noteworthy that the most backward colony in this respect was the Malay States, which could afford nearly three millions of money for a battleship. Most essential also was it that tasks should no longer be fixed at the will of the planter; but left to the discretion of an independent board. Lastly, the Protector must be appointed by the India Office and not by the Colonial Office.

Mr. J. M. Parikh expressed complete disagreement with Mr. Harris's proposition that the system of indentured labour was sound in principle and had proved beneficial either to the Empire or to the people of India. He looked upon it as slavery in its worst form. (Hear, hear.) A man could be sent to prison for not getting up at a particular time or for not performing the full task allotted to him. The recruiter was an expert in his art, and the coolie knew nothing about the conditions of the country he was going to. There was nothing of a contract about the transaction except the name which was misapplied to it. Coolies were assigned to different planters according to the latter's convenience and requirements. Things were as bad in India itself as in the Crown Colonies. The mine-owner in Madras and the tea-planter in Assam were provided with labour under exactly the same system. If it was so sound in principle, why not apply it in England? (Laughter.) Their labour difficulties would disappear at one sweep. There was only one course to take with regard to this system and that was to abolish it altogether.

Dr. J. N. Mehta acknowledged that the reforms advocated by Mr. Harris took out most of the worst features of the system. The penal clauses of the contract and the methods of recruitment were particularly objectionable. He doubted Mr. Harris's figures with regard to the savings of coolies; and was prepared to show that £2 a year represented the highest figure. Men were forced into a career of crime under the system, and women into a life of shame.

Mr. J. F. Green endorsed all that his Indian friends had said in condemnation of the system. How came it that a society which called itself an anti-slavery society could support indentured labour as being sound in principle? (Hear, hear.) In any case, Mr. Harris had in the second half of his speech completely answered the first half. No case had been made out for the sending away of these people under a system of contracts; and he had no confidence in the reforms outlined, even if they could be carried out in face of the opposition of the planter-class.

Mr. Bhugwandin Dabé also confessed to surprise at the attitude taken up by Mr. Harris. If the system was

not one of legalised slavery, it surpassed his understanding to say what it was. Improvement in the physique of the labourer had been claimed. But, if the death-rate stood so high, it was not a matter for wonder that the fittest should have survived. (Hear, hear.) The prevalence of suicide and of immoral relationships showed clearly how vicious in principle the whole system was. There was only one basis upon which labour should be obtained, and that was mutuality which was wholly absent from any system of indenture.

Mr. Zafar Ali Khan, editor of the Lahore *Zaminder*, supported the previous speakers. There was plenty of land in India, if it was given to the children of the soil.

The Chairman, in summing up, commented upon the sweeping character of the reforms suggested by Mr. Harris. Their effect would be to abolish the whole system; and that was what they all wanted.

Mr. Harris, while pointing out that the lateness of the hour prevented anything like a full reply to the speeches which had been made, observed that the death-rates were variable, that the attitude of Magistrates was not the same in all Colonies, and that there was need of a contract of some kind if the coolies were not to find themselves in an unfortunate position. He maintained also that there was a material difference between indentured labour and the Portuguese system. The Indian coolie was the finest type of Colonist, and he would like the help of those who desired to do something for him.—*India*.

News in Brief

Mr. Hugh M. Meyer, M.L.A., is contributing a series of articles on the Indian Question to the *S. A. Women in Council*, a monthly magazine published at Capetown in the interests of women.

Dr. Abdurahman, standing as an Independent candidate, has been returned for the Woodstock division in the Cape Provisional Council by a majority of 527 over his Unionist opponent.

Interesting correspondence (says the *Manchester Guardian*) is contained in a Blue-book containing interchanges of views relating to the procedure in regard to the confessions of persons accused of criminal offences in India. The view of the Indian and European mind on the subject-matter of the correspondence is interpreted in a communication from the Chief Secretary of the Government of Burma to the Secretary of the Indian Government. The writer says that the Lieutenant-Governor of Burma had no doubt that to a European mind the prevalence of confession in the East is very astonishing. As an instance of this, it is remarked that, for some time after the annexation of Upper Burma, almost every prisoner, if guilty, at once confessed his guilt. The communication goes on to remark: "Further acquaintance with civilisation and with our methods of administering justice has altered this practice in Upper Burma, but there can be no doubt that in Burma at the present day, and India too, there is a strong tendency for the guilty to confess."

Archdeacon Wirgman, D.D., of Port Elizabeth, discusses the Indian Question in South Africa in the course of a letter to the *Guardian* (London). After stating his opinion that the £3 tax may well be abolished, the reverend gentleman says:—The Natal Indians wish to enter at will the other three Provinces of the Union and enjoy the same rights in this matter as ordinary British citizens. There is a vital reason why this cannot be allowed. Our native people have their rights in our labour market. They are born in the country, and ought not to be ousted from their legitimate spheres of industry by Indian immigrants. Besides which, there is an acute racial difficulty. The Zulus of Natal have a bitter hatred of the Indians, and this hatred is shared by the natives of other Provinces in South Africa. If it were not for the *Pax Britannica* the natives would

drive out the Indian population. . . . An increase of Indian immigration from Natal would ruin our scanty white population, and possibly (I do not say probably) bring about a terrible conflict between our own native people and the Indians whom they detest so cordially, and whom they leave alone at present because of British law and order.

[NOTE: We question the writer's knowledge of the "bitter hatred" of the Zulus for Indians. He has evidently never seen the cordial relationship between the Indian storekeepers and the merry crowds of natives who come to buy, which is to be seen daily in our villages. But, if it were really true, we fail to see what object this worthy can have in emphasising the danger of a "terrible conflict." It almost looks as though the wish were father to the thought.—Ed. I.O.]

Mr. William Archer concludes an article in the *Daily News* and *Leader* with these reflections:— "Speaking of the general influence of Europe upon Asiatic peoples, Lord Bruce says: 'It is not clear that the immediate result will be to increase the sum of human happiness'—an utterance which was quoted and endorsed by Lord Morley in a speech at Manchester in June 1912. It recalls to my mind a remark of a distinguished Japanese writer, Kakuzo Okakura, to this effect: 'You talk of the Yellow Peril—but what about the White Disaster?' . . . It is clear that too great disparities of civilisation cannot for ever co-exist in this tiny globe of ours? The Asiatic ideal of development (of stagnation) within a ring-fence was foredoomed to failure: and when it comes to a comparison between Eastern and Western ideals as factors in the problem of human well-being, I confess myself an impatient European. On the other hand, it does not seem to me either desirable or possible that any part of the East should for ever remain in the leading strings of the West. Therefore, when Lord Bruce speaks of dangers likely to arise from the effective unification of India, I make so bold as to underline 'danger' and place a query in the margin."

Indian Problem in the Dominions

In the March issue of the *Fortnightly Review*, Mr. Saint Nihal Singh has a lengthy and interesting article on "the Indian Immigration Crisis in South Africa," from which we extract the concluding paragraph as follows:—

The collision between the self-governing Dominions and India places the Imperial authorities in a very difficult position. On the one hand, Whitehall has to face the fact that South Africa, Canada, and Australia are autonomous in the administration of local affairs. On the other hand, it cannot ignore the petitions and memorials from literate Indians that it shall use the ample power it possesses to shield their country-people from Colonial oppression, nor the pitiful pleadings of the illiterate masses that their Ruler shall protect their relatives and friends in other portions of his territories. The uneducated Indians look upon the Sovereign as their all-powerful protector. They believe in the divine right of kings. They know nothing of constitutions or of self-government. So far as they are concerned, the only personality that exists in the political world is that of their Emperor. For generations they have been given to understand that the long, strong arm of their white monarch can and will protect them and theirs from harm. If now they become disillusioned, if they find that the Imperial authorities are not able to shield their kindred and loved ones from Colonial harassment, a situation of the most alarming nature is bound to be created. It is this essential fact that all Imperialists must face in solving the problem of the Indian immigrant in the British Colonies.

इंडियन ओपिनियन

बुधवार, ता. ८ एप्रिल १९१४

आवते सप्ताहसे हिन्दी बंध होगा

हमारे पाठकगण जानते होंगे कि कमीशनका कार्य हाल समाप्त हुआ है और उन्ने तिन पत्रनका कर नावुद कानेके सरकारको सलाह दीया है। इस सलाह परसे जो कानुन सरकार पारलामेंटमें लानेका इरादा रखते है सो एप्रिलकी भासरीमें बाहर पढने का संभव है। विशेष करके दुसरा हालचाल आजकल सत्याग्रहकी लडतका नहि है। इस परसे हमने इस अंकके बाद हिन्दीमें पत्र छापनेका बंध करनेका इरादा कीया है। और सत्याग्रह होगा तभी तो हींदी और टामीलमें पत्र छापनेका फौरसें शरु करेगे ॥

जन्म-भूमि भारत

जिस पर गिर कर उदर-दरी से जन्म लिया था।
जिसका साकर अन्न सुधा-सम नीर पिया था ॥
जिससे हमको प्रा हुए सुख-साधन सारे।
जिस पर हुए समाप्त हमारे पूर्वज प्यारे ॥
वह पुण्य-भूमि भारत यही, हम इसकी सन्तान हैं।
कर इसकी सेवा हृदय से पा सकते सम्मान हैं ॥ १
जिसको तीनों ओर महोदधि रत्नाकर है।
उत्तर में हिमराशिरूप सर्वोच्च शिखर है ॥
जिसमें प्रकृति-विकास रम्य, ऋतु क्रम उत्तम हैं।
जीव-जन्तु, फल-फूल, शस्य अद्भुत अनुपम हैं ॥
पृथिवी पर कोई देश भी इसके नहीं समान है।
इस दिव्य देश में जन्म का हमें बहुत अभिमान है ॥ २
सब कुछ है; पर नहीं यहां अब विद्या-बल है।
वर-व्यवसाय-विहीन शून्य-दल में हलचल है ॥
सुत मेल का मन्त्र, भूल सी गई शुशिक्षा।
नित्य नया दुर्मिष, रही मिषा न तितिषा ॥
रह गई नाम को हाय अब भारत की प्राचीनता।
हम हुए तिरस्कृत लोक में; सला रही है शून्यता ॥ ३
उठो; त्याग दें द्वेष; एक ही सब के मत हों।
सीख ज्ञान-विज्ञान, कला-कौशल, उन्नत हों ॥
सुख, सुधार, सम्पत्ति, शान्ति भारत में भर दें।
अपना जीवन इसे सहर्ष समर्पण कर दें ॥
भारत की उन्नति-सिद्धि से हम सब का कल्याण है।
इह समझो इस सिद्धान्त को—हम शरीर यह प्राण है ॥ ४
रामचंद्रिका मिषाठी ।—[सरस्वती]

“இந்தியன் ஒப்பீனியன்”

புதன்கிழமை . . 1914(வரு) ஏப்பிரில் ௨.8-

இந்தியும் தமிழ்ஸலையும் நிருத்தபோகிரோம்

இப்போது பாசிவ் ரிசிடன்ஸ் சன்டை நாடக் காம்போது, இரண்டாவது இந்தியன் கமிஸன் மூன்று பவுன் வரியை முக்கியமாய் எடுக்கவேண்டும் மென்றார்கள். நாம் இப்போது தழுஸ்யையும் இந்தி தம்பத்தை நிருத்தபோகிரோம். பாசிவ் ரிசிடன்ஸ் சன்டையை தோக்கினால் நாம் தமிழ்ப்பையும் இந்தி தம்பத்தை மருபடி போடுவோம்.

ஊக்கமுடைமை.

உடைய ரெனப்படுவ தூக்க யஃதில்லா
ருடைய துடையரோ மற்று
உள்ள முடைமை யுடைமை பொருளுடைமை
நில்லாது நீங்கி விடும்
ஆக்க யிழந்தேமென் றல்லாவா
ருக்க மொருவந்தம் சைத்துடையார்
ஆக்க மதர்வினாய்ச் செல்லு மசைவிலா
ஆக்க முடையா னுழை
வெள்ளத் தனைய மலர்நீட்ட மாந்தர்தம்
முள்ளத் தனைய துயர்வு
உளளுவ தெல்லா முயர்வுள்யன் மற்றது
தள்ளினுந் தள்ளாமை நீர்த்து
சிதைவிடத் தொல்கா ரூரவோர்
புதையம்பிற் பட்டுப்பா னேன்றுங் களிது
உள்ள யிலாதவ ரெய்தா ருல்கத்து
வள்ளிய மென்னுஞ் செருக்கு
பரியது கூங்கோட்ட தாயினும் யானை
வெருடம் புதாக்க குறின்
உமொருவற் குள்ள வெறுக்கை யஃதில்லார்
மாமக்க ளாதலே வேறு

ஈகை

வறியார்க்கொன் நிவதே யீகைமற் றெல்லாங்
குறியைதிப்பெ நீர துடைத்து
நல்லா நெனினுந் கொளநீது மேலுலக
யில்லெனினு யீதலே நன்று
இலனென்னு மெவ்வ முரையாமை யீதல
குலனுடையான் கண்ணே யுள
பாத்துண் மரீஇ யவனைப் பசியென்னுந்
திப்பினி தீண்ட லரிது
இரத்தவி னின்னாது மன்ற
நிரப்பிய தாமே தமிழ ருணல்