

Indian Opinion

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GANDHI KI JAI

WE have been supplied ahead with one of the chapters of Mr. V. M. Sundram's forthcoming book on "Gandhi the Hope of the World" which we gladly reproduce:—

Gandhiji will win and this war of good against evil will have a new value for the whole world. Never before in human history was a war waged on such a big scale between truth and untruth. England has grown strong and mighty. She has become wealthy and proud. To-day she wields great power. She is full of greed and lust. England holds sway over a large part of the earth. She has a big empire over which her people say, the sun never sets. She rules the seas and the air. Her ships sail proudly over the ocean waves and her aeroplanes fly swiftly over all parts of the globe creating awe in the minds of poor people.

This little island from the far-west has robbed India and has ruined the lives of thirty crores of people. This modern Circe among the nations of the West has cast her spell on India and the witch has struck India with her magic wand. Millions have become mute and dumb. For a century and a half, India had slept. Now she is awake from her age-long slumber and is trying to get out of the clutches of this demon. And Gandhiji has girded up his loins to fight against this evil power. He has no guns, no aeroplanes, no warships. England could have gagged him at any moment and clapped him into gaol and at last she has done so. But Gandhiji who takes his life in his hand is yet stronger than Great Britain. He has put his axe at the root of this puissant nation and will break the might of England. England will soon come to know that might is not right but that right is might. Gandhiji is India's guru and the world's greatest man. He is a rare being. We cannot find his peer. He is full of love and his heart bleeds for the

poor. His one thought has been to help them. He lives a simple life and exists on milk and grapes. He wears but a loin cloth and has few wants. He has drunk the waters of life and wants to go along the good old way. Gandhiji is a man of peace. This good and great man has done wonders in India during the last fifteen years. He has restored the little wooden spinning wheel to its ancient glory and has provided a solution for the bread problem. He has given food to thousands of poor people. The charka is manna for the millions. Gandhiji himself spins every day and his wheel as it rolls sings the song of peace and goodwill to all. Gandhiji is in quest of truth. He speaks of the glory of God and wants his people to go back to the great golden age of India and live a life of joy and peace. The foreign Government dreads the activities of this mysterious man, for Gandhiji has testified that it is satanic. He knows England as perhaps no other Indian does. He has served that country loyally for twenty-five years. Four times he risked his life in helping her. But he found England untrue. She is like a wolf catching the poor Indian sheep and devouring them. Gandhiji, the good shepherd knows his sheep. He has begun to take care of them and will lay down his life for them. Now he has blown the horn and many have heard his clarion call. He has left his peaceful retreat by the riverside and after marching forth to the battlefield at Dandi is now clapped into jail. The world will witness a new war—a war of good against evil, soul-force against brute force—a war between God and Mammon. Before he left to wage this war Gandhiji wrote a letter to the Viceroy but what does England's Viceroy care for India's Gandhiji. He asked for bread and he got a stone. England is pig-headed. She is mad with wounded vanity. Her politicians are bullies. She is showing

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GET OUT or GET UNDER

It is being driven home to us with gradually increasing insistence, that the Indian population of the sub-Continent will sooner or later be pointedly confronted with one or other of the above alternatives. As suggested in our leading article of last week the Capetown agreement, which the Government of India congratulated itself had secured to us reasonably fair opportunities of uplift and satisfactory assurances against our further degradation, would now appear to have been begotten, on the one side at least, by anticipation and to have been related in only the remotest degree, if at all, to equity and concern for the Indians themselves. The "anticipation," was, of course, in regard to voluntary repatriation. The voluntary repatriation figures, it may be safely conjectured, had up to then raised hopes of a fairly rapid diminution of our numbers, to result in the course of a few years, in the Indian "menace" being reduced to "managable proportions". "Management" in reference to non-Europeans has meant, hitherto, and we are assured must continue to mean, allowing them to enjoy only what Europeans do not want for themselves. While the Indian is proverbially mild and law-abiding, he has in the past, and on occasion, displayed a somewhat disconcerting readiness to endure, even to the death, in defence of certain deep-rooted convictions concerning amour-propre. Like the worm, he has submitted to be trodden upon up to a point, and then has brought shame upon his torturers by calling the world's attention to their inhumanity by his very endurance of it. This has, of course, helped to make the presence of the Indian an undesirable complication in the colour problem of the Union. He is apt to set a bad example; to teach the other and more tractable coloured peoples bad habits; to disturb time-honoured shiboleths about White being Right and the black man being divinely ordained to remain the hewer of wood and drawer of water for the white. Therefore, the Indian must either be got under or got out. If large numbers of him could have been got out, the residue might, without too much fuss, have been got under! Since he has failed to come up to expectations in the one alternative, he is, judging from the portents, to be compelled to submit to the other. As in the fable of the Wolf and the Lamb, every specious argument

is employed to excuse his destruction. To his "unfair competition" in trade is ascribed the ruin of the white storekeeper. That in the Free State where no Indian competition is permitted at all there occurred last year something like 2000 insolvencies, has of course "nothing to do with the case." To further adapt Gilbert, "a victim must be found," and the Indian is the victim that is wanted, the Jonah that has to be flung to the ways, the scapegoat to be driven into the wilderness. His "offensiveness" is further illustrated by his propensity for "money hoarding." In the same breath however, he is accused of the insufferable presumption of seeking to invest his money in fixed property within the Union. He is it is alleged so exclusive as to be unassimilable, an alien in ideals, thoughts and habits, yet the latest charge laid at his door is that he is penetrating European residential areas, daring to aspire to live in respectable localities and in decent style. Similar examples of the illogicality of it all, could be multiplied almost ad infinitum, the simple truth of the matter being that the ugly-face of hypocrisy is hidden behind most, if not actually all, of these complainants and accusations.

Let us have done with hypocrisy and pretence. Better far to proclaim in plain honest language: "get out, or get under." The "scrap of paper" comedy was enacted once, at least, before. Surely it cannot matter to play it once again, especially where the people affected are mere Asiatics.

M. K. Gandhi Library

—AND—

Parsee Rustomjee Hall

NINTH ANNIVERSARY

The celebration of the Ninth Anniversary of the M. K. Gandhi Library and Parsee Rustomjee Hall, and the Ninth Annual General Meeting will take place on Monday, 8th September 1930, at 7.30 p.m., in the Parsee Rustomjee Hall, 140, Queen Street, Durban.

Sir Kurma V. Reddi has kindly consented to be present.

A Cordial invitation is extended to all.

B. M. PATEL.

Hon. Secretary, M. K. Gandhi Library
& Parsee Rustomjee Hall Committee

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her mailed fist and talks again of steel frames. But Gandhiji knows his mind and his art. He has put his head into the lion's mouth. England is raging with fury. The old lion is shaking its mane. She is roaring and terrifying India. But Gandhi is serene and calm. Like a lamb he will stand before the lion's mouth and has hundreds of lambs to pacify the lion's hunger. England can have a feast of India once for all. She can have her orgy. But she cannot be the queen of India any longer. By her devilish ways she has lost all her claims to India's loyalty. We Indians have put up with her misrule for a century and a half. We will no longer be slaves in our own country. We will either be free or die. But we cannot endure the foreign yoke. India will become the home of liberty. She will be in the van of civilisation. To liberate this ancient land from her bondage Gandhiji has been sent by God; he is a messenger from Heaven. He is full of grace and truth. Gandhiji wants to take away the sins of India and of the whole world. He is performing great tapsya and doing the will of Him that sent him in this world. He has conquered lust, anger and fear. He does not care for filthy lucre. Death has no fear for this Mahatma. He wants peace for India and peace for the whole world. Sooner or later he will have it.

Gandhiji is dead against war. So he has left the beaten track and has found out a new method. By soul-force he will conquer his enemies. By self-suffering he will melt the hardest hearts. His soul-force or satyagraha is something unknown to the West. Nineteen centuries ago Jesus Christ taught the world the meaning of love expressed through sacrifice. He gave up his life, but his message survived the Empire that crushed him. To-day Gandhiji, to whom love is the lode star of life has defied another Imperial Power and though it appears to have silenced him, the fate of the British Empire is written on the wall.

Transvaal Asiatic Tenure Amendment Bill

The following article appears in *The Mahratta* of Poona as a letter from South Africa:—

The Select Committee's report on the Asiatic problem in the Transvaal is a shame-faced document of 400 pages which are full of anti-Indian bias and racial ill-will. The perusal of or even a cursory glance over the report will convince anyone that South Africa is not in a mood to play the game with India, that she is determined to ruin the Indians to pacify a few interested white traders and that her policy is guided by the dictum "Away with the Indians" either by hook or crook, legislation or administration, segregation or repatriation. It appears that there was no practical split in the decision of the Select Committee about the legislative policy of segregation for the Indians—the policy which was firmly and strongly resented and successfully opposed by India and Indian Government only three and a half years back. Speaking on behalf of the Paddison deputation in 1922, Mr. Bajpai declared in reply to a question addressed to him then in the Select Committee, that India would never accept segregation for her Indian nationals in the Union as it placed a stigma on the status and civilisation of India; and that if the South African Government persisted in its segregation policy, the public opinion in India might compel the Government to reject the Indian repatriation from South Africa. A few months later the Habibullah delegation adopted the very same attitude and protested against segregation which was eventually withdrawn by the Union Government together with the old Asiatic Bill and the pact popularly known as the Capetown Settlement was signed which accepted the Indians as a section of the South African population (not as an alien unit) with a pledge for eventual uplift and conferred the right on South Africa to reduce the population of Indians through the assisted emigration scheme with the support and co-operation of Indian Government. When the Agreement was being signed, it was given to understand that a five years' trial would be given to the Agreement.

A Humiliating Document

Now, when only three years have elapsed since the Agreement was signed, the South African Government has the audacity to throw the Settlement into the waste paper basket and bring in a piece of legislation which is tantamount to the annihilation and ruination of the whole Indian community in the Transvaal under the pretext of the consideration of "public interests" and avoidance of "misunderstanding." It is introduced to paralyse Indian existence under the excuse of "tightening the loopholes" and the prevention of "illegal occupation and trading by the Indian."

Every sane politician should consider this Bill as the most humiliating document ever drafted by a Government for one section of its population. It is the worst possible insult to India and the hearty co-operation of Mr. Srinivasa Sastri who has been betrayed and humiliated by the Union Government whose work was loudly applauded by him and his colleagues. It is the utter disregard of the viewpoint represented by the Indian community and the Indian Government. It is significant that Dr. Malan has even ignored the representations of our hardworking Agent-General—Sir Kurma Reddi—by the plain declaration in the House of Assembly that the Transvaal Asiatic Tenure Amendment Bill (which has been dropped this session, as there was no time to proceed with it owing to the prorogation of the Parliament) that the Bill will be reintroduced into the House at an early stage next session and

that it will be reintroduced in an unmodified form.

It is pretty certain that Dr. Malan, the Minister of Interior, who is known throughout South Africa for his tenacity and obstinacy, will reintroduce the abovementioned reactionary measure without paying proper heed to the representations from India, if they are not strong and effective. South Africa knows in her heart of heart the weakness of the Indian Government which is afraid to take the bold step and demand the amelioration of the Indian Status in South Africa.

Direct Action

There are no sound reasons to believe that the Union Government will deviate from the path she has chalked out to humiliate and ultimately drive away the Indians from the province of the Transvaal. If this does not happen let us hope presently that saner counsels will prevail during the interval, India shall have no other alternative but to resist the South African policy internationally, imperially and directly. The psychology of South Africa is only to pay heed to direct action. Until this is done, no diplomatic efforts will ever persuade the Union Government to change its policy and attitude.

One course seems to me to be quite constitutional and effective. India could rightfully demand the redress of Indian grievances in this country at the table of the League of Nations, South Africa being a member of the League alike with India. The prestige of South Africa will be rudely shaken at Geneva, if India takes up the case of the South African Indians as the problem of minority community and challenges the attitude of South Africa to make the existence of the Indians unbearable and impossible through drastic legislations. If an organised effort will be made at Geneva, South Africa shall have to bow before the force of world-opinion. But to achieve this objective, great pain shall have to be taken with regard to propaganda and incitation of the world-opinion through the up-to-date preparation of the Indian case, handled by an astute statesman from India. Personally, I would prefer Sir Tej Bahadur Sapru to take up this matter and fight out our case at Geneva with a co-operation of the people and the Government of India.

While this plan should be accepted as the last step to oppose the Union policy, no efforts should be spared to come to an amicable settlement at the Imperial Conference where General Hertzog will be present as the first representative of South Africa. It is well-known that the Indian Government and the people of India are very much absorbed in their own affairs to pay sufficient attention to this threatening problem. However, this problem will be too hazardous to be ignored or handled half-heartedly.

News Of Independence Struggle In India

Bomb Attacks In India

Calcutta, Friday.—The spasmodic outbursts against European police officials by armed Indians during the week took a serious turn at Dacca to-day when a daylight attempt on the lives of two prominent police officials, Messrs. F. J. Lowman, Acting Inspector-General of Police, and E. Hodson, Superintendent of Police, was made by a Bengali youth armed with a revolver.

Seriously Wounded

As the two men were leaving Mitford Hospital on foot they were fired at and seriously wounded.

A bullet lodged in Lowman's spine and Hodson was wounded in the back. Both will have to be operated upon.

The Bengali was seized by a hospital contractor, but broke away and escaped, leaving his revolver behind. Two Bengali youths were subsequently arrested on suspicion.

Sequel To Attack On Inspector

Calcutta, Monday.—F. J. Lowman, the Acting Inspector-General of Police who was shot by a Bengali youth in Mitford Hospital compound on Friday, has died as a result of the two revolver wounds he received.

E. Hodson, the Superintendent, who was also wounded, is still in a serious condition, but there are signs of improvement.

Lowman underwent an operation on Saturday night, but the surgeons were unable to extract the bullet, although the operation last three hours. Little hope of his recovery was entertained.

Peace Settlement Within A Week?

Allahabad, Aug. 30.—Peace in India within a week is the forecast of the newspaper *The Pioneer*, which says that the negotiations of the peacemakers, Jayakar and Sir Tej Sapru, with Lord Irwin, the Viceroy, have proceeded far enough to enable the former to evolve a formula which may reconcile the points of view of the Indian Government and the Congress leader.—Renter.

Police Open Fire On Strikers

Bombay, Aug. 31.—Police charged with lathis and then fired on a riotous mob of mill strikers who were stoning a mill where work was proceeding in an attempt to force out the workers. Several strikers were injured.—Renter.

Inspectors' Houses Bombed

Mymensingh (Bengal), Aug. 31.—Two bombs were thrown to-day at the house of a detective-inspector excise and a sub-inspector, who are brothers. The former was wounded.—Renter.

Visitors To Gandhi In Prison

Poona, Wednesday.—Sapru and Jayakar, accompanied by Ranganwami Iyengar, editor of *The Hindu*, interviewed Gandhi in Yerwada gaol to-day.

Mrs. Sarojini Naidu was also present and after four and a half hours' conference the peacemakers emerged looking gloomy. The conversations will be resumed to-morrow.—Renter.

Bengal Terror Gang

Calcutta, Aug. 29.—Evidence now in the hands of the Calcutta police shows that a gang of Bengal terrorists, possessing a large number of the deadliest type of bombs, have been responsible for the crimes committed in Calcutta in the last few days.

Criminal organisations of a similar kind are believed to exist in the Punjab and the United Provinces, consequently the cult of the bomb has been given new licence. The Congress is indignant at bomb-throwing being associated with Congress activities.

Congress members state that defiance of the law by civil disobedience, picketing and boycott comprise their activities, so long as they do not take the form of physical violence against the authorities.

The Congress argues that if a man breaks the law without physically hurting another, he is a patriot, but if he sheds blood, the Congress must politely wash its hands of him. When the Congress organises itself with a "War Council," provides itself with a "Commander-in-Chief," and recruits "Volunteers," it demands a degree of faith of which Europeans and Mahomedans are incapable.

They do not believe that these grandiose titles are concerned solely with salt manufacture and the refusal to wear Manchester cloth. Mahomedans snubbed the Congress long ago and the European Associations in India, at a Conference which concluded yesterday, called for the suppression of the Congress and the sequestration of Congress funds and property.

THE ASIATIC LAND TENURE (AMENDMENT) BILL

THE Executive of the South African Indian Congress has prepared a brief survey of the Bill and its effect to the Indian community in the Transvaal which we publish below:—

SECTIONS OF THE BILL.

COMMENTS THEREON.

CLAUSE 1.

Section one hundred and thirty of the Precious and Base Metals Act, 1908 (Transvaal) hereinafter referred to as the Gold Law is hereby amended by the addition of the following words at the end of sub-section (1) thereof, "and no coloured person other than such bona fide servant may reside on or occupy any such ground."

Section 130 of the Gold Law, Transvaal Act No. 35 of 1908, prohibits the occupation and residence of a coloured person, other than bona fide servants, on proclaimed areas, and a person transferring, or subletting, or permitting occupation or residence by a coloured person, is liable to be punished. The amendment proposed not only makes the occupation of proclaimed areas by a coloured person illegal but a punishable offence.

The effect of section 130 of the existing Gold Law is that it prohibits the holder of a right acquired under any law over proclaimed areas from transferring or subletting to or permitting occupation or residence by a coloured person, other than a bona fide servant, and makes it a punishable offence, but the amendment proposed alters the present state of the law, and lays down that the coloured person illegally occupying as well as the person permitting occupation is made liable to the penalties provided under section 130 (2) of the Gold Law.

CLAUSE 2.

Section one hundred and thirty-one of the Gold Law is hereby amended—

(a) by the deletion of the words "be permitted to" in sub-section (1)

The existing state of position under clause 131 (1) of the Gold Law is that it only prohibits residence but not occupation of proclaimed land by coloured persons but the amendment proposed expressly prohibits occupation as well for any purpose, thus imposing further restrictions of a grave character.

Section 2 (b) by the deletion of the words "proclaimed land" in sub-section (1) and the substitution therefor of the words "or occupy any land, which has been or purports to have been proclaimed a public digging under any provision whatsoever of this Act or Law No. 15 of 1898 or of a prior law, and which has not been lawfully deproclaimed, whatever its situation, the nature of its tenure, the nature and extent of any rights in regard thereto under this Act or any other law, or the condition of its surface may be, or may have been on the date of such proclamation.

Section 2 (b) creates a new position by bringing within the provisions of the Gold Law, townships such as Springs, where Asiatics possessed in contestable rights to reside and occupy. In point of fact, the Gold Law had no application whatsoever to townships such as Springs. Recently the question of residence by Asiatics on a certain stand at Springs, who were sought to be ejected under section 131 (1) of the Gold Law, was tested in the Appellate Division of the Supreme Court of South Africa, and the Chief Justice decided in favour of the Asiatics by observing that land proclaimed under section 52 stood in a peculiar position and was not intended by Parliament to be hit by the provisions of the Gold Law in its application to proclaimed land. In order to nullify the effect of this judgment, a new sub-section has been introduced so as to make the provisions of the Gold Law applicable to townships such as Springs. Although the amendment safeguards the existing interests of Asiatics, it totally excluded any fresh rights, which were open to them, being acquired.

This is yet another example of rigorous action proposed to be adopted to deprive Indians of rights, though very limited, open to them.

Section 3.

The provisions of sections one and two shall be construed as having come into operation on the first day of May, 1930; provided that any coloured person who was lawfully residing on, or occupying any ground or land referred to in either of those sections immediately prior to the date when its provisions became or are, in terms of this section, deemed to have become applicable to such ground or land, shall be entitled to continue such residence or occupation, subject to compliance with the requirements of any other law.

The purport of this section is, as is clear from its provisions, that the amendment in clauses 1 and 2 shall be construed as having come into force on the 1st May 1930. This is to give effect to right declared to have been lawfully acquired by the recent decision of the Appellate Court, and will apply to Springs and such like places. Whilst safeguarding existing rights in this respect, it restricts any fresh rights of similar nature in future. It will be noticed that no provision is made for the transference of such rights to successors or heirs of present holders.

Section 4 (1)

If any land which was at any time subject to the provisions of section one hundred and thirty or one hundred and thirty-one of the Gold Law, has before the first day of May, 1930, ceased to be a public digging it shall, nevertheless continue to be subject to those provisions of that section, or any amendment thereof, as if it were still a public digging, as long as it is situate within the area of jurisdiction of any municipal or village council or health committee; provided that any coloured person who was, on the first day of May, 1930, lawfully residing upon or occupying such land, shall be entitled to continue such residence or occupation subject to compliance with the requirements of any other law.

Section 4 (2)

Any land which was, at any time subject to any provisions of section one hundred and thirty or section one hundred and thirty-one of the Gold Law, or any amendment thereof, shall, subject to any provisions of Act No. 18 of 1913 or of this Act which may be applicable thereto, remain subject to the provisions of the said section one hundred and thirty or one hundred and thirty-one even if it ceases to be a public digging, as long as it is situate within the area of jurisdiction of any municipal council or village council or health committee.

Section 5 (1)

Within one year after the commencement of this Act every municipal council or village board within whose area of jurisdiction Asiatics reside and within which area is included any ground or land referred to in section one hundred and thirty or one hundred and thirty-one of the Gold Law, or any amendment thereof, shall, subject to any law relating to the laying out of townships, define an area or areas within its area of jurisdiction, for the accommodation of Asiatics and indicate in respect of any such area whether any Asiatic may reside but may not carry on business therein, or whether he may carry on business but may not reside therein, or whether he may both reside and carry on business therein.

Section 5 (2)

If the area or areas so defined are, in the opinion of the Minister of the Interior, after consultation with the Minister of Mines and Industries, suitable and of sufficient extent for the purpose indicated as aforesaid, to meet the reasonable residential and business requirements of all Asiatics residing or carrying on business in the area of jurisdiction of such council or board, he shall, subject to any law relating to the laying out of townships, by notice in the Gazette, define such area or areas as an exempted area or areas and indicate in such notice in respect of every such area, in accordance with the indication of such council or board, whether an Asiatic may reside therein but may not carry on business therein, or whether he may carry on business therein but may not reside therein, or whether he may both reside and carry on business therein.

Section 5 (3)

Any Asiatic may thereupon, notwithstanding the provisions of any other law, acquire the ownership of or any other real right in or a lease or other right of occupation of any land in any such area and may

This sub-section provides that although a proclaimed area in which coloured persons are prohibited from occupying ceases to be a public digging before the 1st May, 1930, it will nevertheless be considered as a proclaimed area as long as it is situate within the area of jurisdiction of any municipal council, village council, or health committee. It only protects the rights of coloured persons as to residence and occupation, lawfully acquired, up to 1st May, 1930, but this protection does not extend to their heirs and successors.

This sub-section enacts that even before or after 1st May, 1930, a proclaimed area, although it ceases to be a public digging, shall continue to remain a proclaimed area as long as it is situate within the jurisdiction of any municipal council, village council or health committee. The effect of these two sub-sections is to eternally exclude coloured persons from exercising their rights to occupy and reside on deproclaimed land, which they will be entitled to were the land deproclaimed after the mining is worked out or closed. This will undoubtedly create new disabilities on coloured persons, and will exclude them from rights which they hitherto possessed. As for instance, if all the mines in the city of Johannesburg are worked out at some distant date, it will have to be deproclaimed in which case coloured persons will have the right to reside and occupy deproclaimed area. In order to prevent this, these sub-sections have been introduced.

This section contains 5 sub-clauses, all of which introduce new principles vitally affecting the Indian community throughout the Transvaal Province.

Sub-section (1) casts a duty upon every municipal council or village board to define area or areas within its jurisdiction for Asiatic occupation or residence or for both and for trading purposes within one year of the passing of this Bill.

Sub-section (2) lays down that the Minister should be satisfied as to the suitability and extent of such exempted areas, wherein Asiatics may reside, but may not carry on business, or may carry on business, but may reside or may do both.

Sub-section (3) empowers Asiatics to acquire ownership of fixed property in such defined areas.

reside or carry on business thereon or permit any other Asiatic to reside or carry on business thereon, in accordance with such indication, subject to compliance with any law relating to residence or to any such business.

Section 5 (4)

If any such council or board fails to define in accordance with the provisions of sub-section (1) an area which is or areas which are, in the opinion of the Minister of the Interior, suitable and of sufficient extent to meet all reasonable residential and business requirements of all Asiatics residing or carrying on business in the area of jurisdiction of such council or board, the Minister of the Interior shall, subject to any law relating to the laying out of townships, after consultation with the Minister of Mines and Industries, and with such council or board as soon as may be, by notice in the Gazette define an area or areas within such area of jurisdiction as an exempted area or areas and indicate in such notice in respect of every such area whether an Asiatic may reside therein but may not carry on business therein, or whether he may carry on business but may not reside therein, or whether he may both reside and carry on business therein, and the provisions of sub-section (3) shall thereupon apply in respect of any such area.

Section 5 (5)

No land may be included in an exempted area in terms of this section if the title deed of that land contains any servitude or condition prohibiting its transfer to or occupation by an Asiatic, unless the owner of every piece of land in whose favour such servitude or condition is intended to operate, signifies his consent in writing to such inclusion.

Section 6.

Section one of the Asiatic (Land and Trading) Amendment (Transvaal) Act (Act No. 87 of 1919), is hereby amended,

(a) by the deletion of the expressions "British Indian" and "Indian" wherever they occur and the substitution therefor of the words "coloured person";

Sub-section (4) lays down that if any council or board fails to define such areas in terms of sub-section (1) then the Minister shall define such areas.

Section 5 lays down that no land, the title deeds of which contain a clause prohibiting Asiatic occupation, may be included in an exempted area, unless the owner consents in writing.

Section 5 deals a death blow to the existence of the Indian community in the Transvaal. It introduces the principle of compulsory segregation against which even the Lange Commission of 1919 registered its disapproval. It is a revival of the principle contained in the Class Areas Bill, which was dropped as a result of the Round Table Conference between the Union Government and the Government of India. The provisions of this clause spell ruination to the thousands of Indians, who will be virtually driven out of the Province. Even if the Bill as it stands became law, as the powers of defining areas are in the first instance given to the municipalities and village councils, failing which, to the Minister, Indians, besides having no say in the matter, will be left to the mercy of the municipalities and the Minister and there is no means of redress in the event of harsh administration of this provision of the Bill. Moreover Mr. D. J. Stewart, Registrar of Mining Titles and Rand Township Registrar, in a striking passage in his evidence before the Select Committee, made it abundantly clear as to the impracticability of making the section a workable one. He states, "There are no Townships in the proclaimed areas where Asiatics are free from impediments as to occupation and ownership because there is always a restriction in the title..... I know of no case of a Township on a public digging with no restriction in the title." It is a direct violation of the Cape Town Agreement, both in letter and in spirit.

Section 6 has four sub-clauses and amends Act 37 of 1919,

Clause A substitutes the term "British Indians" for coloured persons. This change is made in order to include Indians from Native States of India as well,

(b) by the addition of the following new sub-sections (2) and (3), the existing section, as hereby amended becoming sub-section (1), (2) The provisions of sub-section (1) shall not exempt any coloured person from any provision of the said section one hundred and thirty and one hundred and thirty-one, or any amendment thereof, in respect of any number of pieces of land in any township in excess of the number of pieces of land on which he resided or which he occupied in such township on the first day of May, 1919, or in respect of any area in such township in excess of the area on which he resided or which he occupied in such township on the said date.

(3) If any coloured person was, on the first day of May, 1930, residing upon or occupying any land and such residence or occupation was by virtue of any provision of the said section one hundred and thirty or one hundred and thirty-one or of this section unlawful, such coloured person may, subject to compliance with the requirements of any other law, nevertheless continue such residence or occupation till the thirtieth day of April, 1935; provided that he has, before the first day of September, 1930, furnished the Minister of the Interior with a written notice, specifying the land which he unlawfully resides upon or occupies, the nature of such residence or occupation and the period during which he resided on or occupied such land and such other particulars in regard to such land, residence or occupation as the Minister may require him to furnish."

Clause B introduces amendment to the principal Act by providing that persons protected shall not occupy a greater number of stands or a greater extent of ground than was occupied on 1st May, 1919.

Clause 3 declares that persons who have entered upon occupation or residence in contravention of the Gold Law after the 1st May, 1919, will be given 5 years' grace from 1st May, 1930, to vacate their stands, provided notice has been given in a prescribed form. But persons failing to give notice will lose the grace given them.

The effect of this section is to impose further restrictions upon Indians. It is necessary to explain briefly Act 37 of 1919 in order to understand the implications of this new section of the Bill. British Indians who on the 1st May 1919 were carrying on a duly licensed business on proclaimed land or in townships, their successors in title, as well as their bona fide servants, were exempted from the Gold Law and were permitted to reside on and occupy proclaimed land in the same Township. The amendment proposes to restrict the scope of the law by laying down that persons so protected shall not hold any land or area in excess of that held by him on 1st May, 1919. In other words it means that if a person occupied on 1st May, 1919, Stand X and say, in 1920 occupied Stand Y, which is an extension, in the same Township, the protection given to him applies to Stand X only, and his extension to Y will be declared illegal. This is clearly defeating the decision of the Court of Law, which interpreting the Act 37 of 1919, said that a British Indian is in exactly the same position as any other person in the municipality and just as if he were not a coloured person, in other words, just as if he were a European, who had all the right under the Gold Law (The Krugersdorp Municipality vs. Dadoo Ltd., 1920.)

Again the clause, if passed, would lead to some absurdities. Take for instance A occupies Stand No. 1 in 1919 of an area of 100 square yards and later he shifts to another Stand No. 2 of an area of 120 square yards, he would be, in terms of this clause, deprived of the extra 20 square yards. What is allowed by the Act of 1919 is not only snatched away, but no protection is given to vested interests acquired under that law.

This will affect not only the Indian traders, but also others, such as artisans, hawkers, waiters, book-keepers, who will be forced to give up their residence or occupation of stands, and go into locations, which are intended to be created under the provisions of the Bill.

[TO BE CONTINUED]

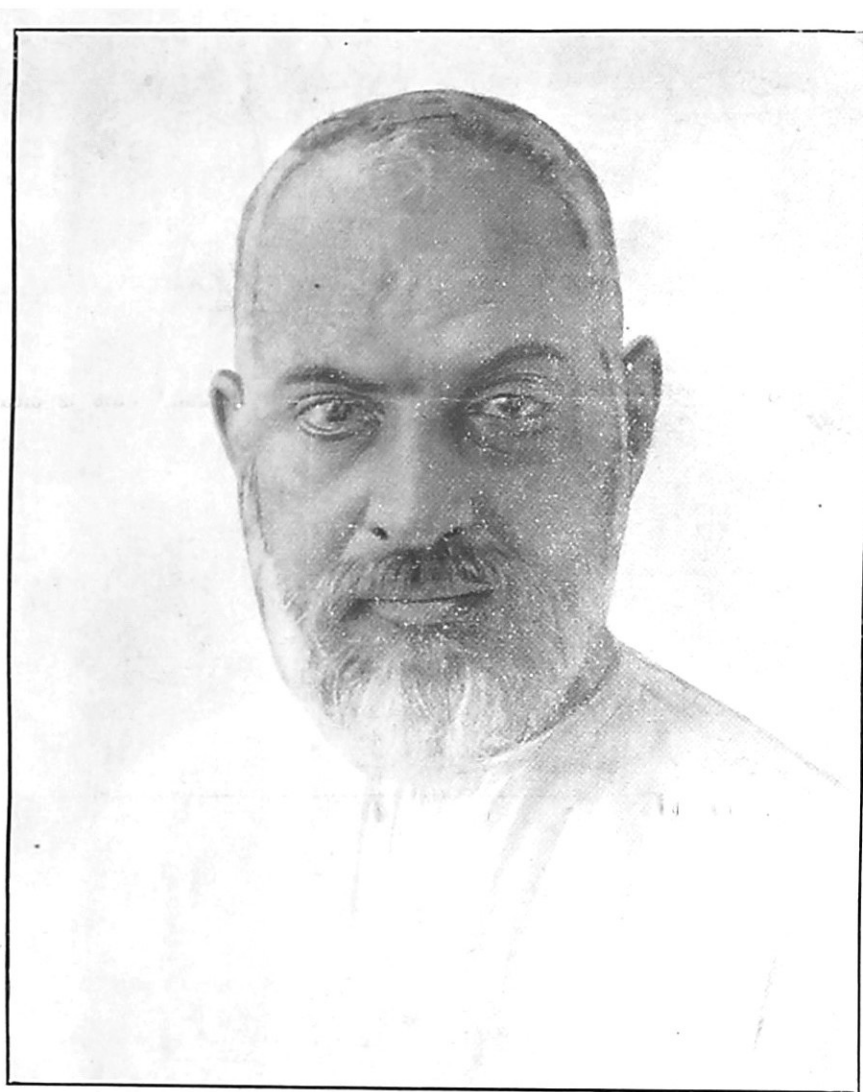
The following notice occurs in a Departmental Circular issued by the Transvaal Education Department and dated August 1930:—

THE ALL INDIA FEDERATION OF TEACHERS' ASSOCIATIONS.

It is noted for general information that the All India Federation of Teachers' Associations will hold the First Conference of educationists of Eastern countries at Benares during the period 26th to 30th December 1930. This information is published in case any teachers of the Transvaal will be in India during the period.

The address of the Secretary is as follows:—Post Box No. 52, CAWNPORE.

Mr. V. J. PATEL



Ex-President of the Legislative Assembly, who is arrested in Delhi.

Our Letter From India

(FROM OUR OWN CORRESPONDENT)

Calcutta, August 7.

Tilak Day

Lokamanya Bal Gangadhar Tilak passed away on the 1st of August 1920 and on the occasion of his death anniversary on Friday, eloquent tributes to his memory were paid all over the country. This occasion once more reminds his countrymen, whether here or abroad, of the gap—a gap which could not be filled up as yet—that was created in the national life of India by his passing away ten years ago. As long he lived, writes Mr. Romain Rolland, the French Savant, in his book on Mahatma Gandhi, he was the undisputed leader of India. Who can say what would have happened if he had not met with an untimely death in 1920? If Tilak had lived, Gandhi, who revered Tilak's genius, while differing radically from him in regard to methods and policies, would no doubt have remained religious leader of the movement. How magnificently the people of India could have marched on under such a double leadership! They would have been irresistible, for Tilak was a master of action, just as Gandhi is a master of spiritual power. But fate decided otherwise. It is perhaps to be regretted, not only for Tilak's sake, but for India's and even for Gandhi's.

There was an unhappy incident at Bombay when the Tilak procession consisting of 10,000 citizens—a procession which is described as "innocuous and non-combatant" and "a legitimate and almost praiseworthy piece of propaganda in the memory of a very great man of whom any nation could well be proud" was marred by the arrest of Pandit Madan Mohan Malaviya, Mr. Vallabhbhai Patel, Mr. Tek Sberwani, Dr. Hardikar, Mr. Jairamdas Doulatram and a number of 'Deshsevikas' who were at the head of the procession.

Peace Move Likely To Be Spoiled

The news of the arrests of Sardar Vallabhbhai Patel, Pandit Madan Mohan Malaviya and three other members of the Congress Working Committee at Bombay were discussed at Simla. According to a message from the special correspondent of the *Anrila Bazar Patrika*, the general opinion expressed is that the effect is likely to mar the chances of successful negotiations with Mahatma Gandhi and the Nehrus. Apprehension is also felt that the Liberal party and a section of the Hindu Sabhaites might not like to participate in the London Conference with Pandit Malaviya in jail. Considerable sympathy is, however, felt for Lord Irwin as his supporters in Simla have further dwindled in numbers by reason of these arrests.

It is well-known that the Viceroy supported by Mr. Wedgwood Benn was very sympathetically considering the suggestion of Sir Tej Bahadur Sapru for permission to Mahatma Gandhi and the Nehrus to meet together for a discussion of the terms on which the Civil Disobedience movement might be called off and the Congress participation in the London Conference in November might be assured. It is clear, adds the correspondent, that the arrests at Bombay were taken without consulting Simla, but should the situation in Bombay get worse from the Government point of view, then Simla is sure to

be consulted regarding further steps to be taken in putting down the eruption.

Judging from conversation in well-informed circles it is believed that a section of the officialdom is rather happy at this turn of events. As one prominent politician remarks, Lord Irwin is finding himself more lonely than ever in his attempt to bring about a solution of the deadlock with the Congressmen.

Time Of Negotiations Not Yet Ripe.

Maulana Abdul Kalam Azad who succeeds Mr. Patel as Acting President of the Congress referred to the peace-talks at a huge monster meeting held on Sunday in Bombay and characterised the negotiations as fraudulent. "You cannot get peace by asking. You will win it through sacrifice," he said. Lala Dunichand recalled Lala Lajpatrai's words in his last speech at Lahore after being assaulted on the day when the Simon Commission arrived at Lahore, and remarked that the blows will serve as nails in the coffin of foreign domination.

Before he left for Delhi on Monday afternoon, Maulana Abdul Kalam Azad in the course of a Press interview said, "without any desire to disparage their efforts, I think the time is not yet ripe for peace negotiations. I do not think any settlement, consistent with the country's honour and dignity, can be arrived at just at present. I fear that these negotiations might create a lull in our activities. I therefore warn the people not to be led away by these talks."

Regarding the attitude of the Muslims towards the Congress, the Maulana said that the Muslims of the Punjab, North Western Frontier and Bengal had been taking part in the movement. In U.P. and Behar, Muslims were now one with Congress. In Bengal efforts were being made to create Hindu-Muslim dissensions but it miserably failed.

Worry And Indigestion

Sound Advice To Dyspeptics

Many people at the present time are suffering from nervous indigestion. The cause is often due to worry, overwork, lack of exercise, some nervous upset, or a general run-down condition of the system. This form of indigestion or nervous dyspepsia can readily be corrected by building up the blood.

For this building-up process there is nothing better than Dr. Williams' pink pills. These pills create new rich blood, which quickly tones up the whole system; the nerves are strengthened, and the actual cause of the indigestion is banished.

Mrs. K. Allaway, of 64, Warwick Gardens, London, states:—"Two years ago I suffered agonies from indigestion. Everything I ate was followed by intense pain. I was continually fainting and had bad headaches. I became a nervous wreck, and life was misery. After doctor's treatment had failed, my husband advised me to try Dr. Williams' pink pills. I did so, and gradually the fainting feelings and headaches disappeared. I continued the pills and could soon eat without pain; now I am completely cured."

So banish your indigestion by taking Dr. Williams' pink pills now. Of all dealers, or direct from Dr. Williams' Medicine Co., P. O. Box 794, Cape Town; 3s. 3d. for one bottle, or six for 18s., post free.

ઈન્ડિયન ઓપિનિયન

સુસ્તક ૨૮ થું.

ફીનીક્ષ, શુક્રવાર, તારીખ ૫ સપ્ટેમ્બર ૧૯૩૦

અંક ૩૬

“ઈન્ડિયન ઓપિનિયન”

શુક્રવાર, તા. ૫ સપ્ટેમ્બર સન ૧૯૩૦

હીં ઉપર પોતાનો કાલુ અને સત્તા આને હીંની નોકર-
 શાહીના હાથમાંથી ધારે ધારે સરી
 આખરે શ્રી: (વકુલ- જોતો જોત તે વિહવળ બની ગયેલી
 લાઇને ઉપાડયા છે. એ એક હત્યુ કાલુ અને સત્તાની
 દારી અંગ્રેજ નોકરશાહી ભેરથી
 કેવી રીતે મકડી રાખી શકે તેનાં અર્થાં કાંઈ લે મારી રહી
 છે. કોઈક કાંઈ મારવાના તેના અનેક વિધ પ્રયત્નો જેમ જેમ
 સવિનયભંગની હાલત બેસબેર આમળ અને આમળ ધવળી
 બધ છે તેમ તેમ કાર્યવળક રીતે નિબળ નીવડતા જાય છે.
 હીંની આરે આજુએ જુડાણનાં બોડોં મારી તેના સંદેહાએ
 પેલા લોખંડી ચોકમાં પુરાણને નોકરશાહીના હાથમાં રમકડું
 થઈ પડે એ ભીંમરો ભલો વોહસરોય લોડ' ધરવીન રેટ સેક-
 ટરી' મી. મેનને દર અલગાંડીથી પાલકોંટને વંચાવવા અને
 જમવની પ્રબને તે હારા જવાવસ મોકલી આપે છે. બટુ
 મહારાજ મેન પશુ વોહસરોય કાહેપત્રા એ ખરીવાઓ પટે
 પોમટુ સીતારામની આદક આખ વીચીને પડી બધ છે અને
 વિલાપવૃત્તી અંગ્રેજ પ્રબને હુરકારનો દમ ખેંચાવે છે. ભારત-
 માનાનાં સુનંદામાં સુનંદા પુરો અને સીએને બનીસ હબર
 ઉપરની મંખ્યામાં કેદમાં પુી આ બટુ મહારાજ જમતની
 આંખે ઉધા પાટા પાંધી શું એક મત્રાવવા નીકળે છે કે સવિનય-
 ભંગની હાલત હવે પુટલી બધ છે-તો જમતની પ્રબ શું એવું
 ઉચ્ચારી ફરો કે 'હ, મહારાજ આપ વેદ વાણી ત્રો કો' ?
 અંગ્રેજ નોકરશાહીની બાની ધૃષ્ટતા ભરી, નરી આંખે એક
 બચ્ચાને પશુ દેખાઈ આવતી હુમવા ઉપર જમને મેકક
 દયા છુટે છે. એની નાદાની ઉપર અદવાર્ય કરવાનું દીલ
 યાવ છે. એ સવિનયભંગની હાલત પુટલી બતી હોય તો
 મને ત્યાં તરતો અંગ્રેજ અચ્ચે આજે ખજભણી શા માટે હોએ
 રશે? શા માટે શ્રી, વિહલબાઇ પટેલ જેવા એક સુનંદામાં
 સુનંદા ધવળા જેવા એક અમલ રાજ્યદારીને મકડી ભેજમાં
 ખોડયા છે? અને આ વિહલબાઇ તે કેવું? હીંની અંગ્રેજ
 નોકરશાહીમાં મને તેટલા શુદ્ધિજાણી અને માનક, અમર
 પાંધી અંગ્રેજ બચ્ચને પશુ એક વાર બેસેચ્ચીના પ્રમુખ
 તરીકે પોતાની સમક્ષ ખટો રાખી તમાવનાર, પ્રતિભાજાણી
 અંગ્રેજી સારવવાન ભારતમાતાનો કરમાની, ગેડોસો, અહાંત
 ફેફલાનિમાનથી ભરેલો, મહા રમુજ, પેટમાતું પાણી જરાયે
 હાથી ન હો, મને તેવા મહાનમાં મહાન બંબીર પ્રસંભને
 મપરે પશુ જેવો વિચારમાં નિમગ્ન બની અહાંત
 અટપટા પ્રસનો મિલાલ કેવીરીને લાવે તેની હાકુટમાં
 મુઠાઈ રહેલા હોય-તેવા પ્રસંભને પશુ પોતાની મોજલી

અને રમુજ વાણીથી એટલે સહેલો અને સરળ બનાવી મુજ
 સર્વની મંબીતા હોવાથી દમ ઉત્તમ પ્રેરિત બનાવી મુજનાન
 મકડીમાં નારદ સુનિનું સ્વરૂપ ધારણ કરતો તો મકડીમાં મહાન
 ચાણાકમ જેવો લાગતો, મહાત્માજી મધુક વાર પોતાના
 અનુયાયીઓ સાથે મેસીને અર્થાં ચલવના હોય, મંબીર અચ
 હોય તેવા સમયે પશુ હાવકા બની મહાત્માજીને વિનોદમ
 પુહત હોય, “મહાત્માજી આ વિષે પશુ આપની ઝીતામ
 કંઈ લખેલું ફરી કે” એમ જ્યે જણાવી દમ સવને પેટ
 હાથી હસાવનાર, લગાઈના સાચા પ્રસંગે માચો ક્ષત્રીય અચ્ચે
 બની મોખરે હોએ રહેનાર ગુજરાતનો એ વિહલ! વલ્લભ
 વિહલ જેવી બંધુઓની બેડી ગુજરાવ સિવાય કયી શુભિને
 નથીય થએલી છે! મોખ ખરેખરો ધતિકાસકાર આ બને
 બંધુનું જીવન ચરિત બધી પ્રબ સચક્ષ જે દિવસે મુજને તે
 દિવસે જમતમાં મને ત્યાં વરતો સબરતી લે વાંચીને મસ્તક
 હતું રાખીને ફરતાજ શીખવાનો. બને બારીરેટરો વિહલબાઇ
 પટેલા વિલાયત બધ બારીરેટર થઈ જાયા. તેમજે આવી
 બારીરેટરી થોડી થણી કરી વલ્લભબાઇને બારીરેટર
 થવા મોકલ્યા. વલ્લભબાઇ બેરીરેટર બનીને આગા કે
 વિહલબાઇએ દેશ સેવામાં ઝીપલાવ્યું. વલ્લભબાઇએ બારી-
 રેટ કરી. શા બારીરેટરીના એમના હાકા પાકા અંગ્રેજ
 જોષ લોની મહાત્માજીએ ગુજરાતમાં ઝુડો રાખ્યો. સર-
 આતમાં બારીરેટર વલ્લભબાઇ મહાત્માજીની પ્રવૃત્તિની મરકરી
 હાવે. એ મરકરી હાવનાર સંતની નાખેલી હુરકામાં
 બોળવાઇ ગુજરાતનો વલ્લભ આને જોગી બને. મહાત્માજીનો
 પાકો મક્ક બને! હીંના ખેડુનો તારણ હાર બને. વડીલ
 બધુ દિલ્હીની એસેચ્ચીની પ્રમુખ બની હીંડુતાનીઓ—ગુજ-
 રાતીઓ કેટલા પાણીદાર હોય છે તેની કોડ' મરવીન જેવા
 વોહસરોય અને અનેક અંગ્રેજ સતાધીશીને પીઝાન આપે.
 દીલ્હીમાં બેસી ગુજરાતના સેરોને રમુજમાં કહે, ચાલો દીલ્હી
 તો આવો, સી-લામાં હોય તો સીમલા આવવાનું આમંત્રણ
 આપી કહે, ‘દીલ્હી, સીમલા તો આપણાં છે! આડકતરી
 રીતે ગુજરાતના સેરોમાં મગરૂરી પેલા કરી એવું લાન કરાવે
 કે દીલ્હી, સીમલા આપણાં ન હોય તો પાણીદાર બની આપણાં
 બનાવો! વલ્લભબાઇ તો મહાત્માજીના પુર્ણ હાલત! યાપુજ
 કહે એ પુર્ણ દિલા! વિહલબાઇ પોતાનાજ રાજ્યદારી વિચારોને
 માનનારા. મહાત્માજીના કાર્યક્રમને પશુ પસંદ ન હોય તો
 તોડી ફેડીને ફગાવી દેનારા! એક મહાત્માજીના કાર્યક્રમને કહી
 તોડે, બીજે બંધુ તેને સંભાળે અને બાઇએતો ભેટો એક
 પટેલે:૧’ ઉપર લોખ જેવે કહી થઈ મયો હોય તો પછી તોઈ
 લો મુખતા ખાનગીમાં પછી મોઠા ભાઈ, જ્ઞાનાને ધમકાવે
 બપામે, અનેક મરકરીઓ ઉઠાવે. નાનો ગાંધી ભક્ત ભાઈ
 મુજમાં હરમા કરે. બાગેચ આપી જવામ બાળે. પરંતુ
 કહે તો પોતાનું ધારણુ. વિહલબાઇએ અર્થાં મુખી પ્રેસીડેન્ટી