

Indian Opinion

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NOTES AND NEWS

MR. K. P. KITCHLU, the educational expert who has been sent to South Africa by the Government of India to assist in the Education Inquiry Commission which is to commence its work early next month, arrived in Durban on Wednesday mid-day from Capetown accompanied by the Rt. Hon. V. S. Srinivasa Sastri and his staff. They were received at the station by officials and members of the Natal Indian Congress and the South African Indian Congress and many leading Indian merchants were also present. After the usual garlanding ceremony the Agent with his staff and Mr. Kitchlu drove to Hotel Edward on the Marine Parade where they will reside. Miss Gordon the European educationalist who is also appointed by the Government of India arrived earlier the same morning.

The death is reported to have occurred in England in mail week of Sir George Paddison, who headed the Indian delegation to South Africa which deservedly took the credit of preventing the Areas Reservation Bill from passing and paved the way for the Capetown Agreement. Sir George left India a few months ago on furlough, prior to his retirement from the Indian Service. During his first visit to South Africa as head of the Indian deputation and afterwards as a member of the Habibullah delegation, he, by his courtesy and interest, had endeared himself to the South African Indians. The late Sir George Frederick Paddison who was 44 years of age was the Commissioner of Labour, Madras. Educated in Richmond (York) and the Queen's College, (Oxford), he entered the Indian Civil Service in 1897 and had ever since been serving the Madras Government in various capacities. Deepest sympathy of the community of the whole of the Union will go out to Lady Paddison and family in their sad bereavement.

At a committee meeting of the Natal Indian Congress held last Saturday at 175 Grey Street the sub-committee appointed to collect statistics and other information regarding Indian education in the Natal Province to be placed before the Education Enquiry Commission which is to sit early next month, reported progress and the names of Messrs. Sorabjee Rustomjee, S. R. Naidoo and M. A. H. Moosa were added to the committee. A sub-committee was also appointed to arrange for a reception to Mr. and Mrs. Sorabjee who are due to land at Durban next Wednesday.

A short draft Ordinance to regulate trading by pedlars and hawkers in the Transvaal is published in the *Transvaal Provincial Gazette*. It is designed to meet a class of competition that has been severely felt by ordinary storekeepers. Clause 2 reads: It shall not be lawful for any person to carry on the business of a hawker or pedlar at any place outside a municipality being within one mile of the premises of any person who is the holder of a licence issued under the provisions of the Licences Consoli-

dation Act, 1925, or any amendment thereof authorising such person to carry on the trade of a general dealer. Any person who carries on trade or business in contravention of the provisions of this section shall be guilty of a fine not exceeding £50, or, in default of payment, to undergo imprisonment, without hard labour, for a period not exceeding three months. [This is to put another ban on Indians who earn their livelihood by hawking.]

Pundit Bhawani Dayal Sanyasi who has recovered from his recent illness wishes to express through these columns his deep gratitude to those friends who had so very kindly rendered assistance in his hour of need and had inquired about his health.

In the course of a letter to the Secretary of the S.A.I. Congress Mr. C. F. Andrews writes: "There is no hope whatever, I am afraid, of my being able to come out to South Africa again just now."

It is reported that last year Canada had a heavy child mortality. The Dominion lost 23,671 children under the age of one year, and altogether 30,973 children under five years of age. Seven thousand and eighty-nine infants were still-born making a total of 38,062.

WHITHER ARE WE DRIFTING

WE do not wish to attach much importance to the meeting of the so-called Natal Indian Association held at Clairwood recently and to the resolutions passed thereat. That body had been long dead and buried but it seems to have once more risen from its grave. The Natal Indian Congress and the South African Indian Congress have a record to show that they are not "so-called" but that they are representative bodies of the community whereas the Natal Indian Association has no such record to show since 1914 and it can therefore rightly be called "so called." However, while not representing the views of the community the latter does represent the views of its own members and perhaps a few of their followers, and to that extent only they are to be considered with a view to reconciling them if there is the slightest hope of succeeding in doing so. Their resolutions are rather belated, for the Agreement has long been accepted by the community with certain reservations

and it is now being worked. Until the working of it is not proved unsatisfactory nothing further could possibly be done. Hence we do not know that the resolutions of the Association could at all be recognised and we doubt very much if they will receive any recognition by the Indian National Congress. That the Agreement is not all what we desire has been accepted by all parties, and those that think that they could get all that they desire are sorely mistaken. Even the bitter struggle of passive resistance did not bring us all that we desired. Those that have a great deal to complain against the Agreement have not stated precisely what they want and what they are prepared to sacrifice in order to achieve it. Mere grumbling, therefore, is of no avail.

But while the other resolutions of the Association are worth throwing in the waste paper basket without taking any notice their resolution objecting to the facilities for higher education at Fort Hare deserves severely to be condemned. They seem to little know what a blessing Fort Hare has been to several Indian youths, and, if this is the gratitude that we can show for the generous hospitality of that institution, we would rightly deserve its doors to be closed for ever in our face. We can understand the desire of the community to have an institution of that type belonging to them. That is an aspiration that needs to be cherished, but to object to further facilities being made in an institution whose generosity has already been taken good advantage of, only on the ground of race prejudice, is the height of ingratitude and cannot be tolerated.

So much for the Association and its resolutions.

What grieves us most however is that at a time when harmony and a united voice is asked for and when there is the greatest need for it we find an attempt being made by some unseen hand to sow the seeds of disharmony, disunity and discontent. When we view the actions of a few of our misguided brethren in the Transvaal and a few in Natal we cannot but heave a sigh and cry—whither are we drifting. We have tried but failed to see any patriotic motive behind their actions. India is still suffering and still drinking its cup of humiliation because of the disunity existing among her people. Will Indians in South Africa also have to suffer the same fate owing to the folly of some of their misguided elements.

Let us once more appeal to them in all sincerity to come to their senses before the Government and the people of India decide completely to wash their hands off South Africa.

Natal Indian Association Peeps Out of its Grave

Protest Against The Agreement

A meeting of the Natal Indian Association recently passed the following resolutions:—

(1) This meeting draws the attention of the Indian National Congress to the unjust nature of the agreement between India and the Union, and that it has brought unemployment and starvation to Indians, and calls upon the National Assembly to take the necessary steps to improve the status of Indians settled in the Union.

(2) This meeting protests against the principle embodied in the Indo-Union Agreement providing for education at the Fort Hare College, and calls on Indians to refrain from taking advantage of the facilities provided thereunder.

(3) It is resolved, having regard to the fact that the operation of the Industrial Conciliation and Wages Act has resulted in throwing out of work a large number of Indians by the fixation of minimum wages, to protest against the policy underlying the present industrial legislation, and respectfully prays the Minister of Labour to find work for unemployed Indians.

(4) This meeting protests against repatriation of Indians, since it is not based on a voluntary principle but is the outcome of unemployment caused by the fixation of minimum wages.

It was also resolved—while supporting the idea of a federal organisation in order to safeguard the rights of Indians in the Union independently of the so-called South African Indian Congress, and in order to represent to the Union and other Governments the wants and wishes of the South African Indian community—to authorise the Executive to co-operate with the Transvaal British Indian Association in their endeavour to convoke a convention of representatives of other Provinces and to take action to carry out the objects of this resolution.

Mr. Andrews' Statement

A Reuter's message from New Delhi states:—The Rev. C. F. Andrews, in a statement with reference to the resolutions of the Natal Indian Association denouncing the Indo-Union Agreement, says that the association is entirely unrepresentative. The reactionary resolutions have revealed the irresponsible character of the association's objection to educational facilities for Indians at Fort Hare, which is frankly based on colour prejudice.

The Natal Indian Congress, founded by Mr. Gandhi, warmly welcomed the friendly contact of university life with leading Africans, many of whom were chiefs. The association's objection to the Industrial and Wages Act was untenable because legislation was non-racial and could in the long run materially help Indians by fixing a minimum wage in skilled industries and by preventing sweated labour.

Mr. Sastri's Speech at Port Elizabeth

At a civic welcome given to the Rt. Hon. Srinivasa Sastri at Port Elizabeth under the chairmanship of the Deputy-Mayor of the town (Councillor Jas. Scott) after preliminary speeches welcoming the guest were made Mr. Sastri rose amidst prolonged applause and declared that he was very honoured as well as delighted to have had this cordial and enthusiastic reception.

Reference had been made, he said, to his capacity as Agent-General of the Government of India in this country. And that reminded him that he was now an official and like the official who had just spoken, he was precluded from discussing in public a great many subjects of interest both to them and to him. He was sorry, therefore, that he was not able to take the hint conveyed in the Deputy-Mayor's speech and tell them the story of India's struggle towards political freedom. It was not possible for him as Agent-General of the Government of India to discuss with truth and justice a subject in regard to which, in many phases, the Government of India might not always appear in a desirable light. This out of the question, he would speak about his own mission. As they were aware, he was the first official representative of India in this sub-continent. What led to the creation of the office was within the full experience and knowledge of nearly all of them. But he must be allowed to take them behind the Capetown Agreement, just to dwell for a moment on the anxieties and fears with which the Government of India and the Imperial Cabinet of Great Britain had always viewed the situation created by the circumstances in which Indians were living in this country, and generally in the Dominions of Britain abroad. He did not wish to say anything that might be unpleasant, or anything that might be in the nature of recrimination. His purpose was not to make matters worse but to make them better, and if he recalled the condition and anxieties and fears prevalent among the Government and the people in one common state, if he dwelt upon this aspect of the subject, it was merely to show that the Government of India, in handling an extremely difficult and delicate situation, had thought it their duty, first and foremost, to avoid anything that might be in the nature of a diplomatic blunder, for diplomatic blunders had consequences that were far reaching, and fell, in the main, on innocent people and upon generations who were perfectly innocent of the complications through which they were made to suffer. (Loud applause).

Walking Warily

As representative of the Government of India, it behoved him, also, to walk warily where there were so many pitfalls, and to avoid anything which might be in the nature of added bitterness, for bitterness there was in abundance in all conscience, and if one desired to cure he could not start by making the disease worse. (Loud applause).

"But," he asked, "if my anxiety is to avoid a blunder, is it to do so? You know, being men and women of the world, that there is only one truth and a thousand lies; there is only one course of action in a difficulty and there are beside it 100 wrong courses each inviting you to itself. It is hard—I realise it fully—it is hard to do what is right, to speak the truth, to keep to the straight path in front of you when there are temptations to make a great mark, to create a sensation which the superficial observer will regard as smart or clever, but which cannot contribute anything to remove the evil of the situation." (Loud applause).

His work in this country, he said, was conditioned above all else by one requirement, and it was well, perhaps, although he had said it pretty often he would repeat it in Port Elizabeth. The Government of India and in large measure the people of India were alike agreed that Indians living in this country must realise one peculiar limitation, not that they had forgotten it, there had been nothing in the circumstances of their living here to make them forget it. Suspicions had been aroused, accusations had been flung about recklessly, that it was necessary to be quite clear and emphatic on the point.

The Ways of Politicians

It was unfortunately true, in the political world, that when politicians repudiated something, we usually supposed that there was something wrong about it. (Laughter). Politicians were a tribe who did not always trust one another. (Laughter). When they repudiated anything, they were anxious that the repudiation should be taken at its face value; that their honesty should not be questioned, and their bona fides should be above cavil. But when another man repudiated anything, they laughed, ignored it, even sneered and said, "We know what these political statements are." (Laughter).

He wanted them to acquit him of saying anything that would look like a political statement of that kind. There could not be any temptation for him to deceive them in making a statement in which he did not fully believe. He had a sacred duty to the cause he represented. There were circumstances surrounding his work; there was sufficient guarantee that he would not make himself consciously guilty of exaggeration, a wilful distortion of the facts or a calculated concealment of feelings deep in the mind.

A Clear Declaration

He then said:—

"It is no part of our intention either now or at any time in the future to challenge the political supremacy of the white part of the population of South Africa. (Loud applause). We admit to the full your right to maintain the civilisation which you value, the modes of living, the standards of comfort which you have set up for yourselves, amidst discouragement and difficulties, which we fully appreciate. We recognise that it will be your right to determine the public policy of this sub-continent, and model it to yours and the satisfaction of the public interests. This being out of the way, we recognise as a natural corollary that there must be certain limitations and restrictions upon the political and municipal freedom of Indians here so that this essential requirement may be satisfied. We are anxious to disarm your suspicions in the matter.

And any application which might be made for the freedom of the Indian population in a request for the removal of disabilities pressing upon them, and any petition for facilities enabling them to live a happy, contented and prosperous life—all these things must be understood as being subject to this limitation, with no wish to interfere in, or dispute the political supremacy of the Europeans of this sub-continent. But the question arose: "Would you be justified in ordering the lives of Indians amongst you? Would you be justified in ordering their lives in going further than might be necessary in order to secure this essential condition? Would it be wise; would it be in accordance with the highest civilised rule; would it be in conformity with the highest standards set up by Great Britain in various parts of the Empire? Would it be right to raise bars and barriers which are not necessary to maintain your supremacy, but which seem only designed to deny the Indian, sometimes wholly, sometimes partially, the opportunities and facilities which are necessary for his full development? He has no

right to shape your politics or alter institutions to his own benefit. But is it necessary to bind him with shackles and fetters which deprive him of the opportunities to which, as a citizen of the British Empire, as one who swears allegiance to the Throne of Great Britain, he is entitled? Is it necessary to impose limitations on him as to the profession he might follow, or on the education he might wish to receive?

Is it or is it not a part of the aims of every civilised Government that every citizen, except he be of evil character or disloyal conduct should be allowed to become himself fully? I believe that the ordinary canons of right and justice would give the answer, without reservation, in the affirmative to that question."

A Solemn Promise

There was, he added, the promise held out by the Sovereign of Great Britain on dozens of public solemn occasions. There was the course consistently held by a long period of Imperial rule by Great Britain, a course which would not be deviated by a hair's breadth, which required that no one would be denied that which was necessary for developing himself. (Applause).

Whether the institutions were monarchical, oligarchic or democratic, no matter which shape they might assume in outward form, their tendency must always be to utilise all the available talent in the country to the fullest advantage—not only for one section, because it might be dominant, but for the whole community. (Applause). Everyone of the community was interested not only giving the best to the whole collectively of the State but he was interested in exacting from the rest of the community the best possible for that collectivity.

Mr. Sastri referred to the conditions affecting the Indian in the Cape Province, and in the Transvaal and Natal. In the Cape it was a question whether he was properly educated and put in suitable circumstances, whether he was fit and suitable to carry the burden and responsibility of citizenship in the Cape Province.

Equal rights for every civilised man was the motto of administration which on all occasions the Cape had followed. It was his fervent prayer that nothing would tempt them to depart from that straight and broad path. (Applause). The Government of India wished nothing better than that they should adhere to this formula in all that they did with reference to these particular people. He had neither the knowledge nor the experience to answer the question which might be put: "What are the signs of contemporary time, is that formula in jeopardy, what are the currents of opinion that might wreck that formula and drag the chariot of the Cape Province Administration athwart that straight line? I put the question, but the answer must come from those whose daily lives have been spent in studying the details and the tendencies of administration."

There was just the danger, he feared, that the Cape Province might descend from its high altitude and place itself on all fours with the other Provinces.

As one who wished with all his heart that the British Commonwealth would continue for a long, long time yet in the history of the world to be the exemplar of the highest principles of rule, to be the pattern of all that is best to secure the welfare of human kind, he prayed them not to deviate from the high standard set up by Rhodes, while they might be absolutely required to keep their own supremacy and maintain their own traditions, but to ask the other Provinces to come along and take their stand on their side as the custodians of even-handed justice and fairplay to maintain the high level of British justice, British equity and the British desire to give every individual under the common flag an opportunity. (Applause).

"I can assist my countrymen only by assisting you," said Mr. Sastri, amid applause.

Addressing the Indian section of the meeting, he asked them not to misjudge him; he had not come there to exalt himself in the eyes of the Europeans at their expense. But they had always to remember that they could not ask anything until they had established fully their desire to benefit by it. He spoke of his visit to the Indian School that day, and he was saddened by the small number he saw in the higher hall.

In a most eloquent appeal, Mr. Sastri impressed upon them the need of allowing their children to have all the facilities of education that were offered to them. He knew how they loved their children. But every true father desired nothing more than that he should be excelled and passed by his son. (Applause) He would rather prefer them to be beggars wandering from door to door than that they should have abundance to eat and leave their children in ignorance. It was wrong to take away children from school after the fourth standard. It seemed to him that they should have their protection up to 17 or 18 years of age. And they should pay even greater attention to the education of their girls. They could only neglect the careful education of their girls at the peril of the community.

At the termination of his speech, Mr. Sastri was loudly applauded.

Mr. J. S. Young proposed a vote of thanks to the speaker, who, he said, had put the Indian view very clearly and he declared that the Government of India and its people could be proud of such an ambassador as Mr. Sastri. (Applause).

The meeting terminated with the singing of the National Anthem.

Congress Secretaries Explain

The following letter signed by Mr. V. S. C. Pather (Secretary Natal Indian Congress) and Mr. A. I. Kajee (Secretary South African Indian Congress) was sent to the *Natal Advertiser* and was published in its issue of December 6:—

Sir,—Publicity has magnified many a small deed and redundant thing before this—the publicity given to the Natal Indian Association is of that kind. This association was formed about August, 1925, at Clairwood. Why Clairwood of all places should have been chosen to form a body to represent the Indians in Natal is beyond one's comprehension. It has no connection with the one formed in 1913 by Mahatma Gandhi. The one formed by Mahatma Gandhi stopped functioning after his departure in 1914.

Thereafter there was a blank in Indian political activities. In 1918 the first South African Indian Conference was held in Capetown. It was after the second South African Indian Conference in 1919 that a committee under that name began to function in Natal. The Natal Indian Congress which had been placed under an interdict, was resuscitated in 1921 and commenced the work of the community, and when the South African Indian Congress constitution was framed, it affiliated and formed a foundation member thereof.

The only work the Natal Indian Association which was formed at Clairwood in 1925 has so far done was to pass resolutions against the Asiatic Bill, and after lying dormant for over two years has come to light and has passed resolutions denouncing an agreement against which they had nothing to say when it was all in the making. At no time did they attend on Dr. Malan to put their views against the Asiatic Bill neither did they appear before the two deputations that came from

India. It takes this body nearly four or three years respectively after the passing of the Industrial Conciliation Act and the Wages Act to realise that these Acts are detrimental to the Indian community. It has also taken them 10 months after the publication of the results of the Capetown Agreement that this also is harmful to the Indian community. The agreement, as everyone is aware, has been discussed from every point of view by the Indian community all over the country and finally approved of at the annual session of the South African Indian Congress at Johannesburg in March last with certain reservations; the resolution of the Congress reads as follows:—

“That this seventh session of the South African Indian Congress in conference assembled hereby resolves to accept the agreement reached at the round table conference between the Governments of the Union and India recognising it as an honest attempt to find a solution to the Indian problem. The conference while prepared to work it as such, feels however the necessity to criticise certain features of the agreement, especially:

1. The restriction of the sale of unalienated lands in municipalities;
2. The serious failure to restore the municipal franchise;
3. The failure to remove the disability under the Colour Bar Act;

this conference further reserves to itself the right to critically examine the Liquor Bill where it affects the community and any Draft Bill that may be brought forward to implement the Agreement.”

If All Is Not Well

If all is not well with the Natal Indian Congress, why do not these men get in as members and push out those that are in power, and thereafter do the right thing according to their lights? It is easy to denounce anything by vague and general statements but difficult to quote facts and figures in support thereof.

Now let us take the most whipped up argument of this Natal Indian Association against the Capetown Agreement, namely, the Industrial Conciliation Act and the Wages Act. The clause relating to these Acts in the Agreement reads:—

“The principle underlying the Industrial Conciliation Act (No. 11 of 1924) and the Wages Act (No. 27 of 1925) which enables all employees including Indians to take their places on the basis of equal pay for equal work will be adhered to.”

If these men claim equality with the Europeans in things that suit them, why do they not accept the disabilities that general laws bring to them. It is one of the cries against the Indian that he undersells and competes unfairly, because of his cheap living. This fallacious argument has been disproved times without number by Mr. Gandhi in his time and those that follow him. It has always been maintained both by Mr. Gandhi and other leaders, that so long as any industrial or sanitary laws were made applicable to all irrespective of race, the Indian community will abide by them.

In view of what has been said by these men and the interview that appeared in the *Advertiser* on Saturday, from Johannesburg, by one, K. V. Patel, of the Transvaal British Indian Association against these laws, it will be of interest to note what that body observed before the Lange Commission in 1921. Paragraph 212 of the Commission's report reads:—

“In the course of a lengthy statement sub-

mitted to us by the Transvaal British Indian Association, they say, “if the complaint of unfair competition be sincere, and thought to be at all deserved, our community is prepared to recommend and conform to legislation, regulating the principle of minimum profit and wage on an equitable basis for all ranks of labour.”

Six years ago, the denouncers of the Capetown Agreement were prepared to accept legislation regulating not only their wages, but also their profits.

Improvement Necessary

Of course, needless to say, considerable improvement is necessary before the Indian is said to be on a level with the European in the operation of these laws. The main points which Indians feel should be remedied are:—

(a) Facilities for technical education should be provided (in this connection credit must be given to Dr. Malan for the inquiries he has initiated with the Durban and Maritzburg Technical Colleges);

(b) The benefits of the Apprenticeship Act should be extended to the Indian;

(c) Indians should be allowed to become members of the employers' and employees' unions, or that Indians' unions should be given recognition on equal basis.

Now let us take the other grievances of these men, namely, the voluntary repatriation scheme, or, as it is now known, the assisted emigration scheme. Voluntary repatriation is no new thing. It was part of the laws under which Indians were brought to this country under the Indenture Act of 1891 and the amending Act 17 of 1895.

There are three conditions under which Indians came, viz.: (a) To return to India with a free passage to be provided by the Indian Immigration Trust; (b) to reindenture; or (c) to pay an annual tax of £3.

After the passive resistance struggle of 1913 and the passing of the Indians' Relief Act of 1914, the £3 tax was removed.

After the interim report of the Lange Commission of 1921, a sum of £10 per adult person was paid as an inducement and under the Capetown Agreement this has been increased to £20, and only reducing the right of the father to repatriate his children up to the age of 21 to 16 years. This is an advantage that Indians appreciate, as it will allow for persons over the age of 16 to decide for themselves, which was not the case formerly. The other advantage is that a family desiring to come back can do so under strict and rigid conditions.

Objections

The objections raised against the facilities for higher education at Fort Hare are ridiculous and beyond the comprehension of anyone claiming that all men are equal and that one's education and character should, if at all, be the line of demarcation. What one would like to say to these objectors is that if it is the proper thing to claim to sit alongside a European for your studies, why not alongside a native of the country? If the European does the wrong by refusing this right, has the Indian the right to look down upon a native and refuse to sit alongside of him? We have as yet to learn that two wrongs make a right. What is more regrettable about these objections to Fort Hare is that it savours of base ingratitude in return for what that institution has done for several Indian youths. We are sure if these young men who have gone to England from Fort Hare had

further studies are to learn of what is being said about their Alma Mater, their blood will boil.

Let us appeal to these misguided countrymen of ours that, if they think that matters are not what they should be, let them come into the Congress and straighten things from within. It is easy to destroy but difficult to build.

(Sgd.) V. S. C. PATER, Secretary, Natal Indian Congress.

A. I. KAJEE, Secretary, S. A. Indian Congress.

Somerset East Indians Welcome Mr. Sastri

The following is the text of an address presented to the Rt. Hon. V. S. Srinivasa Sastri by the Indian community of Somerset East (C.P.):—

"To the Right Honourable V. S. Srinivasa Sastri, Agent-General of the Government of India in South Africa.

Right Honourable Sir,—We the Indian community of Somerset East feel ourselves very highly honoured at being afforded the opportunity of meeting you and expressing the very great pleasure that it gives us to know that the distinguished services which you have rendered to the cause of your countrymen have found suitable recognition from the Government of India. We have watched your career with interest and trust that it may please Almighty God long to spare you to carry on the great work which you have undertaken to do to assist in ameliorating the lot of your countrymen whom circumstances or the incidence of birth have planted in South Africa. We at Somerset East have no grievances and we are only a small community, but we know that others of our countrymen are not so fortunate and we know that you may be relied upon to improve their conditions while at the same time retaining the goodwill of the Government of South Africa. (God grant you strength and wisdom for the great work and may He guide you in all your undertakings. And we shall ever pray."

KRISHNASWAMY, Chairman.

K. T. GAJJAR, Secretary.

JESWA DHANA, Treasurer.

The Story of My Experiments With Truth

[BY M. K. GANDHI]

Part III. Chapter XXI.

SETTLED IN BOMBAY

Gokhale wanted very much that I should settle down in Bombay, practise at the bar and help him in public work. Public work in those days meant Congress work and the chief work of the institution which he had assisted to found was carrying on the Congress administration.

I liked Gokhale's advice, but I was not over-confident of success as a barrister. The unpleasant memories of past failure were still with me, and I still hated flattery for getting briefs as poison.

I therefore decided first to work at Rajkot. Kavalram Mavji Dave, my old well-wisher, who had invited me to go to England, was there, and he started me with three briefs at once. Two of them were appeals before the Judicial Assistant to the Political Agent in Kathiawad and one an original case in Jamnagar. This last was rather important. On my saying that I could not trust myself to do it

justice, Kavalram Dave exclaimed: "Winning or losing is none of your concern. You will simply try your best, and I am of course there to assist you."

The counsel on the other side was the late Mr. Samarth. I was fairly well prepared. Not that I knew much of Indian Law, but Kavalram Dave had instructed me very thoroughly. I had heard friends say, before I went out to South Africa, that Sir Pherozeshah Mehta had the law of evidence at his finger-tips and that that was the secret of his success. I had borne that in mind, and during the voyage had studied the Indian Evidence Act with commentaries thereon carefully, and there was of course the advantage of my legal experience in South Africa.

I won the case and gained some confidence in myself. I had no fear about the appeals which were successful. All this inspired a hope in me that I might not after all fail even in Bombay.

But before I set forth the circumstances in which I decided to go to Bombay, I shall narrate my experience of the inconsiderateness and ignorance of English officials. The judicial Assistant's was a peripatetic Court. He was constantly touring and vakils and their clients had to follow him wherever he moved up his camp. The vakils would charge more whenever they had to go out of headquarters and so the clients had naturally to incur double the expenses. This inconvenience was no concern of the Judge.

The appeal I am talking of was to be heard at Veraval where plague was raging. I have a recollection that there used to be as many as fifty cases daily in that place with a population of 5,500. It was practically deserted and I had put up in a deserted *dharmashala* at some distance from the town. But where were the clients to stay? And if they were poor, they had simply to trust themselves to God's mercy.

A friend who also had cases before the court had wired that I should put in an application for the camp being moved to some other station, as there was plague at Veraval. On my submitting the application the *Sahib* asked me: 'Are you afraid?'

I answered: "It is not a question of being afraid. I think I can shift for myself, but what about the clients?'

The *Sahib*—"The plague has come to stay in India. Why fear it? The climate of Veraval is lovely. (The *Sahib* lived far away from the town in a palatial tent pitched on the seashore.) Surely people must learn to live thus in the open.'

It was no use arguing against this philosophy. The *Sahib* told his Shirastedar: 'Make note of what Mr. Gandhi says, and let me know if it is very inconvenient for the vakils or the clients.'

The *Sahib* of course had honestly done what he thought was the right thing. But how could the man have an idea of the hardships of poor India? How was he to understand the needs, habits, idiosyncrasies and customs of the people? How was one accustomed to measure things in gold sovereigns all at once to make calculations in tiny bits of copper? As the elephant is powerless to think in the terms of the ant, in spite of the best intentions of the world, even so is the Englishman with the needs of an elephant powerless to think in the terms of or legislate for the Indian with the needs of an ant.

But to resume the thread of the story. In spite of the successes, I had been thinking of staying on in Rajkot for some time longer, when Kavalram Dave one day came to me and said: 'Gandhi we will not suffer you to vegetate here. You must settle in Bombay.'

'But who will find work for me there? I asked. 'Will you find the expenses?'

'Yes, yes, I will,' said he. 'We shall bring you

down here sometimes as a big barrister from Bombay, and drafting work we shall send you there. It lies with us vakils to magnify or belittle a barrister. You have proved your worth in Jamnagar and Veraval and I have therefore not the least anxiety about you. You are destined to do public work, and we will not allow you to be buried in Kathiawad. 'Well then, tell me when you will go to Bombay.'

'I am expecting a remittance from Natal. As soon as I get it I go,' said I.

The money came in about two weeks and I went to Bombay. I took chambers in Payne Gilbert and Sayani's offices and it looked as though I had settled down there.

Transvaal British Indian Association

Mass Meeting

Whereas, on the 5th November, 1927 a requisition duly signed by over 700 members of the Association was duly served upon the Joint Hon. Secretaries, calling upon them, in terms of rule 27 of the constitution and regulation, to convene a Special General Meeting of members for the purposes set forth in the said requisition

and whereas in violation of the said rule the said Joint Hon. Secretaries have failed, refused or neglected to comply with the said requisition, and failed, refused or neglected to convene a Special General Meeting

And whereas the members of this Association are by reason of the foregoing being subjected to injury in regard to the affairs of the Association and their communal interests

Notice is hereby given that a mass meeting of the Indians of the Transvaal Province (over the age of 16 years, all such being *ipso facto* members of the Association) will be held on Sunday, the 18th December, 1927, at 2 p.m. at the Good Hope Bioscope Hall, corner of Commissioner and Nugget Streets, Johannesburg, for the following purposes:—

1. To consider the conduct of the present officers and committee, and to pass such resolutions in regard thereto, as the meeting may determine.
2. To elect by vote officers and members of the committee either in addition to those presently holding office or in substitution of them or any of them.
3. To consider and vote upon the proposal that the Transvaal British Indian Association re-affiliate with the South African Indian Congress.
4. To consider and discuss and vote upon any other matter arising out of or incidental to the foregoing.

Tel. Add.,
"ORGANISER"
P.O. Box 2538,
Johannesburg.

N. R. PATEL,
Vice-Chairman of the Transvaal British Indian Association. (At the request and instance of members and signatories to the requisition.)

Lecture on the League of Nations

will be delivered by H. B. Butler Esq., C.B. of the League of Nations Union, London, at the Parsee Rustomjee Hall, 140 Queen Street, Durban on Saturday 10th December 1927, at 3 p.m. sharp.

Don't miss this opportunity of knowing all about the League and its work.

B. M. PATEL,
HON. SECRETARY.

M. K. Gandhi Library & Parsee Rustomjee Hall Committee.

South African Indian Congress EIGHTH SESSION

In terms of Clause 13 of the Constitution notice is hereby given to the constituent bodies that the next Annual Conference will be held at Kimberley on the 1st, 2nd, 3rd and 4th January 1928.

The following is the agenda:—

1. Presidential Speech.
2. Minutes.
3. Hon. Gen. Secretary's Report.
4. Hon. Jt. Treasurer's Financial Statement.
5. Capetown Agreement,
 - (a) Bills passed there anent.
 - (b) Education Inquiry Commission.
 - (c) Housing & Sanitary Commission.
6. Proposed Liquor Bill.
7. Notices of Motion.
8. Revision of Constitution and Standing Orders.
9. Election of Officials.
10. General.

A. I. KAJEE,

HON. GEN. SECRETARY.

Headquarters:

175 Grey Street, Durban.

25th Nov. 1927.

In the Magistrate's Court

For the District of Durban Held at Durban

No. 14370/1927.

Between the EXECUTORS OF ESTATE LATE B. H. WOOD (Plaintiff) and CHINNAPPAN No. 110657 Free Indian lately of Tongaat, (Defendant),

To CHINNAPPAN,

TAKE NOTICE that a Summons has been issued against you in this Court by the EXECUTORS of ESTATE Late B. H. WOOD, c/o A. D. Miller & Kimber, 10 Leslie Street, Durban for an order:

- (1) Cancelling the Agreement signed on the 18th June 1925 for the sale and purchase of a certain piece of freehold land being Lot 110 of Y of Clairmont Estate, in the County of Durban, Natal.
- (2) Forfeiture of the sum of £10 paid by you, and
- (3) For your ejection from the said land;

and that an Order has been made that the publication of notice of such Summons shall be deemed to be good and sufficient service of the Summons on you. You are required to enter an appearance to the Summons on or before the 14th day of December, 1927; and, if you do not do so, Judgment may be given against you in your absence.

Dated at DURBAN, this 30th day of November, 1927.

R. O. VAN ONSELEN,

Clerk of the Court.

A. D. MILLER & KIMBER,

Plaintiff's Attorneys,

10, Leslie Street,

Durban.

ઈન્ડિઅન ઓપિનિઅન.

પુસ્તક રૂપ મું.

ફીનીક્સ, શુક્રવાર, તારીખ ૯ ડીસેમ્બર ૧૯૨૭

અંક ૪૯

નોંધ અને સમાચાર

ના. ધ. કેંગ્રેસની કમીટી મીટીંગ

નાટાલ ઇન્ડિઅન કેંગ્રેસની મયા સુધીનારે ૧૭૫ ઓ સ્ટીટ માં મળેલી કમીટી મીટીંગમાં આવતા માસની સરકારમાં મેસનારા એલ્યુકેશન ઇનકવાપરી કમીશન સમક્ષ રજુ કરવાને નાટાલ પ્રાંતમાં હોદ્દીઓને અપાતી કેળવણીને લગતાં આંકડા અને બીજા માહિતીઓ મેળવવાને નીમાયેલી સભ્ય-કમીટીએ આજ સુધીના કામને રીપોર્ટ આપ્યો હતો અને મેસર્સ સોરાબજી રસ્તમજી અને એમ. એ. એચ. મુસા અને એસ. આર. નાયડુના નામે કમીટી ઉપર ઉમેરવામાં આવ્યા હતા. બીજા એક સભ્ય-કમીટી મી. અને મીસીસ સોરાબજી રસ્તમજી જેઓ આવતા શુક્રવારે ડરબન ઉતરશે તેઓને આપવાની સમવહ કરવાને નીમાઈ હતી.

મરહુમ સર જ્યોર્જ પેડીસન

એરીયાલ રેઝર્વેશન બીલની સામેની મળવળને પરિણામે હોદ્દીઓની સ્થિતિની તપાસ કરવાને આવેલા સરકારી પ્રતિનિધિમંડળના સરદાર સર જ્યોર્જ પેડીસન ઈંગ્લેન્ડમાં મરણ પામ્યાના બપોર આવ્યા છે. એરીયાલ રેઝર્વેશન બીલને પસાર થતું હોય તો તેને અટકાવવાનું માન પેડીસન ડેપ્યુટીને છે. એ વખતે અને હબીબુલ્લા ડેપ્યુટીનેની સાથે બીજા વખતે આવ્યા ત્યારે પોતાની નમ્રતા અને ભલમનસાધથી સર જ્યોર્જ પેડીસને પોતાના સંબંધમાં આવેલા હોદ્દીઓના મન જીતી લીધાં હતાં. હોદ્દી પેડીસન અને તેમના કુટુંબને સંબંધી મહાન ખોટમાં સમસ્ત યુનીયનની હોદ્દી કોમની દિલસોજી તેઓ તરફ જશે.

મી. એન્ડરૂઝ આવશે નહિ

સા. આ. ઇન્ડિઅન કેંગ્રેસના સેક્રેટરી ઉપર એક પત્ર દર્શાવતાં મી. એન્ડરૂઝ લખે છે કે દક્ષિણ આફ્રિકા હાલ પુરતને માટે મારાથી પાછા આવી શકાય એવી જગ્યાએ આજા જાયતી નથી.

હોદ્દી આવેલા કેળવણીના એક્સપર્ટ

નાટાલમાં હોદ્દી કેળવણીની તપાસ કરવા નીમાયેલા કમીશનને મદદ કરવા હોદ્દી સરકારે નીમેલા કેળવણીના એક્સપર્ટ મી. કે. પી. કીચલુ મયા શુક્રવારે ૧૨ વાગે જાઓજી અને તેમના સ્ટાફ સાથે કેપટાઉનથી ડરબન આવી પહોંચ્યા છે. તેઓને લેવાને સ્ટેશનપર નાટાલ અને સા. આ. ઇન્ડિઅન કેંગ્રેસના અમલદારો અને મેમ્બરો અને જાણીતા હોદ્દી વેપારીઓ હાજર હતા. જાઓજી અને મી. કીચલુને હાર તોરા અપેક્ષા કર્યા બાદ તેઓ મરીન પેરેડપર હોટેલ એડવર્ડ માં મયા હતા જ્યાં તેઓ ઉતર્યા છે. મીસ ગોર્ડન જે યુરોપીયન જાનુને પણ હોદ્દી સરકારે એલ કામ માટે નીચાં છે તે એલ વિવેક લખ્યાં વચ્ચે હતો તેમણે કહ્યું.

“ ઇન્ડિઅન ઓપિનિઅન ”

શુક્રવાર, તા. ૯ ડીસેમ્બર ૧૯૨૭

થોડા દિવસ પર કલેરલુકમાં મળેલી કહેવાતી નાટાલ ઇન્ડિઅન એસોસીએશનની મીટીંગને કે તેમાં આપણે કયાં ઘસડાઈ પસાર થએલા કરાવોને અમે વધારે રહ્યા છીએ અમત્ય આપવા ઇચ્છતા નથી. એ સંસ્થા ક્યારના મગી મઈ અને દુનાઈ ગઇ હતી પરંતુ ક્યારમાંથી પાછી ઉભી થએલી જણાય છે. નાટાલ ઇન્ડિઅન કેંગ્રેસ અને સાઉથ આફ્રિકન ઇન્ડિઅન કેંગ્રેસને તે તે સંસ્થાઓ “ કહેવાતી ” સંસ્થાઓ નથી પરંતુ કોમનું પ્રતિનિધિત્વ ધરાવનારી છે એવું જાણવા આપનારો ઇતિહાસ છે પરંતુ નાટાલ ઇન્ડિઅન એસોસીએશનને ૧૯૧૪ ની સાલ પછી એ સંસ્થા “ કહેવાતી ” સંસ્થા નથી એવું સાબીત કરનારો કંઈ પણ ઇતિહાસ નથી. પરંતુ કોમનું પ્રતિનિધિત્વ નહિ ધરાવતી હોવા છતાં એ સંસ્થા પોતાના મેમ્બરોનું અને કલ્યાય થોડા ધણા તેના અનુયાયીઓનું પ્રતિનિધિત્વ તો તે ધરાવે છે અને તેઓને જે જાંત પાડવાની લેજ માત્ર પણ આજા રાખી શકાતી હોય તો માત્ર તેટલે જ દરજ્જે તેઓને ખાન આપી શકાય. તેઓના કરાવો ધણા અસુરા છે કેમકે જે કરારો સામે તેઓ વિરોધ દર્શાવે છે તે તે કોમે અમુક અપવાદો સાથે સ્વિકારી લીધાને લાંબા કાળ વીતી ગયો છે અને હવે તો તેને અમલમાં મુકવાની પ્રવૃત્તિ ચાલી રહી છે. હવે એ કરારો અસંતોષકારક છે એવું જ્યાં સુધી પુરવાર ન થાય ત્યાં સુધી વધારે કંઈ પણ થઈ શકે તેમ નથી. આ સંજોગોમાં મજબૂર એસોસીએશનના કરાવોને ખાન શી રીતે આપી શકાય એ અમે સમજી શકતા નથી તેમજ હોદ્દી મહારુખા તેને ખાન રેશે કે કેમ એ વિશે અમને ધણી શંકા રહે છે. કરારથી આપણી સઘળી ઇચ્છાઓ પરિપૂર્ણ નથી થતી એ તો સઘળા પક્ષોએ કબુલ કરી લીધેલું છે અને જેઓ પોતાની સઘળી ઇચ્છાઓ પરિપૂર્ણ કરવાની ઇચ્છા રાખના હોય તેઓ ગંભીર લુલ કરે છે. સત્યામહની લડતને પરિણામે એટલાં એટલાં દુઃખો મહાં પછી પણ આપણે જેટલું ઇચ્છ્યું તેટલું મેળવી શક્યા નહોતા. જેઓ કરારની સામે એટલી બધી ફરીયાદ કરી રહ્યા છે તેઓ શું માને છે અને તે મેળવવાને કેટલો ભાગ આપવાને તૈયાર છે એ તો સ્પષ્ટ જણાવતા જ નથી. કેવળ રડવાથી કશું વળવાનું નથી.

પરંતુ ઉપરોક્ત એસોસીએશનના અન્ય કરાવો તો કંઈ પણ ચિંતા કર્યા સિવાય ક્યારના ટોપલીમાં સહીસલામત નાખી દઈ શકાય તેવા છે ત્યારે જે એક કરાવ ફોર્ટ હેરમાં હોદ્દીઓને આજ કેળવણીની કમવ્યાં કંઈ આંખમાં આમે વિરોધ હોવાનાથી