

in the Town Hall and excluded all who could not be trusted. Among those kept out were members of the Press. Notwithstanding this, however, a few hints were dropped by departing councillors which gave an indication of the result of the debate. It resulted in—just nothing. No decision was arrived at.

The position is, therefore, that at the present moment any coloured person is allowed to ride on the tram cars. The Council are trying to bring in a by-law to secure power to make coloured passengers sit in any portion of the car reserved for them. Until that object has been achieved, the less said about the matter the better. For, on the one hand, there is the white population demanding to be allowed to sit in white reserved portions of the cars, and there is the coloured portion which has its own ideas on the matter. To help them out of this tangle, the Town Council had legal advice last evening. There was a good deal of straight talking, the question was looked at from its Imperial standpoint, and from the standpoint that racial antipathies are natural and should be safeguarded. But the Council came to no decision, and a further meeting will have to be held very shortly.

Yesterday (says the *Mail* on the following day) the instruction in regard to allowing five Indians or coloured people on the tram cars was again observed, and, so far as we are able to ascertain, no trouble was experienced.

As stated yesterday, the meeting of the Johannesburg Town Council held on Thursday evening to consider the whole position proved to be abortive, no actual decision being reached. This was due to the fact that the quorum was broken after a discussion which lasted between two and three hours.

The chief matter debated was the instruction issued to conductors, the Tramway Committee asking the Council's confirmation of this action. Opinion was divided, some of the councillors offering strong criticism. On the other hand, it was pointed out that action had only been taken after the best legal advice had been sought.

Popular Feeling

The following letter, which appears in the *Rand Daily Mail*, expresses fairly well the feeling of the Indian population of the Union regarding racial legislation, and, so long as this attitude is maintained at all cost, we need not fear for the community and its interests:—

Sir,—In endorsing every word of the view expressed through the column of your esteemed paper of the 23rd instant, by "Advocate Justicia," I desire to point out that the coloured community of South Africa, and more particularly the Indians the whole world over, are alertly watching events, and any repressive and oppressive attitude taken up by the ruling class is being carefully recorded.

It is not long since the Indians of South Africa emerged from an eight years' continual suffering for the purpose of removing the sinister colour bar which was thought derogatory and humiliating to them. It was then contended by some Europeans that the Indians' grievances were more sentimental than real. Whether so or not, the colour bar sinister was opposed unanimously, and in that passive opposition many lives were sacrificed for the maintenance of Indian national honour.

Now, Sir, your Tramway Committee, having realised the importance of the case, thought that discretion was the better part of valour, and so called upon the coloured community to come to terms by meeting a part of the cost, to which we agreed, but not in the least that the Council should put forth a regulation on racial lines to conduct the coloured traffic on the municipal cars of the Transvaal. I do not for a moment wish to embarrass the European community, nor would I advise my people to make themselves obnoxious by thrusting themselves between ladies. I am fully aware of the

prejudice that plays a very prominent part in this continent, and I am also equally aware of my people's feelings. But any attempt on the part of the ruling race to degrade the coloured people would act as electricity and to supplant love by hatred and trust by mistrust.

The eucroniums that were showered upon the Indians for their magnificent bravery in the trenches of France and the wave of loyalty that was displayed by them throughout the world without a single exception, was in no mean way praised by every unit of the ruling class. Notwithstanding this recognition of the coloured people's (irrespective of creed or nationality) fidelity and integrity to the Empire, the Tramway Committee deemed it advisable to table a regulation which is totally unacceptable so far as the coloured people are concerned.

We are conscious that love can only be engendered by love and hatred overcome by love, but the Tramway Committee's present attitude will only help to embitter the feelings of subject races and to construe the praises showered upon them as a piece of hypocritical display, and the present promises for their betterment as one of the many amusing ones given them on different occasions and disregarded afterwards.

Rather than going in a round-about way, I shall make it clear that no legislation on racial lines, whether provincial or otherwise, will be accepted. Such discriminations as are required for the public safety and convenience could be satisfactorily dealt with administratively. It is working well in Durban, and why should it not here, where the coloured population is infinitely smaller.

For the sake of the well-being of the Empire and its good name, I earnestly appeal to the Tramway Committee to be considerate in their action. The continual disregarding of the subject races' susceptibilities will eventually result in unpleasant upheavals.—I am, etc.,

BHAWANI DAYAL,
Editor of the *Aryavarta*.

Howick Free School

The first Anniversary of this Institution took place on the school premises on Tuesday, the 16th instant. The Hall was tastefully decorated for the occasion and there was a large attendance of both Europeans and Indians amongst whom were Messrs. P. W. Sheptone, (Resident Magistrate) W. J. R. Harvard, Gordon Wynne, J. Forsyth Ingram (Assistant Magistrate), M. Chinna-samy, D. S. Vaid, C. V. Paynie, M. N. Dyer, Saleh Khan, Ebrahim Mahomed, D. Sobrun, and others, Mr. D. S. Vaid occupied the chair, who after bidding welcome to the guest called the Head Master, Mr. N. Dookhi Parmanand, for his report, which stated that the attendance at the commencement of the school was recorded as 33. At the end of the year the total was 56. The final examination was a success, all the children (with the exception of six) being promoted to their respective higher standards. The subjects included, besides the ordinary routine of school work, Algebra and Physics. It was their Committee that had first found that Free Education was essential among the masses of Indians in South Africa.

On the conclusion of the report, the Magistrate, who was cordially received, stated that, when the school was first opened, he thought that it would be a matter of chance whether the school would be a success or not. But to-day, he was proud to see that it had been a success as it was a year that day since the school was opened. The progress of the children had been rapid and thanks were due to the teacher for the way in which he had performed his duty single handed.

The prizes were distributed by the Magistrate. Afterwards, light refreshments were served.

[NOTE: We understand that this is the only public Indian school in Natal providing free tuition. The school is run by a committee of local Indians which

provides funds for the free education of Indian children. No mention is made in the head-master's report of any Indian vernacular education, although we notice that an attempt is being made to teach Algebra and Physics. We certainly feel and would suggest that the foundation of such a school should be based on the mother-tongue, and, as this is not a Government school, there is no reason why it should not be run on independent and sensible lines.—Ed. I. O.]

From the Editor's Chair

JOHANNESBURG TRAMS AGAIN

THIS week, as our readers will see from another column, has produced a new stage in the tramway question. It would appear that owing to instructions not having been given to conductors, several unfortunate incidents occurred in which members of the Indian community were prevented from exercising their legal right to travel on the Johannesburg tram-cars. Matters came to a crisis when Mr. Aswat and other members of the Committee of the Transvaal British Indian Association, in endeavouring to exercise their rights, were taken to the Charge Office where, however, the Sergeant declined to accept the charge, and stated that it should have been the conductor that ought to have been charged. Mr. Cachalia, the courageous Chairman of the British Indian Association, then decided to brave the wrath of the Council, and when he was removed from a tram-car by a constable, steps were at once taken to bring the matter to an issue. We understand that the Deputy Commissioner of Police was approached, and agreed to the request that he should give definite instructions to his constables not to accept charges from conductors, and not to intervene where non-white passengers were otherwise well-behaved. Something in the nature of an ultimatum was handed to the Town Council through the Town Clerk and the Chairman of the Tramways Committee, with the result that immediate instructions were given to conductors not to interfere with non-white passengers who insisted upon exercising their legal rights. It was understood that without in any way waiving any of its legal rights, the Indian community generally, apart from the action of individuals, would refrain from exercising their rights for the present, and until the Administrator had reached a decision on the draft By-laws now before him, and it was understood that five seats should be kept for the use of non-white passengers on each car as a temporary measure, without in any way binding the Indian community. We understand that no friction has occurred in carrying out these instructions, which, of course, are purely of a provisional nature, designed to carry both parties over a critical period. As an indication of the temper of certain members of the Town Council, however, it is evident that an attempt was made at Thursday's special meeting of the Town Council in Committee to rescind the instructions to conductors, and thereby provoke an immediate conflict with the non-white sections of the population. We have reason to believe that this effort was defeated largely because of the strong stand taken by the Chairman of the Tramways Committee and by leading Counsel who were present, and who advised the Town Council that their action would amount, if the instructions were rescinded, to a contempt of the Supreme Court, that the Council had no *locus standi* at all from

a legal point of view, that it would lay itself open to numerous actions for heavy damages, and that it was highly undesirable from an Imperial point of view for any such question to be raised at the present time. That undoubtedly is the position. The legal, Constitutional, and Imperial issues are of the utmost importance. The legal question is whether Provincial Councils are empowered or authorised to pass legislation of a racial character. If they are, then the only safeguard in the South Africa Act on behalf of the non-white citizens of the Union disappears, and the question will at once arise as to what means should be taken to alter the constitution of the Union so as to reconstitute this safeguard; and the whole question of racial legislation, which it was hoped was settled by the great struggle recently concluded, will have to be fought all over again, with its undesirable consequences in South Africa, in India, and in England. We earnestly appeal to the members of the Indian community loyally to abide by the purely temporary arrangements that has been reached, so as not to give a handle to those ignorant Europeans, who apparently are anxious to play to the gallery, to embroil South Africa in yet another terrible struggle. Should the Administrator assent to the draft By-laws, their legality will naturally have to be tested in the Courts, for the present instructions to conductors will at once be withdrawn. In the event, however, of his refusing to accept them, it will be necessary for a new agreement to be reached with the Municipality in regard to the travelling of non-European passengers.

A GRIEVANCE REMOVED

WE drew attention in our last issue to the case of one Nagamoothoo and how it had been dealt with by the Cape Immigration Officer and the Minister of the Interior. We are glad to say that the matter has now been satisfactorily dealt with. Mr. Alexander, M.L.A., was asked to intervene, after having all the facts placed before him, and we understand that, as a result of his representations, the Minister has stated that he has given instructions that Nagamoothoo is not to be deported but to be allowed to remain. The explanation of the contretemps is that the Minister's instructions that all one-year's permits were to be deemed to have been issued for three years had been interpreted by the Cape Immigration Officer as referring only to Natal Domicile Certificates. We are glad that the matter has been put right and that the necessary instructions have been given to prevent similar trouble arising in the future. But we are not at all satisfied with the excuse proffered by the Cape Immigration Officer. It was clearly stated, in the letter from the Minister of the Interior to the Cape British Indian Union, last year, that instructions had been given to Immigration Officers throughout the Union, that extant Certificates of Identity or Certificates of Identification available for one year were to be deemed to have been issued for three years. It seems almost incredible that the Cape Immigration Officer should have believed that the instructions that he received referred only to Natal Domicile Certificates; first, because he was not in any way concerned as Cape Immigration Officer with the availability of Natal Domicile Certificates and, secondly, because, having been Acting Immigration Officer at Durban for some time, he must have known that these documents were not limited to any period at all. It is an extraordinary fact that Mr. Cousins has a greater capacity for narrow interpretation of instructions than any other Officer in the Union Immigration Department. We have never yet found him interpret instructions in favour of an Indian immigrant nor do we suppose that we shall ever observe such a miracle. But we are glad that the Minister has put the matter entirely beyond dispute, and that the natural suspicions that had been aroused by reason of his earlier action, have now been laid at rest, and we thank him for his final action in this matter.

"All Men are Liars"

The Pretoria correspondent of the *Rand Daily Mail* reports as follows:—

"All men are liars, but more distinctly Indians," was one of the comments passed by Mr. Burley, of the Indian Immigration Department, in the course of the hearing of an appeal from the decision of his department to the Board. The latter consisted of Major Dixon, A.R.M., and Messrs. Van Alphen and Wagner.

Some extraordinary circumstances were mentioned during the hearing. An Indian youth under the name Mahomed sought to reside in the country. The Department objected, and the matter came to appeal before the Board. Three witnesses were examined on behalf of the appellant, including his father, and swore that the appellant was Mahomed. The Court was not satisfied, and caused inquiries to be made in India, with the result that the Indian Government reported that the appellant was not Mahomed, but Ismail, the second son of his father. Beyond the name the facts given by appellant were correct.

Mr. Niemeyer (solicitor) asked the Board to substitute the name of Ismail for Mahomed. It was one of those cases, he said, in which one could not explain why Indians would lie and go a round-about way to attain some object when there was no reason for it.

Mr. Burley objected. The Bench could see from the records that the veracity of most Indians could not be accepted. In no case in his experience had there been such an amount of absolute lying as in that. The father and two witnesses had positively sworn that the appellant was Mahomed. He was not Mahomed. The application was in the name of Mahomed, and the appellant was not before the Board. The notice of appeal was in Mahomed's name, and the obvious course for the Board was to dismiss the appeal.

Major Dixon: If the appeal is dismissed it will mean his deportation out of the country.

Mr. Niemeyer said the boy was entitled to registration, and asked the Court to exercise its discretion in his favour.

The appellant was put into the box, and admitted he was Ismail and not Mahomed. In cross-examination he denied that the signature to a document alleged to have been signed by him when he landed at Delagoa was his.

In answer to the Bench, Mr. Burley admitted the boy would have been entitled to registration, but argued that under the circumstances he was not before the Board.

Major Dixon: Are we concerned with names or individuals?

Mr. Burley again urged that the appellant was not before the Board. He commented on the time taken up in the investigation of purposeless lies, adding that all men were liars, but more distinctly Indians.

After further argument the Chairman said the decision of the Board, from which he dissented, was that the appeal should be dismissed, but a recommendation made to the Minister in favour of appellant.

Mr. A. M. Cachalia, the Chairman of the Transvaal British Indian Association, writing to the Acting Secretary for the Interior, on the 17th ultimo, on the subject of the above remarks, said—

"It is with very deep regret that my Association respectfully directs your attention to the enclosed report from the *Rand Daily Mail* of the 16th instant, of certain remarks, to wit, 'All men are liars, but more particularly Indians,' alleged to have been made by Mr. Burley, an official holding a responsible position in the Transvaal Immigration Department, in proceedings on the 15th instant, before the Immigration Appeal Board.

"(2) My Association is strongly of opinion that such a statement, if made, is highly reprehensible, in that, in the first place, it is false and therefore deeply

insulting to the community that my Association has the honour to represent, secondly, the official was in no way called upon to deal with or comment upon the quality of veracity of the Indian community, and lastly it indicates inexperience and an incapacity to render justice in a Department where, more perhaps than in any other, wide knowledge, self-restraint, patience, and a sympathetic understanding are essential.

(3) I am requested to point out that, whilst my Association earnestly hopes that the official in question has been mis-reported, the statement recorded merits, in my Association's humble opinion, close investigation at your hands, and that, in the unfortunate event of its being found to be substantially correct, adequate steps may be taken to prevent the recurrence of an incident of such offensive import to the Indian community."

On the 18th ultimo the Acting Secretary for the Interior replied as under:—

"With reference to your letter of the 17th instant on the subject of the newspaper report in which it was stated that Mr. Burley of the Immigration Office, Pretoria, made the statement that—'All men are liars, but more particularly Indians'—I have the honour to invite your attention to the letter appearing in the issue dated the 16th idem of the *Pretoria News* from which you will see that the statement actually made was 'It is said that all men are liars, but one might add more particularly the Indians in this case'."

An Explanation

To the Editor.

Sir,—Referring to your report in to-day's issue of a case heard before the Indian Immigration Appeal Board at Pretoria, may I ask you to be good enough to make the following correction?

I am reported to have said: "All men are liars, and more particularly Indians." The inference here is perfectly plain, but in justice not only to a section of the community with whom I am dealing daily, but to myself, I wish to point out that what was actually said by me in the course of argument was: "It is said that all men are liars, but one might add more particularly the Indians in this case." This of course entirely alters the construction of the words used, from a scathing indictment of the Indian community into, under the circumstances, a reasonable comment upon the particular case before the Court.—I am, etc.,

HENRY E. BURLEY.

Pretoria, February 16.

To End the Drink Curse

Following upon the prohibition of the sale of vodka by the Russian Government, a Reuter telegram from Amsterdam says that a German Army order prohibits German Officers and men from being supplied with alcohol in any form, and imposes most stringent terms of imprisonment in the event of infringement of the order.

Rations of Dop and Rum

During the past few months relations of many of the youths in the forces in German South-West Africa have, it is said, been seriously perturbed by the knowledge that regular rations of dop and rum were being given to the troops, notwithstanding the testimony of military and medical authorities as to the harmful effects of alcoholic liquor upon the efficiency of men.

Representations were made to the authorities by various bodies, with a view to the discontinuance of this practice, and it is announced that these have been successful. An official intimation has been issued that no such liquor is to be given except on the express wish of the medical officer, which will have the effect of putting a stop to the serving of intoxicating liquors as a regular ration.—*Natal Mercury*.

Indian Sport

The Annual General Meeting of the Durban District Indian Football Association was held in the St. Aidan's Schoolroom, Durban, with Mr. A. Christopher (the president) in the chair.

The Secretary, in his annual report, said:—

The Match for "Gandhi's Cup" final was played in Dundee against the representatives of that town and resulted in a win for the Higher Grade School.

The Corporation, unfortunately for Indian Sportsmen, has yearly, since November 1911, for some reason or other, been unable to carry out its promise of Recreation Grounds for Indians. It has, however, laid out three temporary pitches on the area proposed for these grounds. Now that the Corporation has successfully floated loans, the chief reason for the delay on its part, we hope, will disappear. The Durban United Indian Sports Association has been urging on the matter and the Corporation will have an opportunity within the next few months of carrying out their promise to them.

The Natal Provincial Indian Football Association, during the year, has fulfilled what was expected of it. Apart from its routine business—the Indian Tour question has occupied much of its time. War and Mr. Gandhi's stay in England have delayed the arrangements, but though war we still have, the Natal Provincial Indian Football Association hopes, now that Mr. Gandhi is in India, to proceed with the arrangements. Several letters from those in India who were of Mr. Gandhi's following, have reached us saying how the students at different colleges there and others are keen upon meeting South African Indian sportsmen. The Association was very fortunate in becoming the recipients, at the hands of Mr. Parsee Rustumjee, of the "Gandhi Memorial Cup" which, intrinsically and otherwise, is the best Cup in the possession of any Provincial Indian Association in South Africa.

The Chairman in moving the adoption of the Report and Statement dwelt at some length upon the subjects referred to in the Secretary's Report indicating that the policy of the Association was, as Mr. Wallace, the Editor of *The Latest*, on the eve of his departure, had remarked, should be based on the spirit of sportsmanship; that of give and take; and whenever they found they could not arrive at a compromise, a round table conference in a friendly spirit would pave the way to a solution of any outstanding question. He said they should take heart that the Corporation, after the lapse of so many years, were bound, in bare justice and fairness to all concerned, to materialise their promise to them.

A Presentation

On the eve of the departure of Mr. J. T. Wallace, (Editor of *The Latest* and Sports Editor of the *Natal Mercury*) who is taking up the Sports Editorship of the *Rand Daily Mail* and the *Sunday Times* of Johannesburg, representatives of all the Indian sporting bodies in Durban met together to make a presentation to him.

Mr. Lawrence, in asking Mr. Wallace's acceptance of a walking stick, gold-mounted and neatly inscribed, as a small token of the appreciation of Indian sportsmen of the helping hand he had given them and the sportsmanlike manner in which he had treated them, asked him not to look at its intrinsic worth. They would always hold him in grateful remembrance and wished him and Mrs. Wallace a happy and prosperous career in the Transvaal.

Messrs. Christopher, Miankhan and Jack Moodley also spoke in appreciative terms of Mr. Wallace's services to the Indian sportsmen.

Mr. Wallace, speaking in his breezy style, said that it was an unexpected pleasure to him to see that the little he had tried to do for them was appreciated. He was aware of their difficulties and he firmly believed that sports would do more good for them than political

agitation in removing prejudice—the Indian Sports column in *The Latest*, he felt, had done some good, and this feature he hoped to see maintained. A word of advice he would give them. When there was trouble, every endeavour should be made to have a round table conference, and, by this means, friction would be avoided. He knew they had been battling very hard for the Recreation Ground promised by the Corporation, and, when they got it, he hoped their sports would progress.

Mr. and Mrs. Gandhi in India

Mr. and Mrs. Gandhi arrived at Porbandar by train on the evening of the 22nd January and were warmly welcomed at the station by a large concourse of Hindus, Mussalmans and Parsis (says the *Bombay Chronicle*).

Next day Mr. Gandhi paid visits to his old friends, and on Sunday he visited the Madrasa boys' and girls' school and attended the Mahajan meeting, when Rs. 100 were placed at his disposal by the Dasa Shrimali community for being utilised in charitable purposes. On Monday noon the Modh Bania community presented an address to Mr. and Mrs. Gandhi and placed Rs. 125 at their disposal. Mrs. Gandhi was also invited by the ladies to receive a public address, on which occasion a sum of Rs. 301, contributed by the Dowager Rani Saheb Ba Shri Ramba Saheb, Mrs. Virji Kanji and Bai Premkor Jethabai, was placed at the disposal of the illustrious guest. In the afternoon all the public offices and schools were closed and a public reception was arranged for the couple at the Victoria Commemoration Hall, which was splendidly decorated by the State authorities. Nagarsheth Virji Kanji occupied the chair. Amid loud cheers the address was read and presented to Mr. Gandhi in a silver casket by the president. Mr. Gandhi's reply was given in a few words, disclaiming all credit and declaring that their action in South Africa did not warrant the attributes which were more the effusions of loving hearts than anything he or his wife deserved. He requested the inhabitants of this town, his birth-place, to extend their sympathy and co-operation in his future work in this country and thanked the Administrator, Major Hancock, for the kindness shown to him during his stay. A procession was thereafter arranged which passed through the principal streets of the town, which were adorned with bunting and flags. At many places silver flowers and coins were showered over the heads of the happy couple.

Mr. and Mrs. Gandhi left for Gondal on Tuesday at the special invitation of his Highness the Thakore Saheb.

At Rajkot

Mr. Gandhi arrived at Rajkot on the 17th January when he was received by a large assemblage. About two thousand had assembled including officers, ladies and students. Cheers were raised on the arrival of the train and when he was conducted to the Shamiana erected outside the station, Mr. Bezonji Mervanji, late Dewan of Gondal, cordially welcomed Mr. Gandhi on behalf of the Rajkot public and eulogised his services.

Mr. Delpatram Bhagwanji Shukal read an address which was handed by the President.

A procession was formed and Mr. Gandhi's carriage was unhorsed by students and drawn by them through the town. The procession passed along all public roads which were decorated. About two thousand people accompanied the procession.

A Natal Carbineer writes from the front: The Indians of Natal have sent us all a little bag with a pair of socks, handkerchief, cigarettes, and chocolates. We have received many little bags from all over but "Sammy's" is the best.

