

Indian Opinion

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Indian Opinion

SATURDAY, FEBRUARY 29th, 1908.

The Blue Book

No lover of the British Empire can read without shame and sorrow the blue book issued by Lord Elgin on the Transvaal British Indian question. It is a record of continuous surrender of the weaker party to the stronger. The pages of this publication show that the might of the Empire is now to be used, unlike as in the days of yore, not for redressing wrongs, but for aggravating them. And but for the stern opposition offered by the Indian community to the Asiatic Act, probably, by this time every Indian in that colony would either have left it in disgust or have been reduced to slavery without Lord Elgin having lifted his little finger to stop the even flow of tyranny. The shamefulness of the surrender is enhanced by the fact that Lord Elgin knew that he was assisting a wrong. He admits that he does not like the Asiatic legislation.

The redeeming feature of the book is Mr. de Villiers' explanatory note attached to the Immigration Restriction Act. He frankly and deliberately states that the indirect object of the Act is to prevent the entry into the Colony of Asiatics altogether, not excepting those who may pass the educational test. The construction put upon the Act is open to question. But with that we do not at present propose to deal. The Attorney General is equally frank as to the intention of subsection c of section six of the Act:

"In view of the fact that the Asiatic population have continued to publicly express their intention of not complying with the registration provisions of that

Act, the Government will have to enforce the provisions of that Act by ordering the ringleaders of the agitation, at any rate, to leave the Colony, and should they fail to comply with that order, the Government, it was felt, should have power to summarily remove them, and so avoid the expense and inconvenience incurred by maintaining them in the prisons of the Colony."

All this is no doubt heartless. But it is given as the settled policy of the Colony and, in the opinion of the Government, in its best interests. There is no sanctimonious apology offered in extenuation; on the contrary it is sought to be justified on purely selfish grounds. Mr. de Villiers' note has a true ring about it, however unpleasant it may be. The passive resisters having shown that they were better than they were taken to be, the Government had no difficulty in coming to terms with them.

But Lord Elgin, we are obliged to say with reluctance, was thinking not of the Empire but of his Government when he wrote his halting despatches. To him it is only "necessary to press for some amendment of Section 6 (b) of the Act (which does not especially concern British Indians)" The words in the parenthesis are Lord Elgin's. He is more concerned with foreign complications than the rights of British subjects who cause no trouble save by way of grumbling. Fortunately the British nation is superior to its present representatives. Liberal professions have degenerated into licence for the most clamorous and the strongest physically. It was only because the British people began to see for themselves on this question—thanks to the passive resisters, backed strongly by the ever-vigilant Committee headed by Lord Ampthill—that at last the voice of the nation began to make itself felt.

We regret, too, that Lord Selborne has throughout the struggle acted as a partisan rather than as a just judge holding the scales evenly, or as a representative of his Sovereign officially holding or giving no private opinion. On the 8th of July, His Excellency, writing to Lord Elgin says: "I cannot but think that the protests of Local Asiatic residents against the new Act must be due, in part at least, to the lucrative nature of the traffic in illicit immigration and to the ease with which it has hitherto been carried on." Events have proved both these statements to be unfounded. We do not wish to open sore points but we cannot refrain from stating that it was His Excellency's duty to have proved the charges so recklessly made.

The lesson that the Blue-book teaches is that the weaker partners in the Empire will have to help themselves and rely less upon Imperial protection and more upon God and Truth. In the colonies, they will

have to work out their own salvation by a course of training in enlightened suffering. They will then rouse colonial opinion in their favour.

The Natal Situation

RECENT events in the Transvaal have tended temporarily to distract the attention of Indians from the greater problem of Natal. In this Colony, there are some 100,000 Indians residing, of whom approximately one-third are under contract of labour, breach of which connotes criminal proceedings against the indentured Indian, euphemistically known as an "immigrant," to whom is allotted a "Protector." So pleasant are his conditions of labour, that he hastens to quit this vale of tears by the swift but sure road of suicide at a speed thrice that of his free brother. The existence of a high mortality rate from accident and a disproportionate disease-figure due to venereal disease indicates other phases of the situation into which it is unnecessary just now to examine too closely. Occasionally, too, we get glimpses of the "lower depths" (in the Gorkian, not the technical, sense of the term) in the shape of colliery prosecutions such as were typified in certain cases that disfigured our pages not so many months ago, and to which our contemporary, the *Witness*, drew pointed attention at the time. But as every cloud has its silver lining, so has the indentured system its pleasing aspects. Unfortunately it is the bright, particular stars among the employers of this form of labour who are, in our opinion, the worst enemies of the wretched people who are the ignoble victims of the system. Their goodness and excellence act but as a cloak that disguises the hideousness of the whole miserable business. A rose by any other name would smell as sweet, and, conversely, a rotten system, however it may be called, will always smell foul. Sterne was not altogether uninspired when he remarked: "Disguise thyself as thou wilt, still, slavery, still thou art a bitter draught." So long as India is indentured upon for this pitiable form of labour, a veritable bondage, however silken the binding-cords may be, will result; so long too, will the moral fibre of the Colony be tainted, for a State that exists upon a basis akin to that of slavery is but slave-ridden, at the mercy of the very thralls upon whom it is dependent.

Once do away with this importation of human flesh and blood and all the concomitant miseries, and the Indian problem in Natal, in South Africa, is solved. There will then be no need to drive thrifty, labour racked

Indian men and women to the galleys, that is the serf-owners, by robbing them of £6 per head per annum before they can make a start to earn an honest livelihood, thus putting a premium upon fraud and deceit, whilst actually making slavery seem preferable to freedom, an instance of the adage that no slave is so deep-sunken in his slavery as he who does not realise that he is a slave. With the stoppage of these coloured human imports, then, there will no longer be the excuse to continue to impose this tax upon freedom and honest striving.

But the venom of the whole wretched system seems to have pervaded the Indian policy in Natal through and through. The very trader must be robbed of his vested rights. The Immigrants' Restriction Act prevents any further influx of free Indians, except such as can pass the education test—an infinitesimal proportion of the total population—yet the fears of the European community are so overwhelming that the Dealers' Licences Act is torn from its original purpose of general application, so that the interests of Indian traders are jeopardised, by the petty spleen of their European trade competitors, on the pretext of "unfair competition," and with the sanction of a peddling political economy whose roots are deep-sunk in envy and ignorance, and not in a sense of national justice whereby alone a nation can preserve its eminence.

We maintain that three things are essential before Natal can claim to be a free country. First, it is absolutely necessary to stop the importation of indentured labour at any cost. Secondly, justice must be done to the ex-indentured people, who must be lifted far above their present wretched state. Lastly, the resident, commercial population must be given free play. It is quite feasible to compel implicit obedience to general municipal legislation rigorously enforced. Every sanitary precaution should be fully insisted upon, and drastic punishment meted out to offenders against the public health regulations. Beyond this we are not prepared to go. If competition is the breath of trade, as we are continually told, then it must be all-round competition, and not a miserable subterfuge which is nothing else than protection of certain interests at the cost of others at least as worthy of recognition. We have never asked for generous treatment of the domiciled Indian population of this Colony. We have, however, invariably insisted that that treatment should be just. If justice be refused, what may we hope for?

MR. KEIR HARDIE, M.P., HAS PROPOSED A SOVEREIGN CURE OF ALL THE ECONOMIC ILLS THAT SOUTH AFRICAN HUMAN FLESH IS HEIR TO. IT IS NOTHING LESS THAN THE PAYMENT OF THE WHITE MAN'S RATE OF WAGES TO THE COLOURED

man who performs a white man's work. There is much that appeals to us in this proposal. First, it will place all men, who are capable of performing a certain piece of work equally well, upon a level of equality of opportunity, thus imposing upon them the responsibility and necessity of each proving his right to do that work by the exercise of some faculty that will, in the nature of things, place him ahead of his fellows. For instance, just as when the Indian hawker and the white hawker sell their goods at the same price, the preference is often given to the Indian because of his greater desire to please, his courtesy, and his willingness to accommodate his customer in every way possible, so, when the coloured labourer has to sell his labour in equal competition with the white labourer, he must show forth such qualities as will induce the employer to give him the preference if he desires to obtain the work. In other words, the coloured man must be not only as good as, but better than, the white man, in order to succeed at the white man's task. Further, the fact that the white man will, in the first place, probably have the preference will tend to drive the coloured man away temporarily from industrial pursuits, and, in the case of the native, to confine his energies principally to agriculture, at the same time compelling the expenditure of a certain portion of the State income upon agricultural education for the native population. But the increased wage will result in the inducement of the most advanced natives and coloured workers to skill themselves to the end that they may earn their livelihood at a trade. We are not of those who think that Mr. Keir Hardie's scheme will end in driving the native completely away. It is not possible to make South Africa a white man's country, but only one where the white man can earn an honest living if he chooses to exert himself. The problem, too, only affects the present white population of South Africa. The tendency of social legislation in Britain is to make it increasingly possible for the worker to remain at home by removing the cause of emigration. In South Africa, the enormous bulk of the population will always be dark-complexioned, and it will not be economically possible to keep these people at bay. If there is a real demand for skilled labour, there will be no dearth of coloured men to compete for it. But then all men, according to Mr. Keir Hardie, will be in receipt of the same wages for the same amount of work, and the result will not be unfavourable to the coloured worker, skilled or unskilled, since he is in a numerical majority, and it is for him that much of the labour will be performed.

IT IS DIFFICULT, READING IN COLD print Sir Liege Hulett's speech at Greenwood Park on the 11th instant, to believe that that practised legislator was serious in what he said. The whole speech so reeks of a brutal disregard of the ethical demands of modern civilisation that we are tempted to imagine that the worthy knight was seeing how far in the depths of sociological folly his audience could be dragged. If that were so, it was a sorry pastime. What does Sir Liege suggest? Nothing less than the taxation of every free Indian so as to compel him to revert to his original state of servitude, misnamed a "contract of labour." Let an Indian receive an education and desire to become a clerk—he must be forced into the clutches of Sir Liege and his fellow-employers of degraded labour, by means of overburdensome taxation. It is the old, old story. To the slave-owner nothing is so beautiful (for the slave) as slavery. Worst of all, Sir Liege does not seem to know the most elementary facts of Indian immigration into Natal, or he would be aware that to-day there is practically none of it. "Arabs" are not being "introduced"—the Immigration officials see to that. But we feel we must not diverge from Sir Liege's main issue. And what is that? What but a pean of thanksgiving that the Indians "were more and more re-indenturing, and last month a hundred more re-indentured than became free." "He would put a tax upon every Indian . . . until they had the Indians in the position that Indians, or Kaffirs, should be placed." We can make a shrewd guess where some Europeans will be placed when they shuffle off this mortal coil!

Sympathy from Indians in Mombasa

Messrs. Dulal and Desai, Honorary Secretaries Mombasa Indian Association, wrote as follows to Mr. Gandhi:

Mombasa, January 16th, 1908.

Our Association was much grieved to learn from Reuter that your good self and four other prominent Indian gentlemen of the Transvaal were sentenced to undergo imprisonment for not complying with the Asiatic Registration Law of the Transvaal.

You and our Indian community in the Transvaal who are holding out so very staunchly against the un-British laws of that place, have the whole-hearted sympathy of our Association and the Indian community of this place, and our Association hopes you will receive strength in your struggles against the unrighteous policy of the authorities of your place by the knowledge that you and our community in the Transvaal have the sympathy of our whole community as well as sensible Englishmen and foreigners.

Mass Meeting in London

Treatment of Indians in the Transvaal

The following official report of the above meeting has been sent to us for publication :

A Mass Meeting of Indians and sympathisers resident in London was held at Caxton Hall, Westminster, S.W., on Tuesday, January, 28th, 1908.

DR. ABDUL MAJID, LL.D., Bar-at-law, was proposed to the chair by Mr. R. DELGADO, M.A.; Mr. P. K. SENHA seconded and it was unanimously carried.

The proceedings of the largely-attended meeting were opened by the Chairman calling upon the Hon. Secretary to read out the many letters of sympathy received by him from various gentlemen, among whom were the following :—Field Marshal Lord Roberts, Bishop of Manchester, Bishop of Southampton, Sir M. M. Bhownaggee, Mr. J. G. Weir, M.P., Syed Ameer Ali, C.I.E. (late Judge of the High Court of Calcutta), Mr. L. W. Ritch, Syed Hosein Bilgrami, and Mr. S. Digby, C.I.E.

Chairman's Speech

THE CHAIRMAN said that, before the first resolution was moved, he would like to say a few words.

In 1899, before the Boer War, Lord Lansdowne said, with reference to their interests in South Africa :

"A considerable number of the Queen's Indian subjects are to be found in the Transvaal, and among the many misdeeds of the South African Republic I do not know that any fill me with more indignation than its treatment of these Indians. And the harm is not confined to the sufferers on the spot: for what do you imagine would be the effect produced in India when these poor people return to their country and report to their friends that the Government of the Empress, so mighty and irresistible in India, with its population of three hundred millions, is powerless to secure redress at the hands of a small South African State."

LORD SELBORNE, by an irony of fate Governor of the Transvaal, also said in that year :

"Was it, or was it not our duty to see that our dusky fellow-subjects in India who went to the Transvaal—where they had a perfect right to go—should be treated as the Queen in our name had promised that they should be treated? If they agreed with him and admitted that these were questions which we had to answer as trustees before our fellow-countrymen and before history, then they would agree with him also that the path of duty was to be ruled not by sentiment, but by plain facts. We are not dealing with our own personal interest or our own personal money; we were trustees for our brothers all over the world, for our brethren in Canada, in Australia, at the Cape, trustees also for our own fellow-subjects of different races and different colours—the negroes of South Africa and the Indians in India—trustees for all these and for the unborn children of these. Therefore the test we had to apply in an emergency like this was the simple test of duty. Was it or was it not our duty to see that the rights and the interests of these people were not being abused?"

be maintained? Was the British Government going to make its name respected, and to have the pledges given to it faithfully respected? Was it going to see that the British subject, wherever he went, all over the world, whether he were white or black, whether he came from Great Britain itself, or from Canada or New Zealand, was to have the rights which his Queen had secured for him?

Then Mr. Lyttelton wrote to Lord Milner on July 20th, 1904 :

"Up to the outbreak of war, therefore, the British Government had steadily maintained . . . the interest of the British Indians resident in the Transvaal, and the treatment of these fellow subjects formed part of the British case against the late South African Republic."

After the war was over, in 1903 LORD MILNER said :

"I think that registration is a protection to them. To that registration there is attached a £3 tax. It is only called for once. Those who have paid it to the old Government have only to prove that they have done so and they have not to pay it again. Again, on the Register, their position is established and no further registration is necessary nor is a fresh permit required. That registration gives you a right to be here, and a right to come and go."

and thereby induced the Indians to register their names.

Clause 39, (a) of the Transvaal Constitution states :

"Reserves any Law whereby persons not of European birth or descent, may be subjected or made liable to any disabilities or restrictions to which persons of European birth or descent are not also subjected or made liable."

The Fundamental Rights of British Subjects

There was another law upon this subject, the Colonial Laws Validity Act 1865, which laid down that any law passed in a Colony could not be held invalid simply because it was contrary to the Common Law of this country; and any Statute which was passed in this country could not be held applicable to any of the Colonies unless it was expressly or impliedly meant to be applicable to that Colony. He knew there were certain lawyers in this country and in that Colony who would differ from him, but there was no law upon which they had gone to a Court of Law and had that point settled. In so far as authorities went for the last 250 years, they went to show that anything which interfered with the fundamental rights of the British subject was invalid, and that any law in any part of the British Empire which infringed upon their rights as British subjects was not valid. There was, by virtue of para. 9 of the Queen's Proclamation of 1858 to the Indian people, no distinction between an Englishman and an Indian in this country or in any part of the Empire. They could sit in the House of Commons, and they could vote for a Member of Parliament. Some people held that there was no difference between ordinary rights and fundamental rights, but Lord Mansfield had laid down that there was a world of difference be-

tween the two kinds of rights and the fundamental rights of a British subject could not be interfered by the Colonial Government or by the King in Council. That could only be done by the King and the Imperial Parliament. It could not be done by such a body of legislators as that in the Transvaal. It was based upon reason, too, because there was a great deal of local jealousy, and if a handful of people were allowed to pass such laws, what would be the consequence? He would leave it to the imagination of the audience. Then again, protection and allegiance went hand in hand. They owe allegiance and therefore they must be protected there. The act of the Transvaal Government would be again invalid as it interfered with the King's prerogative—see 3 & 4 Will. IV. and 24 & 25 Vic. both Acts on India. The Imperial Parliament said: "We cannot do anything." He maintained that the Act was illegal and that every Indian had a right to bring an action against the Transvaal Government. But apart from the question of illegality he maintained that it was morally unjust. He had not come across a single Englishman in this country who had not said they ought to have extended to them the same rights as those held by the people in the Transvaal. It was not only degrading to Indians in this country but degrading to the English themselves, and to the people in the Transvaal. They had to submit to things which were repugnant to the Indian taste. They were not allowed to walk on the same pavement as white men, or to go in the same conveyance as Europeans. ("Shame"). Those were the moral degradations which were placed upon them, and he hoped they would be put an end to as soon as possible. He also contended that it was politically unwise. Matters of such importance should be dealt with by the Imperial Parliament as used to be done in Rome and not by ordinary Governments. It should not be handed over to a number of people in the Transvaal who wanted Indians to go away from that country for the sake of trade.

In conclusion, he hoped that the resolution would have the effect of prevailing upon the Imperial Parliament to put an end to this shameful treatment of Indians in the Transvaal, and to allow them to have the same rights as other people in the Transvaal had at the present time. He suggested that the Transvaal Act should be suspended, a commission appointed and laws passed in an Imperial way.

Mr. J. M. PARIKH, Barrister-at-Law proposed :

"That the treatment of Indians in the Transvaal is unjust and humiliating, and that the degradations imposed upon them, as a class, are insulting to their countrymen here and in India; and further that the deplorable helplessness of the Imperial Government to protect them as civilised citizens of the Empire from such unwarrantable treatment, of their fellow-subjects, is a disgrace to the British name."

opinion of this meeting, already done a great deal of harm in India, and is likely in future, if this state of affairs is allowed to continue, to lead to grave results."

He said that this subject had been discussed by some Ministers of the Government, and he was afraid they were trying to drag a red herring across the path of the present agitation. They were not together to pass resolutions to the effect that they were entitled to go to any part of the British Empire without any restrictive legislation being put upon them. Mr. Winston Churchill, speaking the other night at the National Liberal Club, was reported to have said that he could not deny the Government of the Transvaal the right to restrict the immigration of Asiatics inasmuch as the people of Australia could not be denied the same right. He, the speaker, claimed, on the proclamation of the late Queen (which asked them to give their allegiance to her) that they were entitled to go to any part of the Empire unrestrictedly, and that they had as much right as an Englishman. But that was not the question. Mr. Winston Churchill was evading the issue. He did not deal with the question of whether it was a policy or whether it was a right to expel Indians from the Transvaal who had been living there for 20 years and more. That was the issue. Mr. Augustine Birrell made a speech the other day at Reading, and he, the speaker, was afraid that Mr. Birrell had made the same mistake. Mr. Birrell said it was a good sentiment that all British subjects should have equal rights to go everywhere within the British Empire. He, the speaker, maintained that it was not a sentiment; it was a right; it was a birth-right for every Indian to go everywhere within the British Empire. He claimed that right upon the proclamation of the late Queen, which was a clear promise upon which their allegiance had been claimed and promised. If one party broke the promise and the Ministers of the Crown were a party to it, what was there to prevent the Indians from breaking their part of the promise? (Hear, hear). In order to avoid all these side issues they must come to a clear understanding on this point; had the Government of the Transvaal the right to expel from the Transvaal those British Indians who had been resident there even before the war? He ventured to say not. When the Constitution was given to the Transvaal people it was expressly provided that in all matters of legislature dealing with the differential treatment of Asiatics and Europeans, the Imperial Government had a right of vetoing. He asserted that the present Government had been negligent and had made a great mistake in not exercising that right of vetoing and therefore allowing the Registration Act to pass. The avowed object of the Act was to restrict the immigration, they laid down various restrictions upon

the Indian inhabitants of the Transvaal, amongst, and in order to restrict the immigration them being that all Indians should be registered and should give an impress of their thumbs and fingers. If the real object of the Transvaal Government was that of identification, he ventured to say that there were other ways of identification much less objectionable. It was a means of identification which was used in the cases of criminals and convicts throughout the length and breadth of the whole world. It seemed to him that its object was to expel those Indians who had been lawful residents and who had got invested rights in the Transvaal. He then referred to the difficulty of Indians returning to India, and said he thought that justice required that the Government of the Transvaal ought to provide those poor people with the means of returning to India. For his part he thought they ought to have the same registration as the colonists who came to India. (Hear, hear). He failed to understand why, when colonists did not allow Indians to go to their country, they, the Indians, should allow them to come to India. There was no justice in it. If there was no justice or fair play, the present Government ought at once to find out some means whereby a great crisis could be avoided. He would suggest this way out of the difficulty: If the Transvaal Government were honest in its profession that they wanted simply to exclude immigration and to allow those who had been resident there to continue there, that the Government ought to pass a short amending Act providing that every British resident who could get a certificate from the High Court in the Transvaal that he had been so resident before the war, should be exempted from the operation of the present Act. He thought that it was a very simple provision and would avoid all the difficulty. He would also suggest that Indians should have the right of appeal in such cases.

Plain Words

Mr. S. V. MOOKERJEE seconded the resolution. It seemed to him that they had arrived at that critical moment in their Anglo-Asiatic relationships when it was highly necessary that motions should be plainly worded or that speech should be plainly spoken. That meeting was frankly and avowedly a partisan meeting, a meeting of Indians to support the Indian side of the question, and to redress, if possible, the grievances of Indians in South Africa. They were there to support their countrymen in South Africa in their struggles with the Colonials, which struggle, he submitted, was a piece of that wide conflict between the East and the West which began with Alexander the Great, of which the Russo-Japanese War was only an episode, and to which history had not yet said the last word. Only the other day, Mr. Ponsonby, the Private Secretary to

Sir Henry Campbell-Bannerman, replied to a letter of the South Africa British Indian Committee regretting very greatly the extremely annoying manner in which the Colonial Legislature had passed the Act, and hoped the Act would be worked to the least possible annoyance of the Indians themselves. He (the speaker) could quite realise Sir Henry Campbell-Bannerman's difficulties. But that was the miserable sop he proposed to offer to the Indians in the Transvaal. Might he quote the Prime Minister's own words: "Enough of this foolery." They would have none of this Liberalism. It was a sort of Liberalism which shirked accomplished facts, which lost itself in high sounding principles, but when it was faced with realities, shrank into its own narrow shell. The real issue lay in the industrial supremacy of one race over the other. There was bound to be some conflict, and it was futile to endeavour to stop this conflict by resolutions. The Indians were handicapped in the struggle. They had been disarmed; they had been branded as coolies; and they had been disfranchised. Immigration was restricted by the most radical of measures. They wanted to convince the Imperial Government of the necessity of equalising the balance of conflict, and then he had not the slightest doubt as to the future. Indians equipped with these weapons could fight their own battles. He referred to the aggressive and pugnacious Imperialism that has been prevalent, and that that Imperialism of brag and bluster must cease if the Empire was to be kept united.

A Son of Natal

Mr. ROVEPPEN, B. A., remarked that that meeting was of great importance to him because he was born in Natal. A great deal had been said on that question, and a great deal of what had been said might have been left unsaid. A great deal was still left to be said, and that which was left to be said, was to be said against the Imperial Government, and not so much against the Transvaal Government. It was the bounden duty of the Imperial Government when they made that resolution, to see not only that they meant something by it, but that they were men of honour and common sense. Why they should put a reservation like that in the Transvaal Constitution affecting coloured races, which did not equally affect other races, should be submitted to the home Government for consideration. In reply to a question about two years ago in the House of Commons as to whether the Imperial Government had any responsibility in regard to the Native troubles in Natal, Mr. Winston Churchill said: "We have no responsibility in these matters and our responsibility is mainly confined to the rendering of friendly advice." If they were going to allow the Indians to be turned

out with the loss of all their worldly possessions, then they were not worth their salt. It was said that the Indians in Natal outnumbered the English people in Natal. If it was so, it was not because the Indians wanted to go there themselves. It was not English people—he would not say English people, because they were not Englishmen; he knew an Englishman—it was these people who brought the Indians out there and kept them on their sugar plantations. If the Indians were removed from the Natal Colony, it would go to the wall at once. Natal could not exist for three months without the Indians. There was one thing they could do. They could show those South Africans that the Indians had got the power in their own hands by stopping emigration to South Africa without further delay. If the Indians did not then get their rights within three months, he should be very much surprised.

The Bombay Delegate

Mr. M. A. JINNAH, in supporting, said that he had only landed a few days ago from Bombay as a delegate on behalf of the Anjuman-i-Islam of Bombay for the purpose of agitating this very question of Transvaal Indians in this country. He explained the feeling in India at the present time and said that 10,000 people met in absolute unanimity for the express purpose of protesting against the treatment that was meted out to the Indians in the Transvaal; and that meetings had been held in all parts of India, of Mahomedans and Hindus without any distinction. (Applause). They were absolutely unanimous on this question. In India they had always believed and had faith in that great principle which had been laid down in a proclamation of our late Queen, that the moment they were members of the British Empire, they were entitled to all the rights of civilised citizens. That principle had been struck at the very root in the Transvaal. The attitude of the Transvaal Government was not only dangerous and a menace to the whole British Empire, but it would have a most far-reaching consequence on the whole British Empire. He had not yet heard the reason of Lord Elgin for having given his sanction to this law. Lord Elgin had held his mouth closed. But they had got some kind of explanation from Mr. Winston Churchill only the other day. That explanation was anything but satisfactory. He contended that he could no more interfere with the Transvaal Government passing a law of that nature than he could interfere with Australia. Why, in the name of goodness was the Imperial Government not entitled to interfere with that law? It was expressly reserved that the Imperial Government should give its sanction, the object of which was to impose a most sacred duty upon the Imperial Government to see

that no injustice was done to the coloured subjects of the British Empire. Lord Elgin had the right to veto it. There were two questions to his mind: the first being the question of immigration into the Transvaal of fresh entrants; the second being a question of the Indians in the Transvaal who had settled down there before the war. The latter was the burning question, and the Transvaal Government had shown a most iniquitous attitude in the treatment which was now meted out to Indians. Time after time, statesmen had protected the rights of the Indians against the Boer Government; and, to his mind, nothing was more horrifying and more shocking than that when the Boer Government had passed away, when the country was becoming a part and parcel of the British Empire, that their position in the Transvaal should be a thousand times worse than what it was under the Boer Government. Since his arrival in this country, he had not come across a single Englishman who had not described the attitude of the Transvaal in the strongest possible language, and he had heard that even in the Transvaal there was a number of people who were opposed to the attitude of that Government. What he said was this, that they had got the strongest possible opinion at their backs, and all they had to do was to put their views before the British people in order to get their rights. They must have read in the *Daily Telegraph* that there was every chance of a Commission being appointed to inquire into this question in the Transvaal. Therefore he urged them not to stop doing everything that was in their power, but at the same time to give credit where credit was due. He was hopeful and confident still, and he had got faith that the British public would back them up.

A Word for the Liberal Party

Dr. E. P. S. COUNSEL, LL.D., remarked that no doubt those present had made up their minds, like the Irish people, to continue that agitation until the law was repealed. He went on to speak of the action the Liberal Party had taken in the past in relieving oppressed nationalities, and asked them to think a bit before making up their minds that Sir Henry Campbell-Bannerman was not doing all he could do. It was contrary to all the traditions of the Liberal Party to say that they could allow this thing to continue. He asked them to do one thing and that was to appeal to the English conscience, the Liberal conscience. They had equal rights in England, in Parliament and in the law, and to say for one single moment that any law denying them equal rights in one Colony could really stand was absurd and contrary to all the experiences of mankind. He did not believe for one moment that it would stand when the people of England realised what it meant. Let the

people realise it and know it, and then they would go as far with them as ever they cared in order to right that wrong.

Many other gentlemen spoke in strong support of the first resolution, among whom were Mr. P. K. Sinha, Bar-at-Law, and Mr. Deshmukh.

The Resolution was carried unanimously.

Second Resolution

Mr. B. DUBE, M.A., LL.B., proposed:

"That this meeting expresses its appreciation of the efforts made by the South Africa British Indian Committee in this behalf."

He said that this was not a new question: it had been before the world at large for several years. He did not deny that any independent self-governing Colony had the right of excluding anybody they liked, but he contended that that right should not be exercised in the case of British subjects. It was a difficult subject and it was a racial question. This was not the first case of injustice, and he was certain that he could quote example after example if it was necessary to do so. The parting of the ways had come. Europe had thrown down a challenge to Asiatics on more occasions than one. What they had to do was to take it up (Applause). Otherwise, there would be no solution of the question. He commented on the unanimity of the Mahomedans and the Hindoos in this matter and concluded by expressing his appreciation of the sympathy shown by many Europeans with the Indians in this matter.

Mr. S. M. MANGA seconded the resolution and expressed his inability to understand why the traders in the Transvaal should treat Asiatics in such a degrading manner. On the contrary he thought they ought to honour Asiatics because Asia had produced many great prophets and many great leaders. Jesus Christ was born in Palestine and was therefore an Asiatic (Laughter). Therefore to look at Asiatics with degradation was an insult to all the prophets and also to Jesus Christ. It was a curious thing that out of 400,000,000 of British subjects, 300,000,000 were treated as if they were not human beings (Shame).

The Resolution was unanimously carried.

Third Resolution

THE HON. SECRETARY proposed:

"That copies of these resolutions be forwarded to suffering martyrs in the Transvaal, the Colonial Secretary of State, the Secretary of State for India, the Colonial Secretary, Transvaal, the Prime Minister, the Secretary, Indian National Congress, and the Secretary, All-India Muslim League."

and said that the stability of the Empire rested upon the collective responsibility of its members and that they should be listened to as they were obviously not desiring for the moon.

MR. SHAKIR ALI, B.A. seconded. The Resolution was unanimously carried.

Votes of thanks were heartily accorded to the various sympathisers, to the writers of the letters that had been read, to the Press, to the Chairman for presiding, and to the Hon. Secretary. The Meeting then terminated.

At the Heart of the Empire

A Monthly Survey

London, February 1, 1908.

Victory via Prison

It is impossible to begin this month's letter to INDIAN OPINION otherwise than by words of sincerest gladness at the victory won by self-sacrifice. To all those who stood steadfast for the right of self-respect, who surrendered their liberty, and would have taken without murmuring the spoiling of their goods, is the honour of the victory. The names of the noble, courageous, steadfast leaders will become household words; Indian mothers may well teach their children, as in days of old, the story of this struggle for justice and how the victory was only won by way of the humiliation of prison. Mr. Gandhi and his true followers have not been the first innocent men condemned to loss of liberty for faith and principle; but prison has no effect upon such heroes; they came out not only unscathed, but honoured. I must repeat: it is an Indian victory. The correspondence between the Imperial and the Transvaal Governments, published this week, goes to show that the chief actors in the events which have culminated in the imprisonment of honourable citizens of the British Empire were either biassed or weak. The strength and courage of a desperate struggle marked Indian action throughout, so much so that "Even the ranks of Tuscany could scarce forbear to cheer,"—which, being interpreted, means that Reuter and other cabled messages told of exemplary conduct among Indians when they were suffering most. An Indian victory: a victory without bloodshed, but a victory won by sheer force of character. India truly is honoured in her brave sons—and daughters, for we have heard this week of wives desiring to share the imprisonment of their husbands—in the Transvaal.

I must add a few words here, too, although these notes are not usually concerned with politics, about the meetings held in London to protest against the degrading legislation. That on January 9th, under the auspices of the South Africa British Indian Committee, was one of the most noteworthy of the many meetings it has been my lot to attend. The crowded hall represented many thousands of sup-

porters who could not be present and the widest differences of thought and opinion in religion and politics were completely sunk in unanimity on this one point: the injustice suffered by His Majesty's Indian subjects in the Transvaal. The difficulty which arose between the chairman, Lord Ampthill, and Mr. Frank Smith was only one of degree not of opinion. The Labour Leader wanted to go much further than the resolutions of the emergency meeting, and demand equality for British subjects in all parts of the Empire; but this wide demand included the moderate and urgent one of no prison, no deportation, no compulsion. Only a few days ago the Indians in London organised another meeting because they felt bound to let their voice be heard in protest and their sympathy expressed for the sufferers. Sir Mancherjee Bhownaggee made a fine defence of the Indian position in a speech at the New Reform Club early this week when already the first tidings of a change of attitude on the part of the Transvaal Government had begun to be known. Next week Lord Ampthill in the House of Lords and Mr. Harold Cox and Mr. O'Grady in the House of Commons will bring the subject forward. This continued pressure of public opinion will be all to the good: it will keep attention focussed on the question and ensure satisfaction.

But Mr. Gandhi and his staunch supporters are not only fighting their own battles; Transvaal Indians have rendered in this crisis a splendid service to all Indians, whether in India or in the Colonies. They have shown that Indians can give up comfort, possessions, position, and everything that makes life worth living for the sake of honour, self-respect, and justice. Their example will strengthen the hands of reformers in India; it will prove to the wide world that the colour of a man's skin does not affect his character and his self-respect. All honour, I repeat, to the Indian heroes and heroines of the Transvaal!

Frost and Fog

The first month of the year 1908 will long be remembered for its sharp frosts and dense fogs. The cold of the early days of January was intense, but even such cold, with all the suffering that it brings to the poor, was preferable to the terrible fogs that followed. Although London was in darkness for several days and the only people who benefited were the artificial light companies, yet the Metropolis did not have a monopoly of fog. The whole of the British Isles and the surrounding seas were enveloped in dense mist and numerous accidents happened. At the Hook of Holland there was nearly a repetition of the disaster of the *S.S. Berlin* which took place last year, but this year mercifully no lives were lost. Railway, Motorcar, and street accidents have occurred, some of them being fatal. When we are told that the loss to London of a

whole day's fog amounts to nearly £500,000 we begin to wonder why our Lord Kelvins and other scientists have not solved the problem of clearing away the smoky darkness.

Pomp and Reality

Fascinating as is the appearance of a beautiful Queen, robed in royal ermine and sparkling with jewels, seated beside a gracious King, happy in his people's devotion, in a Cinderella Coach of glass and gold drawn by magnificent cream coloured ponies, gaily caparisoned, and evidently conscious of their honour and responsibility, the royal procession from Buckingham Palace to Westminster and even the stately ceremony in the House of Lords, when it glitters with lovely women and jewels, can only be regarded as the outward show and pomp of Parliament. The reality begins when men lay aside ceremonial attire and push open the swing doors of the House of Commons, taking their places with the determination to help forward valuable legislation. In this week's pomp and its reality, there have been several noteworthy incidents. The first occurred during the procession to the Houses of Parliament and was caused by the suffragists who broke through, one at a time, the police and the military, and tried to present a petition to the King himself. If only the carriage windows had been open I believe they would have succeeded; but though there was bright sunshine there was a cold wind, and panes of glass came between the militants and their monarch. That they visited nearly all the Cabinet Ministers the following morning at breakfast time at their private residences may have been a way of relieving their feelings, but some of them are in prison for this latest escapade. In the House of Lords the first important business—after a would-be peer had been dislodged from his seat—was the question of Lord Curzon's election as a representative Irish peer. But all ended well and the uncertainty which marked the ex-Viceroy's attitude as he hovered on the fringe of the assembly, changed into exultant satisfaction when he was summoned to take the oath as a member of the House of Peers. This is the end of the story of which I noted down the facts some days ago and which will be found in another paragraph. In the House of Commons the enthusiasm which greeted Mr. Asquith's announcement of satisfactory negotiations regarding the Transvaal Indian Crisis was most marked and should augur well for the coming debates. The return of Dr. Rutherford, M.P., from his Indian visit is a matter for congratulation and he is determined to speak out plainly in the House of Commons concerning what he has seen in India.

(To be continued).

OBSERVER.

Expressions of Thanks to the Rev. and Mrs. Doke

The following letter has been addressed by the Hamidia Islamic Society to the Rev. J. J. Doke :

Dear Sir,—I beg to inform you that, at yesterday's meeting of the Hamidia Islamic Society, the following resolution was unanimously passed :—

“ That this meeting of the Hamidia Islamic Society desires to place on record the expression of its deep gratitude to the Rev. Doke and Mrs. Doke for their kindly and charitable assistance to our fellow-countryman and leader Mr. Gandhi in his time of physical need. The warm sympathy that Mr. and Mrs. Doke have shown to Mr. Gandhi we regard as a token of their feeling towards every British Indian ; and this meeting desires to acknowledge its recognition of that broad and humane feeling of brotherhood manifested by them.”

I am,
Yours faithfully,

(Sd.) IMAM ABDOOL CADIR BAWAZEER,
Chairman, Hamidia Islamic Society.
Johannesburg,
24th February, 1908.

The following is the complete text of the address presented to the Rev. Mr. Doke by the Khatri section of the Hindu community of Johannesburg, on Thursday week :—

The Rev. Joseph J. Doke,
Johannesburg.

Reverend and Dear Sir,—We, the undersigned, belonging to the Khatri section of the Hindu community, beg to thank you and Mrs. Doke for the very kind treatment given by you to our brother Mr. Gandhi. We know that you considered the work to be a matter of love and duty. It has endeared you, we are sure, to the whole Indian community, and you have shown in your action the noble example of a Christian gentleman.

As a slight token of our esteem, we beg to present you with the accompanying for your acceptance. We pray to God that you and yours may be long spared to continue works of godliness.

We beg to remain,
Reverend Sir,
Yours respectfully,

NAROTAM KALIDAS,
GOPAL BHAGWAN,
PARBHOO VALLABH,
DAYARAM BHAGVAN,
SOOKER LAXMIDAS,
DAMODER FAKIR,
GANGARAM KALIDAS,
MAKANJI DOOLABH,
RATANJI RAGHUNATH,
RANCHOOD ICHHARAM,
BHAGVAN JAGJIVAN,
BHULA SUKHLA.

The British Press on the Indian Question.

Further Selections

“The Times”

As a nation we have little reason to be proud of the treatment now being meted out to our Indian fellow subjects in the Transvaal. A slighter grievance which they had against the South African Republic was included in our bill of charges against President Kruger's Government ; and our statesmen, among others Mr. Chamberlain, Lord Lansdowne, Lord Selborne, and Mr. Lyttelton, enlarged upon the injustice of the Republican Law of 1885, which enforced registration and laid down conditions as to residence. But if the Republican Government chastised the Indians with whips, since the annexation of the Transvaal they have been chastised with scorpions. Not only have all the old restrictions been maintained, but additional disabilities have been imposed. We only refer now to the treatment of those Indians already legally domiciled in the country. These men, the very same on whose behalf we made protests in 1899 and previously—for, broadly speaking, no other Indians have been allowed into the Transvaal since the war, though some newcomers may have slipped in—are now being subjected to what they regard as an indignity greater than any to which they have been subjected before the land they are living in was a British colony. They presumably had registered themselves under the republican law ; since then, as some question arose as to the validity of this registration, they voluntarily agreed, on Lord Milner's advice in 1903, to register themselves anew with full formalities. In giving this advice Lord Milner stated that no further registration would be asked for them.

It is easy enough to understand that the Transvaal, having once determined to prohibit immigration of Asiatics, should wish that all in the country should be easily identified, but what is not so easily comprehensible is that it should be necessary to express such open disbelief in the *bona fides* of those legally domiciled in the country and to make them feel that they are being treated like pariahs. Tactful handling of the personal dignity of a proud people, especially proud hitherto of their British citizenship, might have suggested some less obnoxious method of securing the rigid exclusion of newcomers ; even if some abuses had crept in, partly owing to lax administration, by the sale of old permits, that is no reason to charge a whole community with the practice. . . . Possibly if his (General Smuts's) own Government and the previous Crown Colony Government, which is equally responsible, had consulted some of the leading Indians before committing themselves to a definite method of identification, these difficulties might have been avoided and with them the scandal of deporting British subjects long settled in a British Colony.

It must be remembered in considering this question that in Cape Colony, where the white population is of the same stock as in the Transvaal, not only do Indians have freedom of commerce as well as the electoral franchise, but even Kafirs have a vote. This extraordinary severity, therefore, against Indians settled in the Transvaal can hardly arise from any inherent necessity in the case.

“Morning Post”

At the Colonial Conference of 1897 the position was fully explained by Mr. Chamberlain. Amply recognising their (the Colonies') instinct of national self-preservation, the Secretary of State suggested that, as regards restricting Asiatic immigration, “it may be possible for us to arrange a form of words which will avoid hurting the feelings of any of His Majesty's subjects.” The meaning of compulsory registration which the Transvaal Government purpose to enforce obviously conflict with the principle laid down in 1897.

“Sunday Sun”

What ought to trouble the political conscience of the British people is that the grievance, whether small or large, is real, and that agitators, with whatever motive they may speak and act, will have solid ground for their criticism of the British Government.

We cannot help regretting that the Colonies do not show a livelier perception of the Imperial point of view. It is greatly to be regretted that the Transvaal Government did not take pains to remove the more offensive features of their legislation.

“The Nation”

The new Act discriminates in favour of Yiddish, the bastard tongue of European Jewry, and against the ancient languages spoken by hundreds of millions of our Imperial citizens, whose standard of culture and civilisation is, we should say, quite as high as that of the “Peruvian,” or Jewish, cabmen of Johannesburg. It is against this final stamp of servitude that the East Indians of the Transvaal have gone out in a kind of passive revolt. The wrongs of these helpless settlers, the redress of which, as Lord Lansdowne declared in 1899, the Empress of India was “powerless to secure at the hands of a small South African State,” have been multiplied since the State passed under the rule of her successor, and King Edward has been made an innocent accomplice in the “holotry” of thousands of his subject.

“Western Morning News”

Doctors and barristers who have the misfortune to be dark of skin must choose between having their finger-prints taken as though they were convicts and being deported and ruined within twenty-four hours. The Czar in all his glory never aimed at such autocratic proceedings.

“Dundee Advertiser”

Certainly the action of the Transvaal is worthy of the terms harsh, barbarous, severe. The British Indians constitute a singularly docile element in the colony. No complaint has been lodged against them for intractableness or inefficiency in the forms of labour they undertake. As traders their success is galling to the white men, because the simpler habits of the British Indian and his content with a lower scale of profit make him an annoying competitor. Some of the men against whom the Statute is aimed are highly educated. . . . White people simply cannot be urged out of the belief that a free immigration of Asiatics imperils the standard of white civilisation. The belief shows no very high degree of enlightenment ; tolerance is absent from it ; violence often accompanies it. Hostility to the Asiatic has both a racial and economic root.

“Northern Whig”

The injustice and the harshness of the treatment which has been meted out to Indians resident in the Transvaal by the Transvaal Government have created so profound an impression, and are so sternly reprobated in this country, that it is not a matter for surprise, but certainly one for satisfaction, that a strong Committee has been formed in London in order to defend the rights of our Indian fellow-subjects. . . . If Empire means anything the action of the Transvaal Government is grossly inconsistent with it.

“MY GAOL EXPERIENCES.” Next week we hope to publish the first portion of “Gaal Experiences,” specially written for INDIAN OPINION, by Mr. M. K. Gandhi.

A Letter to "The Times"

"Indicus" wrote the following letter which *The Times* printed in large type:—

Sir,—The indifference of those even who call themselves Imperialists in this country to the disastrous effect upon British prestige in India of the treatment to which British Indians are being subjected in the Transvaal shows, I fear, how slight is the interest taken by the British people in the great dependency committed to their trust.

My long acquaintance with India enables me to remember how the first despatch of Indian troops to Malta and Cyprus in 1878 was justified to the Indian people as a recognition of their title to share all the honourable privileges of membership of the Empire. In 1882 and in 1885 Indian contingents fought side by side with British troops on terms of unchallenged equality in Egypt and in the Sudan. They bore on the same terms the brunt of the relief of the Peking Legations in 1900. Though no Indian troops were sent to South Africa during the Boer war, it was the assured loyalty of the Indian Army which enabled the Imperial Government to send 10,000 white troops away from India to save Natal from invasion, whilst the manifold services rendered by the Indian military administration materially helped to supply the deficiencies of the military administration at home. Yet to-day neither the King's coat nor war medals can save an Indian veteran in the Transvaal from indignities usually reserved for felons.

At the present moment, when sedition is rampant in India and insidious efforts are being made to tamper with the loyalty of the native Army, what will be the impression produced by the story which these thousands of unfortunate British Indians will have to tell of their ejection from a British colony under all those conditions of ignominy against which, only a few years ago, when they were inflicted by the Republican Government of the Transvaal, the Imperial Government so loudly and strenuously protested? Nor is that all. It is well known in India that the Government of India, at any rate, has for years past urged upon the Imperial Government the duty of protecting the British Indians in South Africa against the arbitrary action of the Colonial authorities, and the people of India will not be slow to note how once more the voice of the Indian Government, omnipotent in India itself, is powerless in London whenever the interests of Indian subjects of the Crown are deemed to clash with those of the white subjects of the Crown.

This is not a party question either in the Transvaal or at home, for unfortunately the British element in the Transvaal is just as callous to the Imperial interests at stake in this question as the Boers, and the late

Conservative Government, in spite of urgent entreaties from India, showed no more inclination than the present Government to face its Imperial responsibilities in this matter, though in some respects it was in a much better position to do so, for it could have grasped the nettle with relative ease during the transitional period of Crown Colony government. It is a question for the conscience of the whole nation, and the longer it shirks that question the more disastrous will be the results.

"The Times" on the Transvaal Settlement

The Times of the 31st ulto. has the following leading article:—

The news which we publish this morning that the Transvaal Government have made a notable concession to the Asiatics on the question of registration comes at an opportune moment. By the terms of the concession, the chief objection felt by the Asiatics to compulsory registration is entirely met. . . . It is with feelings of the most profound thankfulness that we are able to give this intelligence this morning, and we would congratulate all who have taken part in it. More especially does it seem to us that praise is due to Mr. Gandhi and his friends for the victory which they have won for their cause, as they have consistently refused to accept any settlement which did not meet the cause of their humbler compatriots as well as of those in more influential positions. For it must be remembered that the fight which has lately been waged in the Transvaal has not been on the question of Asiatic immigration generally, but for the just and equal and considerate treatment of men not merely British subjects, but such as have already acquired the right of being at any rate denizens in the Transvaal.

Any one who has read through the Blue-book on the question will wonder chiefly that some such compromise was not thought of earlier, before the feeling of impatience among Europeans and of injustice among the Asiatics, which our Correspondent deplores, had been aroused. . . . The regulations issued in June in accordance with the Asiatic Law Amendment Act appear to have quickly aroused protests from the Asiatics in the colony and from their compatriots in Asia; and it is difficult to believe that any earnest attempt could have been made before their issue to consult the feeling of Asiatics in administering what at best they regarded as a very harsh Act. Indeed, one of the most deplorable aspects of the whole business is that, at first at any rate, nobody in the Transvaal, whether Government or Opposition, English or Boer, seems to have looked at it at all from any point of view but the

most limited provincialism. Every warning had been given that it was a matter which must be treated from an Imperial and foreign point of view, with the utmost delicacy, and the protestation on behalf of our Indian subjects made before the war could hardly have been entirely forgotten.

The news, as we said, is opportune. In the first place, the sentiment of honourable obligation in this matter had been very deeply stirred at home as has been evident from the accounts of the various public meetings, and from the correspondence and articles which have appeared in the Press.

The whole problem of Asiatic immigration is so difficult, and of such pressing importance, that it should not be complicated by questions of what virtually comes to be the treatment of individuals. But besides the feeling of honour involved at home, in India there is a very serious movement of public opinion to be reckoned with. One of the most surprising features in the Blue-book on the subject is the curiously halting protest of the Indian Government, and it is evident from news which we have recently published that Mr. Morley's more emphatic language was much more representative of opinion in the dependency. Several meetings of protest have already been held in India, but that held in Bombay last Wednesday is of particular significance. It is not often that Indians of the Hindu, Parsee, and Mahomedan communities meet for a common object as they did on this occasion, under the auspices, too, of some of their most eminent leaders. The Agha Khan, who recently headed a most important Mahomedan deputation to Lord Minto and is the acknowledged leader of the Indian Musulmans, presided, while among the speakers was Sir Pherozeshah Mehta, one of the most influential leaders of the Hindu National Congress party. All the 7,000 persons assembled condemned in no uncertain tone the treatment of their compatriots in the Transvaal, and appealed to the British Government and Parliament for redress. A recent writer has suggested that nothing is so likely to unite the East as this question of colour; this is one reason why Parliament and the Empire should look into the matter in a broad spirit. Another reason lies in our great responsibilities to India and the credit and privileges which we attach to membership of the Empire.

THE NATIVE AFFAIRS SOCIETY OF THE TRANSVAAL. A Society of the above name has now been definitely formed, of which among others, Mr. H. S. L. Polak has become a foundation member. The object is to study the Native question, and to formulate a broad, liberal, and practical Native policy throughout South Africa.

Mr. Gandhi's Assault

A Press Incident

Accused Sent to Prison

Full Report

[SPECIAL TO INDIAN OPINION]

The charges of assault in connection with the attack on Mr. Gandhi and others on the 10th instant came before Mr. Jordan in B Court on Wednesday, the 19th instant. Mir Allam Khan and Abdul Rahman were the Accused, the former being a Pathan and the latter a Konkney. Both pleaded not guilty. The indictment, which was slightly varied from that put before the Court on the previous occasion, included a charge of assault on Mr. Essop Mia, Chairman of the British Indian Association, and to this Mr. Van Diggelen, who conducted the defence, took exception, as he said he had not been notified of the additional charge.

The Magistrate said that he would grant a remand if it appeared that the additions in any way prejudiced the defence.

With the consent of the Court Mr. Van Diggelen made a statement before the Public Prosecutor proceeded. He wished to draw the attention of the Court, and to put forward a strong protest to the Court, as to the attitude taken up by the local press in regard to the case. He did not doubt for one moment that they would get all justice from the Court, that was not the reason why he brought it up. The unlawful and malicious way in which the local press gave the reports in this case should, he said, be stopped. He referred especially to the *Transvaal Leader*, which had given a report of the case containing the names of the people who were supposed to have struck and everything. That was gross contempt of the law of the country—to put the whole case into print where the people had not been even before the Court. The second point to which he wished to refer was an article in the *Daily Mail*, where the reporter from Lydenburg said that the Prime Minister in his speech said, about the assault on Gandhi, that he (General Botha) had suggested to General Smuts that the assailants should be deported. He did not believe that the Prime Minister would make such a statement, and it showed how careful the press should be.

The Magistrate: We shan't take notice of what the press has said.

Mr. Van Diggelen: I wish to show publicly what our feeling is about the local press.

Mr. Essop Mia was the first witness called for the prosecution. He described himself as a wholesale merchant of Newtown, Johannesburg. He knew the Accused, and recognised them as the assailants who, on Monday, February 10th, at about 9.45 a.m., attacked witness and Messrs

Gandhi, Naidoo, Desai, and others, in Von Brandis Street. The Accused asked him where he was going, and he replied that he was going to register. This occurred at the corner of Von Brandis Street and President Street. Witness and Mr. Gandhi were walking first and were near Arnot & Gibson's offices. Immediately after the above conversation, the first accused, Mir Allam, struck Mr. Gandhi with a stick on the back of the neck and knocked him down. Two or three more men then ran up and struck Mr. Gandhi, and witness and others present put out their hands to prevent them. Witness received a blow on the finger from Accused, with a stick. He was struck once only. The other Accused had a piece of iron in his hand, and, when Mr. Gandhi was thrown to the ground, he struck him on the head and back whilst he was on the ground. Mr. Gandhi was struck several times. Witness did not know how many blows were struck. Witness then went away a few paces towards Messrs. Arnot & Gibson's offices and, standing on the door-step, he called out for help, stating that they were killing Mr. Gandhi. The Accused assaulted Mr. Gandhi and himself because they went to get registered. The Accused told them not to go to the Permit Office. Witness then stated to them that everything was settled with the Government and that they were willing to register. He himself received a slight graze on the hand. Mr. Gandhi was hurt severely over the eye, mouth, and head. The first Accused said that he had killed Mr. Gandhi, and then left him.

Cross-examined: Mr. Gandhi fell down. He fell forward, somewhat sideways. He saw several people strike Mr. Gandhi with a stick. He saw both the Accused strike Mr. Gandhi on the face. He saw that himself. There was a large number of people around, including white men, who rushed up to help. He could see everything that went on from where he was standing on the step of Messrs. Arnot & Gibson's offices. The white men came up after the end of the assault. He saw about 8 or 10 Pathans strike Mr. Gandhi. The first Accused had a stick in his hand. The first Accused did not talk to Mr. Gandhi before the assault. It was another man who spoke. There was no other conversation. The first Accused did not ask Mr. Gandhi why he first made them take the oath not to register and now he himself registered. Nor was it true that Mr. Gandhi had said that he was going to give 18 digit impressions, and that the others should do so as well. Nor, again, was it true that Mr. Gandhi said to the Pathans "You people are—" It was not true that the Accused had said "First you betray our cause, and then you insult our people." He did not see Mr. Naidoo going up with a stick to hit the first Accused, nor did he see the other Accused take

that stick away and strike Mr. Gandhi with it. He was Chairman of the British Indian Association. He had not been to prison. He expected to go on the day when the others were released. All Mahomedans had taken an oath not to register under the new law. They did not swear about finger-impressions at all. It was the same to witness whether he was asked to swear on the Koran or to give his word. He was not allowed to break an oath. All this had nothing to do with the case, because no oath was broken.

Mr. Schuurman, the Public Prosecutor, objected to this cross-examination, but the Magistrate said he could take it as proof of provocation.

In re-examination, witness identified the piece of iron tube and a thick, hooked stick. A third stick which was produced he identified as having been in the hands of another Pathan, who, however, was not arraigned.

Medicial Testimony

Dr. James Alexander Thwaites stated that he was a medical man practising in Johannesburg. He saw the two injured persons on the 10th February at the office of Messrs. Arnot & Gibson in Von Brandis Street about 10 a.m. He examined them. Mr. Gandhi was lying on his back in the room, his mouth covered with blood. He confirmed the certificate which he had granted. The wounds from which Mr. Gandhi was suffering consisted of a cut on the cheek, two cuts on the upper lip, and an abrasion over the left eye-brow. Two of the front teeth in the upper jaw were loose. Mr. Gandhi also complained of pains in the right side of the body, but no bones were broken. There were no bruises on the back of the head. He was badly hurt, and was in bed the best part of the week. He sent him to 163 Smit Street, where he stitched up the wounds, putting one stitch in the cheek, and two in each of the wounds on the upper lip. The wounds did not prove serious. They might have been produced by blows from the stick or the piece of iron produced. Cross-examined, he stated that it was possible that when Mr. Gandhi fell forward to the ground the cuts were caused by the stones on which he might have fallen. Asked if it was more probable that it would have happened that way, witness replied that he would not say it was more probable; it was possible.

The Magistrate: At any rate, Mr. Gandhi was badly knocked about. Yes.

Mr. Alexander Pitt, a bricklayer, Mr. F. Coleman, a stoker, Mr. Irvine of Messrs. J. W. Jagger and Co., and Mr. Goolabbhai Desai gave corroborative evidence.

Syed Hoosen said that he knew all the men who were struck, and the two Accused. He was with Mr. Gandhi at the time gentlemen A

Pathan asked "Where are you going?" Mr. Gandhi replied "To take out registration certificates." A Pathan then inquired whether they were going to give 10 finger-prints. Mir Allam did not ask this question. He was standing at the back of Mr. Gandhi. He then struck Mr. Gandhi on the back of the neck with a stick like the one produced. Mr. Gandhi fell on his side. Mir Allam struck Mr. Gandhi two or three blows when on the ground. The shorter Accused kicked Mr. Gandhi two or three times. He produced a piece of iron pipe, which he had half-concealed in his sleeve. He struck Mr. Gandhi with that on the back.

Cross-examined: Mir Allan said that Mr. Gandhi was dead. "Let him be." He did not hear any other conversation, nor did he hear Mr. Gandhi using insulting language. Those who committed the assault were Pathans. He himself was a Mussulman. The Accused were not talking to Mr. Gandhi. He did not see Nawab Khan present. He recognised Nawab Khan in Court.

Mr. Thambi Naidoo was then called. He at first expressed his desire not to give evidence, but was informed by the Magistrate that he was bound to do so. He said that he was a cartage contractor. He was going with Mr. Gandhi from Mr. Gandhi's office to the registration office, on the morning of the 10th instant just before 10 o'clock, to register, with Mr. Essop Mia, Mr. Gandhi, and several others. In Von Brandis Street, a tall Pathan asked where they were all going. Mr. Gandhi replied they were going to the Registrar's Office. In reply to the question "why," the answer was "to register." Asked how they were going to register, Mr. Gandhi had replied "Any way you like—either by signing your name, or giving two thumb-prints, or ten finger-impressions." Immediately, Mir Allam struck Mr. Gandhi a blow on the back of the neck with a stick similar to the one produced. Mr. Gandhi immediately fell to the ground. Both the Accused struck Mr. Gandhi whilst he was on the ground, as well as a third man. Mir Allam repeatedly struck Mr. Gandhi and would not go away. Abdul Rahman struck Mr. Gandhi with a piece of iron while he was on the ground. There was no provocation to anyone.

Cross-examined: He had no stick similar to that produced. It was not this; nor did he ever carry one. He was one of those who were arrested and sent to goal. He was a Hindu. He was one of those who had signed the letter of settlement with regard to registration. He had never heard Mr. Gandhi use such words as those alleged. Mr. Gandhi never used foul language. There was no bad feeling at all against Pathans generally. The oath had been taken not to accept the Registration Act. It had nothing to do with registration. They

had explained everything to the people, including all the terms of the settlement. On Thursday night, on his release, Mr. Gandhi had addressed a midnight meeting, giving full explanations. This had been repeated on the following day. The majority were quite satisfied with the settlement. At that time, finger-prints had not been decided upon, but the people had been informed that the settlement might be that one thumb-print or ten finger-prints should be given. Whatever it was, it should be loyally accepted. Everybody was quite satisfied about the settlement. There were about 20 or 30 then going to the Registration Office on that morning. They were now registering close on 250 a day.

The case for the Prosecution then closed.

The Defence

Mr. Van Diggelen strongly protested against Mr. Gandhi's absence, as he said that his clients' case was prejudiced thereby.

The Magistrate intervened and said that, in his opinion, the Accused's case was more favourable.

Mr. Van Diggelen then asked for the discharge of the second Accused, Abdul Rahman, on the ground that there were no evidence against him, but the Magistrate pointed out that there was plenty of evidence against him so far which had not been rebutted.

Nawab Khan was then called for the defence. He said that he was a member of the Railway Police Force. He had now got his billet back. He knew the Accused Mir Allam. He had known him about 12 years. He knew him in India. Mir Allam had served under him. He bore a good character. There were no complaints against him during his service. He himself had gone to prison. He was a Mussulman Rajpoot. He had been made a Jemandar here. He had the rank of Sergeant-Major in India. Jemandar was equal to Lieutenant. When he left the prison, he knew nothing about the settlement. He did not ask about it. He was very sick then. Afterwards, Pathans came to him and asked him about it, and he told one Abdul Kader to write a letter to the Chairman of the British Indian Association. No reply was received. They knew nothing about it up to that very day. He did not understand the present position. They were told at first that if they gave ten finger-impressions they were dogs. Now, they were asked to give them. He could not understand that. They had taken the oath not to register. He admitted, however, that, on the day mentioned and at the time alleged, he was not present in Von Brandis Street at all. He had remained at his house.

Cross-examined: He remarked that Messrs. Gandhi and Naidoo had said that they had settled the matter of registration with the Government.

He himself was not satisfied. He did not tell anyone to assault Mr. Gandhi. He had not registered since then.

Ladhasingh stated that he knew both the Accused. He had only known the shorter one since the assault. He remembered the 10th February. He was at Boksburg on that day. He was not present at all when the assault took place.

Mr. Van Diggelen informed the Court that the last two witnesses had told him that they were present at the assault. He added "Owing to the attitude of the press, my witnesses are afraid to come forward. Everyone knows that the Government are the complainants."

The first Accused, Mir Allam, then gave evidence on his own behalf. He said that he had come from Benoni on the Sunday previous to the assault, and had afterwards gone to Nawab Khan's house. He told Nawab Khan that he had heard something about a settlement, and asked what it was. He was working on the Modderfontein Mine, and had come to inquire about registration. Nawab Khan replied that he did not know what had been settled and that accused should go and ask Mr. Gandhi. On Monday he had asked Mr. Gandhi on Von Brandis Square what arrangements had been arrived at. Mr. Gandhi replied that 18 finger-impressions and also ten finger-impressions must be given. Accused then told Mr. Gandhi that he had called a meeting and that the meeting had sworn on the Koran not to give ten finger-impressions, and now he wanted them to do it. Mr. Gandhi then called them—in English. He then caught Mr. Gandhi by the head and asked him why he was swearing at him. Then Naidoo came up from the back and prodded Accused with his stick. They were first of all walking, and then when Mr. Gandhi swore at him they stopped. When he turned round and saw Naidoo with the stick he attempted to strike Naidoo. Mr. Gandhi then intervened. The Accused struck him, and Mr. Gandhi fell. He did not strike him afterwards. If he had struck him hard, he would have killed him. He had not struck him at all about registration, but on account of the abusive language used. He had no intention of assaulting Mr. Gandhi; he was going away.

The Magistrate: That knocks the bottom out of your defence, Mr. Van Diggelen. Your own man distinctly says that the assault was not on account of registration, but on account of bad language.

Accused said that he had no intention of quarrelling with or hurting Mr. Gandhi. He was sorry when he found out that he had hurt him. It was all done in hot blood. He did not see Abdul Rahman, nor did he see him strike Mr. Gandhi. He absolutely denied striking Mr. Gandhi when on the ground.

Cross-examined: When Naidoo prodded him with the stick, Mr. Gandhi interfered and tried to throw him down. He first struck Mr. Gandhi and then Naidoo. He met Mr. Gandhi at the office and went on from there. He was with Mr. Gandhi the whole time. He took the stick from Naidoo (whom he identified). Naidoo did not have an umbrella, but a stick. He never admitted at the Charge Office that the stick was his. He struck Mr. Gandhi on account of the abuse and not on account of registration. Mr. Gandhi tried to throw the accused down, and caught him at the back, on the shoulder. He struck Mr. Gandhi on the back one blow and knocked him down, but did not strike him on the face when down.

The second accused, Abdul Rahman, said that he was present near Von Brandis Street on the 10th instant at the time mentioned. He went with Mr. Gandhi from the office. Mir Allam asked where they were going. Mr. Gandhi replied "What has that got to do with you, you— —" (in English). Mir Allam got angry and struck once at Mr. Gandhi on the back of the neck. Naidoo then came to the back of him and caught him. There were no more blows. When Naidoo went to strike, Mir Allam seized the stick which was in Naidoo's hand. When the quarrel was over, he himself went away. He never saw the piece of iron produced, nor did he hit Mr. Gandhi with it when the latter was on the ground.

This closed the case for the defence.

Mr. Van Diggelen in addressing the Court confessed that he had partly failed in his defence, but he pointed out that the accused did not go with the intention of assaulting Mr. Gandhi.

In giving judgment the Magistrate said that the case was a very clear one. The assault had been proved against both the accused. He might add that Mr. Gandhi was well known to him personally, and he was perfectly sure that Mr. Gandhi did not use the words alleged against him. He did not think anyone could be brought forward to say that Mr. Gandhi had used bad language. It was from his personal knowledge of the man that he could say that he (Mr. Gandhi) was not a man to use words of that description. It was an assault of a very unprovoked description. One knew what these Pathans were—a very ignorant race, and when they got an idea in their heads one could not get it out. He sentenced each of the accused to three months' hard labour.

With reference to Mr. Van Diggelen's statement, the *Rand Daily Mail* representative states that the words alluded to were made by General Botha.

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Registration Notes

Registration continues to proceed smoothly. The great difficulty is that there are not enough officials to cope with the work. Since Monday, three officials have been taken off and sent down to the hall of the Chinese Association to undertake the registration of Chinese there. This has meant tremendous pressure of work at the Von Brandis Square Office, and the officials have not been able to cope with the difficulties with which they have been faced. It seems a great pity that extra assistance has not been obtained, because, with the Office working short-handed, it has meant that very many people have had to wait one or two days before they could get registered, and, in some cases, they have gone away with disgust at not being attended to. The writer is convinced, however, that the officials at the Von Brandis Square Office have done their best to deal with those who have attended to make application. The various offices have been overcrowded, and it has not been possible to take applications as fast as they have come in. There are eight officials at the work, three of whom, as have been stated, are dealing with the Chinese applications alone. There seems, too, to be great congestion in Pretoria, because very few registration certificates have so far been issued. At the present time, the certificates of those only, who have stated that they intend to go to India, are being sent down to Johannesburg, the others being dealt with in a very leisurely fashion. It seems that the files have to be very narrowly scrutinised, and, as a result of this, men intending to leave for India have applied day after day for their registration certificates. It is hoped that the whole of the Chinese will be disposed of by the end of this week. On Saturday last, the number of registrations was 1759, including 24 Chinese: on Monday, 159 Indians were registered and 85 Chinese: on Tuesday, 156 Indians and 150 Chinese were dealt with. Tuesday, therefore, was a record day, for 306 applications in all were made. The applications for registration have been somewhat complicated, too, by the fact that many people from outside districts have come into Johannesburg in order to make application, instead of waiting until they were required to do so in their own towns. But this, of course, simply testifies to the anxiety of the Indian community to aid the Government in every possible way, when the community is consulted in regard to matters affecting it. It is certain that the Government could never have carried through the registration so successfully as it has been done so far, without the active assistance of many splendid volunteers from amongst the Indians and the Chinese. These have given up whole days to the work of helping the registration

officials, either by way of translating, interpreting, keeping order, or making various explanations that might have been necessary.

Mr. Doke's Thanks

The Rev. Mr. Doke writes to the Editor as follows:—Dear Mr. Polak, Kindly allow me to express through *INDIAN OPINION* sincere thanks to all those Associations and friends, who sent me such appreciative messages during the recent trouble. The number is very large, and I am quite unable to reply to them separately. The little service which my wife and I were able to render to our friend Mr. Gandhi, or to the cause of Passive Resistance, was rendered gladly. It was a privilege, and deserves no thanks. It is, to both of us, a great pleasure to see one of the best of men, who has suffered so much for his people, again able to perform his duties, and the Passive Resistance movement ending so honourably to you all.

With regard to the future, I trust that our Asiatic friends throughout South Africa will strive earnestly to realize that high ideal of manhood which for a moment was the guiding star in this struggle. They have now to make good among their fellow-colonists the claims to consideration and respect which they have advanced. We shall be bitterly disappointed if they fail to do so. It is comparatively easy to "play the man" during a few months when everything is at stake: it is difficult to settle down, in quiet times, to the drudgery of it. But I am convinced that a people capable of sustaining so nobly a Passive Resistance movement which requires such qualities as forbearance, persistence, self-denial, and obedience to conscience, is capable of all that is needed in the effort to materialise that beautiful ideal: "Best of all, God is with us," and so long as we seek His blessing, all will be well.

Yours faithfully,

JOSEPH J. DOKE.

THE GOVERNMENT AND THE ASIATICS. It is a great pity that certain Transvaal newspapers are endeavouring so far as lies in their power to depreciate and minimise the part played by Mr. Smuts and his colleagues in the settlement of the Asiatic question. Surely we might support the Transvaal Government in what was admittedly a most difficult situation. Or if it is necessary to point the moral farther, these writers might emulate the excellent example set them by Gandhi and his colleagues. It is not the first time that the Asiatic has displayed more dignity than the Western. It may be questioned whether any better conclusion than that arrived at could have been arrived at. *Gold Fields News*

જરમન
આફ્રિકા



ઈસ્ટ
લાઈન.

૧૮ દહાડે મુંબઈ જનારો આગબોટ,
કેન્ડલર.

તા. ૧૦ મી મારચના ઉપહરો.

ઉપલી સ્ટીમર અત્રેથી તા. ૧૦ મારચના સીધી મુંબઈ સાર જરો તે પકત ઉલાગોઆખે બેરા અને ગોઆ રહી ૧૮ દહાડે મુંબઈ પહોંચશે મજકુર આગબોટમાં ખલાસી દેશી છે. જગ્યા ફાળકામાં છે અતી જગરૂ વગેરેનું અનહદ મુખ છે. પાસંજરો અહીંથી ચડેલા મુંબઈ જઈ ઉતરશે. ક્યાંય બદલવાનું નથી.

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જ્યોર્જ લેકોમ્બ

કેમીસ્ટ

૫૦૯ વેસ્ટ સ્ટ્રીટ, ડરબન

ને લાં દવા લેવા જવું. ડાકતર હમેશાં લાગરી આપે છે. અને અંગ્રેજી, ફ્રેન્ચ, દીંદી, રજકાની વામીઝ અને મકે વામીઝ ભાષાં કવે છે.

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ઈન્ડિઅન ઓપિનિઅનની છુટક નકલ મી. પી. વી. સંઘવી ૨૦૧ એ સ્ટ્રીટ, તથા મી. એમ. એમ. દીવાન ૧૪૭ ક્વીન સ્ટ્રીટ ધો સન બ્રેડ ટાબેકો વર્કસ, ૧૬૪ એ સ્ટ્રીટમાંથી ત્રણ પેનીના દામથી મળી શકશે. પોસ્ટ મારફત ૪ પેની. ટરાંસવાલ, કેપ વગેરે કોલોનીના સ્ટાંપ પણ સ્વીકારવામાં આવે છે.

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પોર્ટ ઇલીઝાબેથ—ટીકમદાસ અધર્સ.

પ્રોટોરીયા—મી. પી. એમ. જ્વેશી.

બોક્સ ૧૧૫૭.

પીટર્સબર્ગ—મી. એમ. ખડેરીઆ,

બોક્સ ૧૬૦

સ્ટેંગર—મી. સી. એમ. દેસાઈ

બોક્સ ૬૭

ઈંબરલી—મી. તુલજીરામ ડી. ત્રીવેદી,

બોક્સ ૩૭૨.

ઉલાગોઆખે—મેસર્સ વૃજદાસ લાલચંદ

ની ડ્રા. બોક્સ ૯૨.

પી. એમ. બરગ—મી. બી. એમ. પટેલ,

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A Book—and its Misnomer

A REPLY

Being a Brief Examination of "The Asiatic Danger in the Colonies" by L. E. NEAME.)

By the Editor of INDIAN OPINION
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વધકકલ્પતરૂ.

ત દુસ્તી અને વૈદ્યક જ્ઞાનની દરકાર હોય તો વાંચો "વૈદ્યકલ્પતરૂ" માસીક. આર વર પથી દરમાસે પ્રગટ થાય છે. દરેક ગ્રહસ્થે ને ખાસ વાંચવા જેવું છે. નામ ડેકાણુ સાફ અક્ષરે વધક જરાશંકર લીલાધર, રોચીરોડ, અમદાવાદ લખવાથી એક એક નમુના દાખલ મફત મોકલવામાં આવશે. લવાજમ પોસ્ટેજ સહીત ૩/- તથા ભેટનું પુસ્તક મોકલવાનું ખર્ચ ૪ પેની અગાઉથી લેવામાં આવે છે. વધુ વીગત મટે આ પત્રની ઓપીસને લખવું.

આફ્રિકાના કોઈપણ સ્ટાંપ સ્વીકારવામાં આવે છે.