

# Indian Opinion

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## Indian Opinion

SATURDAY, MAY 9TH, 1908.

### The Natal Bills

THE "Indian" Bills foreshadowed by the Colonial Secretary are now a gazetted fact, and, if the Bills go through, after the 30th June, 1911, there should be no more indentured Indians introduced into Natal. The second Bill will put a stop to any new "Indian or Arab" licences after the 31st December, 1908. The third Bill provides for the total extinction of Indian licences after 10 years, subject to compensation being paid to the extent of three years' purchase on the profits of the business.

The first Bill will be welcomed by every Indian in the Colony, and we trust that it will pass the two Houses unanimously. The pity is that indenture cannot be stopped even earlier. The other two Bills will spread consternation amongst Indian traders. The Bills are as ignorant as they are tyrannical. Those who are responsible for drafting them still talk of "Indians or Arabs," forgetting that there are no "Arabs" in Natal who are not also Indians, and that the term "Arab" is an exploded myth so far as the Indians are concerned. If the first of these two Bills become law and receive the Royal sanction, it does not require a particularly shrewd man to see that the

second Bill is not even necessary. In ten years' time there will be no Indian traders to compensate; for we fancy that new trading licences include transfer from one person to another, as also from one place to another. What are Indians, who are born traders, who have been traders before, but who are to-day either in partnership with some other Indians or in the service of such Indians, to do? Why should they not receive trading licences in common with other Indians? Why should the mere fact of one Indian having taken out a trading licence and another serving him and, in fact, carrying on the trade, prevent that other from doing an independent business? And, in ten years' time, is there to be no Indian trader to trade even among Indians? We do not advocate an indiscriminate issue of licences, but we do maintain that those who are traders by instinct should have every facility given to them for carrying on their trade; and that is the only way in which any country can take the best out of its inhabitants. To many Indians there are only two courses open—honest trade or dishonesty and fraud. Surely the Natal Ministers do not wish to manufacture fraud and dishonesty in the Colony. Moreover, we think that they are mistaken if they consider that the Indian community will have nothing to say in the matter, or that it will allow itself to be extinguished without making a supreme effort.

### Indians in Canada

WE publish some remarkable telegrams on the Indian question in Canada, from the *Winnipeg Free Press*, forwarded to us by a friend. The proceedings of a public meeting of Indians held at Vancouver in connection with the attempt to prevent the landing of Indian passengers from Hongkong were unique. The Indians who met at the Sikh Temple in Vancouver were not the parties directly affected. But they met to protest against what they rightly considered to be the high-handed measures of the Government in preventing the landing of their fellow-countrymen. It is a most satisfactory feature to see such solidarity and unity of purpose among Indian emigrants to various parts of the world.

The meeting derives added significance from the fact that it was chiefly composed of Sikhs and other martial races from whom the recruits to the Indian Army are received. The resolutions passed at the meeting

show that the Indians assembled were conscious of their power. They pointedly drew Mr. Morley's attention to the disastrous effect that must be produced on the Indian mind in India by the harsh if not illegal treatment of the immigrants in question.

The meeting, in our opinion, shows that Mr. Morley (and, for that matter, all British statesmen) has a gigantic task before him in tackling this extremely difficult problem. On the one hand is the clamorous and powerful white party regardful only of its immediate and selfish interests, on the other is the Indian party claiming the simple rights of British subjects. To please one is to mortally offend the other. The position is by no means an enviable one. The matter has reached a stage where it would be dangerous to leave it. The moral prestige, as well as the safety, of the Empire are at stake. Lord Amphilh has suggested the only course left open, namely, the summoning of an Imperial Conference for the sole purpose of discussing this thorny Imperial question. Mr. Churchill, on the other hand, says that the time is not opportune. His answer is capable of double interpretation—either that the liberal cabinet is fully alive to its duty, and is, therefore, trying the method of diplomacy, or that it is oblivious of the danger that is looming ahead. We hope that the former is the case and that well-wishers of the Empire will be soon re-assured that no stone is being left unturned to bring about a satisfactory solution of the problem.

WE GAVE LAST WEEK SIR PERCY Fitzpatrick's remarks on Sir Percy on the colour question that Colour is agitating and must continue to agitate the

people of South Africa for years to come. One of the chief leaders of the Progressive party has certainly given it a good lead by his statesman-like utterance. Sir Percy admits the proposition laid down by so many leaders of European thought, that the white races should remain predominant in South Africa. But Sir Percy's remedy is not by way of extinction of the natives nor yet by segregation or restricting them only to certain pursuits and no other. Sir Percy holds such favouritism as derogatory to the position of the predominant race. He thinks that, in order to retain his predominance, the white man should deserve it. If, therefore, Sir Percy's advice were followed, it would be a question of a fair field and no favour. To a doctrine such as this, no reasonable man can take exception.

WE VENTURE TO CONGRATULATE SIR Matthew Nathan on **A Graceful Act** his boldness in visiting the Indian school at Stanger. We are sure that it is courtesy for which the Indian community must feel thankful to His Excellency. Indian education is sadly neglected by the Government. But Sir Matthew, whilst he cannot interfere directly or actively, by showing his sympathy and regard for the various communities living in Natal, can largely influence the decision of the authorities directly concerned.

#### THE POLL TAX OF THE COLONY

It continues to cause a great deal of irritation and anxiety among the Indians as among all the classes. And instead of being forgotten as days go by, the yearly exaction accentuates the resentment felt. Indians will never be able to recognise that a tax that is the same for the prince and the pauper can ever be just. The sooner the iniquitous measure is removed from the Statute Book of the Colony, the better it will be for all concerned. And if it weighs heavily on the generality of Indians, how much more keenly must it be felt by the natives! Whilst it was not the only cause of the Zulu trouble in 1906, it is admitted that it was a potent and direct cause of it. Even from a purely expedient standpoint, therefore, it behoves the Government to abolish the tax.

#### THE PERIOD FOR VOLUNTARY REGISTRATION OF ASIATICS IN THE TRANSVAAL

Voluntary Registration in the Transvaal closes to-day. Roughly speaking, almost every Asiatic has applied for voluntary registration, in other words, allowed himself to be identified afresh. Of the eight thousand odd applications made, six thousand have already been approved and passed. This is a creditable record on either side. The Asiatics have, therefore, fulfilled their obligation, both in the spirit and the letter. It now remains for the Government to complete the performance of its duty, namely, to repeal the Asiatic Act, and to legalize voluntary registration in a manner acceptable to the Asiatics and satisfactory from the Colonial standpoint, which is to restrict the authorised influx of new-comers. The Colonial principle has been accepted by the Indian community. There need, therefore, be no further cause for friction.

**LOBITO BAY INDIANS.** About 600 more Indian labourers returned from Lobito Bay this week. About 40 it is stated, claimed, or rather proved, domicile. The remainder will be sent to India.

### The South African Indian Association?

#### A Spirit of Co-operation

The following letter has been sent by the above Association to the various Indian Associations in Cape Colony:—

Dear Sir,—At a meeting of the Committee of my Association it was resolved to invite the several Indian Associations outside of Cape Town to co-operate with us in our endeavour to obtain from the Parliament now sitting some relief in regard to the several matters which are at present pressing heavily upon the Indian community.

The grievances to which I refer are embodied in a circular letter, a copy of which I herewith attach, which was sent to each and every candidate, who was recently nominated for election both for the Legislative Council and the Legislative Assembly. I am happy to inform you that the replies to the questions put in the letter referred to were in almost every instance satisfactory.

You will observe that the first question put to the candidates refers to the amendment of the Immigration Act, 1906, "so as to include Hindustani as a European language." As there appears to be a diversity of opinion among the Indians resident in Cape Town as to how many Indian languages should be recognised by the Legislature, I should be glad to hear the views of your Association on the subject. I may, however, point out that my Association would prefer to ask for the recognition of one Indian language only for fear of being met with a refusal if we were to ask for more.

No. 2 Question requires no comment.

No. 3 Question: I herewith attach the report of a case which was taken up by my Association, and being decided against us on a point of law by one of the Judges of the Supreme Court will be brought in appeal at the next sitting of the Full Bench. If the decision is in our favour the effect will be practically to nullify the hardships referred to in Question 3.

As to Question 4, I make no remark but would like to hear your view on the subject.

I need not point out to you that the efforts of my Association to remove any of the disabilities and grievances under which the Indians are now suffering are not confined to those Indians residing at Cape Town only, but any good result would be felt by the entire Indian community in Cape Colony. It is therefore desirable that there should be unity among the Indians, and that all should help in the endeavour to obtain what should be a common object.

Yours faithfully,

E. NORODIEN,

President.

#### Letter to Members of Parliament

As one of the candidates for the Election of Members for the Legislative Assembly we have the honour to address you on behalf of ourselves and fellow Indians, electors of Cape Town and subjects of His Most Gracious Majesty King Edward VII. and to request you to be good enough to favour us with your views on the following questions:—

(1) Are you in favour of amending the Act of 1906, commonly known as the Immigration Act, so as to include Hindustani as a European language?

(2) And further to amend the Act in such a way as to prevent the deportation of anybody from this Colony as an undesirable on the mere discretion of the Officer in charge of the administration of this Act?

(3) To amend the said Act as to (g) of Section 4 so as to do away with the necessity of obtaining a permit by any Indian who seeks to re-enter this Colony having once been resident here for a period of not less than three years.

(4) Are you in favour of amending Act 1906, commonly known as The General Dealers' and Hawkers' Licences Act so as to allow of an appeal from the decision of a Municipality to the Supreme Court, where such Municipality declines to grant the necessary certificate for the purpose of obtaining a General Dealers' or Hawkers' Licence without assigning a good and sufficient reason for such refusal?

We beg to point out that the Yiddish language has been admitted as a European language and that the majority of Immigrants who write and speak that language do not come from British Colonies and are not as a rule naturalised British subjects, whereas the people who speak and write Hindustani are members of the Empire and should therefore be granted as great if not greater privileges than those enjoyed by foreigners.

As to question (2) we consider that too much power has been placed in the hands of the Officer in charge of the Immigration Department.

You are doubtless aware also that the General Dealers' Act has come in for severe criticism, for it is a notorious fact that licences have been refused to Indians, not because there has been anything against them but because they were Indians.

It seems to us that these are grievances which ought to be rectified, and before committing ourselves to the support of any candidate, we thought it advisable to obtain your views on the above questions.

We should be glad if you would favour us with your reply before Tuesday next, the 10th instant.

RECEIVED. The Report of the Protector of Indian Immigrants (Natal) for the year ended 31st December, 1907.

## New Bills in the Natal Legislature

### Indentured Labour

### Trading Licences

### Sweeping out the Indian

By direction of the Prime Minister, the following Bills, which it is intended to introduce into Parliament during the forthcoming Session, are published for general information in the *Gazette* :—

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Natal, as follows :—

1. After the 30th day of June, 1911, no Indian Immigrants shall be introduced into Natal under the provisions of Law No. 25, 1891.

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Natal, as follows :—

1. In this Act the word "Indian" means a person descended from any aboriginal race of India, or belonging to the class usually described in this Colony as Arabs, or Arab traders.

"Licence" means a wholesale or retail licence of any description for purposes of trading.

"New Licence" means :

(a) A licence to any person who does not hold a licence similar in every respect at the date when application is made for the licence.

(b) A licence in respect of premises for which a licence similar in every respect is not held at the date when application is made for the licence.

The transfer of a licence to an Indian from a person other than an Indian shall for the purpose of this Act be deemed to be the issue of a new licence.

2. After the 31st day of December, 1908, no new licence shall be issued to an Indian. This provision shall not however prevent the transfer of a licence in any insolvent or assigned estate or the like to a trustee in insolvency or to an assignee or the like under the laws relating to insolvency, or the transfer of a licence to the heir, executor or other legal representative of a deceased licensee, for the purpose of carrying on the licensed business upon the same premises.

3. Upon proof in the Court of a Magistrate that any business is being carried on by or on behalf of an Indian under cover of a licence which according to the terms of this Act could not be lawfully issued to an Indian, the licence shall be adjudged void, and the Indian as well as the holder of the licence shall be liable

to be convicted of a contravention of the licensing Acts for the time being in force as having carried on the business without a licence.

4. If upon any application for the issue or transfer of a licence the question shall arise whether any person is or is not an Indian within the meaning of this Act the proof shall rest with the applicant.

5. This Act shall not come into operation unless and until the Governor shall notify by proclamation in the *Government Gazette* that it is His Majesty's pleasure not to disallow the same; and thereafter it shall come into operation upon such day as the Governor shall notify by the same or any other proclamation.

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Natal, as follows :—

1. In this Act the word "Indian" means a person descended from any aboriginal race of India, or belonging to the class usually described in this Colony as Arabs, or Arab traders.

"Licence" means a wholesale or retail licence of any description for purposes of trading.

"New Licence" means :

(a) A licence to any person who does not hold a licence similar in every respect at the date when application is made for the licence.

(b) A licence in respect of premises for which a licence similar in every respect is not held at the date when application is made for the licence.

The transfer of a licence to an Indian from a person other than an Indian shall for the purposes of this Act be deemed to be the issue of a new licence.

2. After the 31st day of December, 1918, no licence shall be issued or transferred to or be capable of being held by or on behalf of an Indian.

3. An Indian who on the 31st day of December, 1918, holds a licence and who is by this Act prevented from obtaining a renewal thereof shall be entitled to be compensated from the public revenue of the Colony for the loss resulting from the discontinuance of the licence, in manner and subject to the provisions of this Act.

4. The compensation payable as aforesaid shall be a sum equal to three years' purchase of the profits of the business, and shall be calculated upon the average net profits, as nearly as they can be ascertained for the two years preceding the 31st day of December, 1918, unless for some sufficient reason appearing to the arbitrators such an average is a manifestly inadequate basis of assessment, in which case the assessment shall be made upon the normal yearly profits of the business as nearly as they can be estimated.

5. If the compensation payable be not agreed upon, it shall be determined by the award of two arbitrators and an umpire according to the Arbitration Act, 1898, or any other Act then in force, provided that should the arbitrators for the respective parties not agree in the selection of an umpire, the Protector of Indian Immigrants (or if there be no such officer, the magistrate of the division) shall appoint some fit and disinterested person to be an umpire.

6. Upon proof in the Court of a Magistrate that any business is being carried on by or on behalf of an Indian under cover of a licence which according to the terms of this Act could not be lawfully issued to or held by an Indian, the licence shall be adjudged void, and the Indian as well as the holder of the licence shall be liable to be convicted of a contravention of the licensing Acts for the time being in force as having carried on the business without a licence.

7. If upon any application for the issue or transfer of a licence the question shall arise whether any person is or is not an Indian within the meaning of this Act the proof shall rest with the applicant.

8. This Act shall not come into operation unless and until the Governor shall notify by proclamation in the *Government Gazette* that it is His Majesty's pleasure not to disallow the same; and thereafter it shall come into operation upon such day as the Governor shall notify by the same or any other proclamation.

### Press Comments

The *Natal Mercury* comments as follows :—

The *Gazette* this week contains the text of the Bills embodying the policy of the Government on the Asiatic question foreshadowed by Dr. Gubbins a few weeks ago in Newcastle. The Bills are three in number, and, although together they do not cover more than a page-and-a-half of the *Gazette*, they are the most important and controversial measures of the kind ever brought forward in any British Colony, and, so far as trading is concerned, they introduce a principle into legislation that is entirely new to the British Empire, and, to be quite frank about it, is opposed to all British political traditions. There is no use in pretending that the Bills are anything but the most drastic measures that could possibly be devised against a certain section of the Asiatic population, as they simply intend to prevent those who at present make their living by trading from doing so. It is true that compensation is to be given on a certain scale, and a time-limit is set to the period after which all licences to Asiatics must cease, but this does not alter the fact that the proposed legislation is class legislation of a type that must cause unquestionable hardships to the people affected, and that it is class legis-

lation of a nature never before introduced into any part of the Empire. It has been said that the method of compensation has been copied from the Licensing Bill which is now before the House of Commons, but the methods and the principles involved are quite different, and no legitimate appeal can be made to any precedent set in the liquor legislation now before the House of Commons. The Bills stand by themselves, and will have to be dealt with on their merits, without reference to something which may superficially resemble them. The Bills clearly state that they are meant "To bring to an end the issue of new trading licences to Indians," and "To prohibit, after a certain time, the holding of trading licences by Indians." There is no ambiguity here, and it is idle, therefore, to set up any explanations such as were forthcoming in the case of the recent Asiatic registration legislation in the Transvaal. The Government policy is frankly avowed to be the stoppage of all trading on the part of Indians in Natal after a certain period, and the question that has to be considered is whether this is a practical policy, and whether it is a policy that can be given effect to by the Imperial Government as trustees for a section of the inhabitants of a Colony under the British Crown.

#### An Imperial Question

It is not simply a question of domestic politics. It is a question of Imperial politics that is bound up in those two Bills, and it must be recognised as such. The general opinion of the white population of the Colony is undoubtedly that the Asiatic trader has encroached to an extent that is not desirable, and that his success in ousting the white trader in various parts of the Colony has been due to his lower standard of living, and the fact that he has been able to make a comfortable living on smaller profits; but the question is whether the proposed remedy is not too drastic, and whether, having admitted these people into the Colony, we are entitled to deal with them in the manner proposed, seeing they are British subjects, and many of them Natal-born.

#### Indentured Labour

The first of the Bills, "To put an end to the further introduction of indentured Indian immigrants," is entirely one for the Colony to settle, as the Imperial and the Indian Governments, who are interested, will welcome such a measure rather than be opposed to it in any way. Besides, it is in accordance with the accepted principle that every country shall have the right to say what class of people it is willing to introduce as immigrants and prospective citizens. Dr. Gubbins indicated that it was intended to stop indentured Asiatic immigration after ten years, but the Bill proposes that the stoppage shall take place within three years from June 30 next. The demand for indentured

Indians is much less than it has been, and one reason for this is that, owing to the £3 licence to remain in the Colony, and the poll-tax in addition, a considerable number cannot afford to pay, and, consequently, re-indenture for a further term of years. At the end of last year there were 7,972 re-indentured Indians at work, and 33,444 working out their first term. Of the latter, a considerable number may be expected to re-indenture. In fact, last year 42.81 per cent. of those who finished their first term re-indentured, and 34.33 per cent. returned to India, so that of the 41,416 who were under indenture at the end of last year, a considerable number may be expected to go on renewing their indentures for periods of five years, so that there will be a good deal of such labour in the Colony for several years after 1911 if the Bill, as it stands, is passed.

#### The Colony's Attitude

The recent vote at the Farmer's Conference, however, gives a very fair indication of what the attitude of Parliament will be on the subject, and, although we readily admit the great desirability of ending a system that is opposed to the wishes of a very large number of the inhabitants of the Colony, and which is resented by the public opinion of South Africa as a whole, it can only be done gradually, unless great injury is to be inflicted on a large number of industrial concerns, and the Colony is not in a position at the present time to sustain any further financial reverses. The Government, no doubt, in fixing the period of three years as the date when further immigration shall cease, have worked out some plans for meeting the demands for unskilled labour to take the place of the imported supply, and, if the plans are satisfactory, so much the better. The matter, however, is entirely one for the Parliament of the Colony to decide. The Home Government in this instance will have nothing to say in the matter, but, as we have said, will welcome any Bill that proposes the termination of indentured labour from India.

#### Some Serious Points

It is otherwise with the Trading Licences Bills. They raise very serious points for the Imperial authorities, and we cannot, as a part of the Empire, ignore these points and yet claim all the advantages of being in the Empire and evade the disadvantages. The Bill ordaining that no new licences shall be granted to Indians after December 31 1908, does not interfere with vested or acquired interests, and therefore does not involve so many critical and controversial questions as are bound up in the other Bill which proposes that, after December 31, 1918 no licence can be held by, or on behalf of, an Indian in Natal. The Bills, it has to be noted, only apply to persons descended from any aboriginal race of

India, or belonging to the class usually described in the Colony as Arabs or Arab traders. This means, therefore, that a Chinaman, who is not a British subject, can get a licence and keep it, whereas an Indian, who is a British subject, and may have been born in the Colony, and never have seen India, is not to be allowed to hold a wholesale or retail licence of any description for purposes of trading. Of course, there is to be compensation for those who have been trading, and are deprived of their right to do so, but, because an Indian is an Indian, he is henceforth and forever to be denied the right to trade in any way whatever. Again, what does trading cover? Is an Indian not to be allowed to keep a barber's shop to shave and cut the hair of his own countrymen? Is he not to be allowed to hawk the vegetables he grows on the little garden he has, or to sell the fish he may have caught in the Bay or on the open sea? Is he not to be allowed to supply the special wants of his own countrymen in the peculiar articles, some of them connected with religious observances, which no European could very well deal in? And if the Indian is to be entirely eliminated as a trader, is the protection thus afforded to the white storekeeper to be also extended to the white population as a whole, because the competition of the Indian is not confined to storekeeping and trading? No doubt the legislation, if passed, would drive a good many of the storekeepers proper out of the Colony, but the great majority will remain, and must make a living somehow, and, if they are not allowed to make a living by trading, they will have to turn to something else, and the competition, in whatever direction they may be driven, will be all the keener for the whites engaged in similar work. The questions raised, however, are much too complex, and much too important for any decision to be arrived at without very careful consideration, and we very much question whether even the Government have given that amount of thought to the intricate issues which will be raised, and which will have to be overcome, before such legislation can be passed. The Bills, however, are to be welcomed, as they will, at all events, be the means of letting us see exactly where we stand in connection with the whole Asiatic question; but we would counsel some of our readers, to whom an Indian is a red rag to a bull, that they will not further the solution of the problem by simply declaring in favour of the published Bills, without giving them the fullest study, thinking out the manifold issues involved, and trying to look at the questions raised from all points of view.

#### "Times of Natal"

The *Times of Natal* writes:

The second Bill, to bring to an end the issue of new trading licences

to Indians, is one of which we approve in principle, but we are doubtful of the legality of Bill No. 3, which proposes to abolish all Indian trading at the end of 1918, compensation to be given on the basis of three years' profits. This is a very drastic step, and one which the Government will find it difficult to justify on any grounds save, perhaps, those of local or commercial expediency. When people have been allowed and encouraged to settle in a country, to invest their money in it, to make it their home and the only home their children know, they cannot be turned out neck and crop or wiped out commercially. Any such treatment would violate the laws of civilisation and the instincts of elementary justice. In the United States and Australia they stopped Chinese Immigration, but they did not attempt to debar the Chinese who had been allowed to settle in the country from pursuing ordinary trading avocations. There is in Natal a residential Indian population of about 130,000 men, women, and children. Within ten years their numbers will have increased considerably. Is it seriously contended that these people should not be permitted even to trade among themselves? We do not think that the Natal Legislature will ever consent to see such legislation on the statute book, and if it did the Imperial Government would almost certainly veto it. We are as heartily opposed as anyone to Imperial interference in the domestic affairs of a self-governing colony; but if a self-governing colony attempts to do something which is not only inimical to Imperial interests, but in itself an act of gross injustice, the Imperial authority has no option but to intervene with a vigorous and decisive veto.

**Maritzburg Hindu Young Men's Association**

The usual weekly meeting of the above association was held at their hall, 411 Church Street, on Sunday the 3rd inst.

Mr. R. N. Moodley moved that the street lectures be continued from next week. This was seconded by Mr. V. N. Padiachy.

It was decided to give lectures at the corner of Church and Alexander Streets on Sunday the 10th inst. at 4.30 p.m. The following will be the speakers: Messrs. P. V. Naiker, N. Pather and K. Chettyiar.

**SEGREGATING NATIVES.** The task of persuading the natives that their mission in life is to occupy the fever-smitten unproductive districts which are likely to be marked out for them presents extraordinary difficulties. Segregation at the present moment is a dream-fancy of the "all white" party.—*News*, Pretoria.

**The Asiatic Question**

Mr. L. W. Ritch writes to *The Guardian* (London), April 5th, as follows:

Will you permit me to examine the statements of Dr. Wirgman contained in his letter to you in your issue of the 1st inst.?

First, as to the outnumbering of the European Colonists by the Natal Indians and monopolisation of the business of the smaller tradespeople and the closing up of certain callings formerly open to the poorer classes of the white population. Herein be it remembered that for forty years, Natal has enjoyed the material benefits of indentured Indian labour—labour to which the Government of the Colony was compelled to have recourse for the Colony's very preservation, since it was the only labour available that had been found to furnish the essentials of reliability, effectiveness, and cheapness. Imperial critics, even though they be not lovers of the Indians, have publicly admitted that Natal's prosperity as a Colony has been derived from the patient industry of the Indian immigrants, three to four thousand of whom continue to be imported by the Government each year. Be it remembered, further, that at the end of their five years' indentures, during which their average savings are under 20%, they must either return to their native country, re-indenture, or else pay a special tax per head which, according to the least official report, is found to be practically prohibitive. From the total number of the Indian population of Natal, which amounts to rather over 100,000, must be deducted this army of indentured labourers, who number some 40,000. Of the "free" Indian population nearly 70 per cent. are women and children; and when further, it is understood that Indians possess no political or even municipal rights, besides being subjected to numerous lesser disabilities, it is not easy to perceive any great danger of subversion of the dominant white population. Finally, immigration of "free" Indians is for all practical purposes prohibited by the well-known Natal Act. Then as to the monopoly, the following statistics for 1906 speak for themselves:—

	Europ.	Asia-
	can.	tic.
Bricklayers and Assistants.....	1,056	122
Blacksmiths and Assistants.....	523	30
Brick and Tile-makers.....	98	23
Carpenters and Assistants.....	2,328	196
Painters.....	448	61
Plumbers and Tinsmiths.....	356	11
Engine-drivers.....	516	57
Boiler-makers.....	176	1

When I was in Johannesburg some three years ago it was not at all plain that the Indians had ousted the poorer "whites" from the smaller shops and from the green-grocer's business.

The census returns for 1904, which are the latest available, show that there were:

	White.	Non white.
Greengrocers and Assistants...	209...	38
Market Gardeners and Florists	717...	185

Indians stores are not permitted along the reef; they do not seriously compete with the important European businesses in the larger towns, nor yet have they succeeded in ousting the smaller Kaffir stores whose proprietors of Continental origin are economically quite equal to any competition with which the Asiatic may assail them. That the Indian hawker is a considerable factor is admitted, but he is not without certain European competition, and in any event serves chiefly to supply the wants of the poorest section of the community which, in a land where bread costs 6d. per two-pound loaf, and most other commodities have to be imported, is not without advantage. There is practically no Indian competition with European skilled labour, and further Asiatic immigration is impossible in the face of recent stringent legislation.

The British Indians in South Africa have, by their recent successful struggle in the Transvaal, sufficiently vindicated their title to recognition and to treatment as civilised citizens of the sub-continent. They recognise and accept the necessity of limiting Asiatic immigration in a land where the white population is small and the native population disproportionately large. With wise deference to European sentiment they have acquiesced in the control by "whites" of the political and municipal power. The principle of limitation of trading licences is likewise conceded. What is resented however, is the indiscriminate lumping together in the same category of British Indians with all others, however far beneath them, in the matter of their civilisation, on the mere score of colour and of domicile of origin.

**Transvaal Customs Commission Report**

**Asiatics and Whites**

In the course of the Majority Report of the Transvaal Customs and Industries Commission, the following expression of opinion appears on the question, to what extent the use of coloured or Asiatic labour in the neighbouring Colonies is prejudicial to the continuance and establishment of industries in this Colony.

Coloured or Asiatic labour in the neighbouring Colonies is to a certain extent prejudicial to the continuance and establishment of industries in this Colony, but the cheaper white skilled labour in the neighbouring Colonies is the more important factor.

## Indians in Canada.

### Interesting Press Cuttings

From the *Winnipeg Free Press* sent to us by a friend, we select the following cuttings bearing on the Indian situation in Canada. Though they are a little out of date we feel sure they cannot but interest many of our readers.

#### The Extracts

Vancouver, B. C., March 15.—Two hundred and twenty Orientals, two-thirds of the number Hindus, of the steamer *Monteagle's* passengers, who have been for two weeks in quarantine, arrived in Vancouver to-day. Practically all will be admitted to Canada, though the Dominion immigration officials at first expected that fully one-third of the immigrants would be denied landing. The Provincial government did not attempt to interfere with their landing because Attorney-General Bowser has decided that no further attempt will be made to enforce the Act until an appeal has been taken to the privy council. Dr. Munro, for the federal Government, detained thirty early in the day, many of these being Japanese afflicted with trachoma, but they will probably recover sufficiently to pass examination. One Frenchman and one Russian, though wealthy and well-bred men, are temporarily detained under the federal order prohibiting immigrants entering except from their native land, but exception will probably be made in their case, though they came from Japan.

One case was particularly pathetic. A Japanese woman of wealth and rank arrived with her husband, who was formerly a resident of California, and who had gone to Japan to bring her. She was *enceinte* but suffering from trachoma. The United States officials decreed that she must return though some arrangement may be made to allow her to remain until the birth of her child. Though she must have had trachoma for many months she carried a certificate from an English physician in Yokohama that her health was perfect.

#### Forcing Deportation

Vancouver, B. C., March 17.—The Dominion government furnished a sensation to-day in the immigration situation, and a testing of several of the regulations in the courts is likely to result immediately. One hundred and eighty-four Hindus, who arrived from Hong Kong by the C. P. R. steamer *Monteagle* and who have been in quarantine for two weeks were at noon ordered to be deported to the Orient. They had all been practically passed on Sunday afternoon by Dr. Monro, the federal inspector, but were held temporarily in the detention shed, awaiting positive instructions from Ottawa. To-day the Hindus and federal and steamship officials were greatly surprised to receive an order for deportation. All are to be

sent back because they fail to meet the requirements of the federal order which denies admission to all the immigrants except they arrive by continuous passage from the land of their birth or adoption. Seventy-eight of the Hindus were rejected because they could not obtain passage to Vancouver at Hong Kong en route from Calcutta and were compelled to wait a month in Hong Kong. The remainder were unable to show that they were the persons to whom the tickets were originally issued at Calcutta. As a matter of fact, the second objection applies to the seventy-eight as well, because immigrants are not identified on the tickets in any way.

There will likely be a flood of *habeas corpus* applications before the Supreme Court. The steamer *Empress of Japan* will sail for Hong Kong to-morrow, and the federal Officials are attempting to force deportation by this steamer.

#### May Cause Trouble in India

Vancouver, B. C., March 17.—Col. John Smith, for ten years resident advisor to an Indian Maharajah for the British government, is in Vancouver on his way to London to confer with the imperial government especially regarding emigration matters. Mr. Smith is the British representative in a semi-independent district containing six million people. He very strongly resents the act of the government in deporting the Hindus. He said: "To-day I talked with several intelligent Hindus now here. They were very angry at the authorities for deporting their countrymen, many of whom are former British soldiers, wearing medals. One man I remembered seeing in the Soudan in 1885. If they write back of the treatment accorded to the British subjects here, this is bound to create a dissension amongst the troops, and I would not be surprised if it led to another mutiny. The people here do not realize how serious the situation can become with an easily influenced people like that of India."

#### Mass Meeting of Indians

Vancouver, B. C., March 23.—Five hundred Hindus met yesterday in the Sikh temple and after many exciting speeches protesting against the exclusion, their deportation from Canada, and emphasizing the fact that deportation from here would be a strong weapon in the hands of those who are preaching sedition in the Indian empire, sent the following cable to the Secretary for India, Hon. John Morley:

"Natives of India who assembled protest at deportation and exclusion from Canada. British subjects claim government protection throughout the empire. If our interest is overlooked by others, those in India must necessarily resent your government neglect."

The cablegram is signed by Uday Ram, who is a nephew of Dr. Davis Chand, a Hindu of high caste, who came to British Columbia to spy out the land. Davis Chand is an agitator and is now in India.

These Vancouver Hindus, who are friends of the men whose entrance to the British Columbia is being opposed by the federal government, have thus threatened the British government that a continued policy of this kind may be disastrous for British rule in India. Fiery speeches were delivered in the temple last night.

Uday Ram is a leading Hindu store-keeper of Millside, near New Westminister. Hindus to-day in Vancouver declare that the news of the attempted deportation from Canada of Hindus will greatly increase the unrest among the natives when it is learned in the Orient.

#### Deportation Declared Illegal

Vancouver, March 24.—One hundred and forty-six Hindus, the majority of whom arrived from the Orient by the steamer *Monteagle*, and had been ordered to be deported because they had not come directly by continuous passage from the land of their birth, were to-day released on writs of *habeas corpus*. The Hindus were ordered to be deported under the Dominion government's order-in-council of January 8, which was declared to-day by Justice Clement, of the Supreme Court, to be altogether illegal.

Judge Clement said: "The Governor-General-in-Council cannot delegate his powers in immigration matters to any minister or official, even though that official, as in this case, is the minister of the interior. The discretion as to what immigrants shall be admitted or refused admission, must be exercised by the Governor-General-in-Council solely, as I read the Act."

Four lawyers sat waiting to-day to be called in support of Hindus, but were not called upon. D. G. Macdonell, counsel for the federal government, is in communication this evening with the Minister of the Interior as to whether or not there shall be an appeal. This is, however, regarded as doubtful, but it is hinted that the new order is strictly within the limits of the Immigration Act and not "delegating" any authority to any minister or official.

These were the fatal words in the order: "Whenever, in the opinion of the minister of the interior, conditions of the labor market in Canada are such as to make application of the Act desirable, or whenever, in his opinion, other conditions exist which, in a special degree, render necessary, etc., etc., the application of certain sections of the Act."

"This," said the court, "is delegating to others not contemplated nor permitted by the Act, authority and discretion, which clearly the Governor-General-in-Council alone can exercise."

"If that is your lordship's view," returned Mr. Macdonell, "there is no object in arguing the case on other points, for the Hindus are all detained under the same order."

Inspector Dr. Munro, by to-day's decision, cannot hereafter question immigrants regarding the place of their birth and by what route they have come to Vancouver. He can merely inquire into the financial and physical condition of the anxious immigrants.

The federal order is no more effective than the defunct Natal Act. Should the Dominion Government appeal the decision of to-day to the Privy Council in London there may be the spectacle of both the provincial and Dominion Governments seeking rights which the Courts here have denied them.

It is not improbable that the claims for indemnity for wrongful arrest and detention may be made by the Hindus.

A flood of writs is expected.

#### In the Canadian Parliament

Ottawa, Ont., March 24.—In the House this afternoon Dr. Sproule quoted a Canadian Associated dispatch from London to the effect that J. Obed Smith, Assistant Commissioner of Immigration, now of London, had stated in the course of an interview that it is not the intention of the department to keep out of Canada any but the worst class of immigrants and asked the Minister of the Interior to say whether or not Mr. Smith had correctly stated the attitude of the department.

Hon. F. Oliver said it would have to be assumed that Mr. Smith had been mis-quoted, as such a statement does not correctly represent the policy of the department as to assisted immigration of which Mr. Smith was speaking. Mr. Foster drew the attention of the Prime Minister to a despatch from the Pacific coast telling of a mass meeting of Hindus at which a cable was framed to be sent to the Hon. John Morley, protesting against the treatment the Hindus are receiving in Canada. He thought the matter is exciting a great deal of interest outside of Canada and the Premier should make a clear statement on the views of the Government in respect to the Hindus.

Sir Wilfrid Laurier said the matter was easily explained. The immigration laws provide for the exportation of all undesirable and incapable immigrants. Some time ago it was found, however, that various people were coming to Canada not from the country of their origin, but from other countries, and it was found impossible to force the steamship companies to take undesirables back to the land of their birth. In consequence new regulations were framed which provide that immigrants must have a through passage from the country to which they belong. The new regulations which are being put in force are not directed against Hindus, but against

all nationalities. The Hindus are not receiving any worse treatment than other people.

Hon. R. L. Borden asked if it made any difference how long an immigrant happened to be in the country. The Premier said that question had not been looked into. He replied that the regulations apply to all nationalities and that unfair treatment was not being accorded to the Hindus.

#### Asiatic Courtesy

The following correspondence has been handed to us for publication:

Unemployed Organisation,  
25 April, 1908.

To the Chairman, Chinese Organisation.

Sir,—We are sending two delegates to interview you on behalf of the above Organisation.

We notice that you were kind and generous enough to contribute the sum of 100 guineas to the Rand Aid Association. By helping us directly, you will be indirectly helping yourselves.

We are marching to Pretoria tomorrow to request the Government to declare a minimum wage of 10/- per day for unskilled white labour and £1 per day for skilled white labour. We are confident of being able to carry our petition to a successful issue. And our Organisation have bound themselves to support all those irrespective of nationality or colour that support our cause in the hour of need.

Thanking you in anticipation,

I am, Dear Sir,

Yours respectfully,

JNO. FAIRLEES,  
Hon. Secretary.

Unemployed Organisation,  
27 April, 1908.

In Camp at Knight's Deep

Dear Mr. Quinn,—It was indeed a great relief to me to hear of your kindness in coming to our assistance yesterday. Imagine my surprise whilst busy with the meeting to find out that our convoy waggon would not shift unless paid on the spot. However, by coming to our assistance, you relieved us of any further anxiety, for which I thank you most gratefully. We are gaining much sympathy and many followers, and trust we shall arrive in Pretoria in great numbers. Accept our grateful thanks.

I am,

Yours respectfully,

S. D. TRAYNER,  
Chairman.

RAMSAY COLLIERIES' INDIANS. 117 indentured Indians of the Ramsay Collieries have been brought up before the magistrate at Ladysmith on a charge of desertion. The Indians allege ill-treatment and shortage of rations. The case was remanded.

#### Asiatic Passive Resistance

On the above subject, Mr. H. S. L. POLAK has commenced to write a book on the recent Asiatic struggle in the Transvaal.

The Book will aim at giving a complete and authentic summary of the (to the Asiatics at any rate) stirring events of the past sixteen months.

The Book will contain a bird's eye view of the whole position in South Africa with copious statistics.

The Book will contain copies of important laws and memorials.

The Book will contain photographs of the principal Passive Resisters, Sympathisers, principal Members of the South Africa British Indian Committee and others.

The Book will contain a reproduction of the historical cartoons from the pens of Mr. Holland and Mr. Lloyd as published in the Rand papers.

The Book will, therefore, be one of reference to all Indian publicists and Indian workers both in South Africa and India.

To every lover of the Empire it will be a record of events showing how the weaker members of the Empire can command justice.

To every ethically-minded man, the Book will be a demonstration of the Efficacy and Supremacy of Ethics in the political world.

To every Indian who can afford a small sum, it will be a memento or a suitable present to send to friends and sympathisers of Indians.

It is not possible for us to publish the Book, as we have not the means, unless a portion of the cost is paid in advance. We therefore ask our readers and workers in the Indian cause to send us subscriptions with the names and addresses of Subscribers on or before the 15th day of May next.

The price of the Book will be five shillings (5/-) nett.

We propose to publish the Book within six months of the date of this Notice. And should we for any reason whatsoever fail to publish the book within that time, we undertake to refund the subscription paid to us without any deduction whatsoever.

Subscriptions may be sent to the Managers, INDIAN OPINION, either at Phoenix, Natal, or P.O. Box 6522, Johannesburg.

Note.—Collectors and Subscribers are requested to send money orders or stamps only, or else cheques covering commission. In the event of stamps being sent one penny should be added when the stamps are not the Transvaal or the Natal Stamps. Subscribers should be careful to obtain the official printed receipt, as no other will be recognised.

REGISTRATION CLOSED. Registration closes in Johannesburg and elsewhere in the Transvaal to-day.

## Imperial Parliament

HOUSE OF COMMONS,  
Natal Dealers' Licences

### Indian Franchise Question

London, May 6.—In reply to Lord Amphill, with reference to the Natal Municipalities and Dealers' Licences Acts, Earl Crewe (Colonial Secretary) stated that the former had been reserved. The last communication on the subject was sent to the Natal Government by Lord Elgin in September last, to which Natal had not replied. In response to the Imperial Government's objections, the Natal Government was prepared to alter the definition of "coolie" so as to include only actual labourers and domestics, but there was the further point of the exclusion of Indians from the municipal franchise. If the Indians were to be excluded, it could only be on the understanding that the ratepayers were prepared to treat them fairly in every way. Lord Elgin had said that, if the Indians were deprived of the Municipal franchise, they ought to be allowed to appeal to the Supreme Court in cases of deprivation of licences and other matters affecting their interests. Earl Crewe stated that the correspondence was so incomplete that there was no advantage in submitting it at present.—Reuter.

### A Progressive Indian

At the back of Entebbe, writes an "East Randite" in the *East Rand Express*, describing a tour through Uganda, is a shamba (estate) of an Indian named Alidini, which is worthy of mention. This estate is on reclaimed forest and swamp land, and Alidini has secured it for a number of years as a concession for his work of reclamation. Acres of forest have been torn down to ensure the better health of the town of Entebbe, and Alidini has planted hundreds of rubber trees, which, when they have matured, promise him big returns on his outlay. In order to keep down the vegetation, and give his rubber trees a chance, this progressive Indian has planted a sugar plantation and erected a sugar refinery, which supplies sufficient sugar for the needs of the population. He has further made use of the forest tree juices in a tannery, which treats what skins are offering, and these are not a few. Such enterprise is very commendable, although, of course, it does give an Indian what is virtually a monopoly and certainly very great power to fashion the progress of the State.

THE PRETORIA CONFERENCE. The *Transvaal Leader* Special Correspondent at Pretoria states authoritatively that one of the four principal subjects of discussion at the Conference that is taking place there this week is the Asiatic question.

## Lobito Bay Indians

The following copy of a letter has been handed to us for publication:—

Pietermaritzburg,  
28th April, 1908.

Sir,—I duly received your telegram of the 27th instant as follows:—

"Committee met Indians returned from Lobito Bay. They did not want to go to India and claimed domicile rights. Request information as to why men who were in the Colony in the first instance have been sent to India. Respectfully inquire whether any arrangement has been made regarding looking after these men in India."

In reply, I have to state that the Congress appears to be under a misapprehension in this matter, as the Protector of Immigrants reports that only one man who wished to remain in Natal has been repatriated, and that man was evidently not an Indian immigrant. Nine of the other Indians who asked to be allowed to stay here were allowed to do so.

Your telegram mentions domicile, but none of the Indians who have gone back to India could domicile in Natal, having come here under the provisions of Act No. 17, 1895. Although some of the Indians would no doubt have remained in the Colony if they had been allowed to do so, yet the Protector knows of no serious objections on the part of the Indians to their being sent back to their own country. The contract with the Indians entered into before going to Lobito Bay expressly stated that they were not allowed to return to Natal again. This was thoroughly understood, and the Indians made no claim to the Protector of Immigrants to be allowed to remain in Natal. That Officer visited them on three occasions at the Bluff, and was present on the day of embarkation.

I am, Sir,

Yours obediently,

(Sgd.) C. BIRD,

Principal Under Secretary.

The Secretary,  
The Indian Congress,  
Durban.

INDIANS IN CANADA. London, May 7.—An Ottawa telegram states that Mr. McKenzie King, the Deputy Minister of Labour, has issued a report upon his diplomatic visit to London with regard to the Indian Immigration question, which shows that a satisfactory, understanding was arrived at, which will prevent immigrating into Canada of undesirable Indians. The report points out that Canada was deeply sensible of the obligations attaching to citizenship of the Empire, the recognition of which has been the cause of her adopting a course whereby the possibilities of friction and injustice would be removed.—Reuter.

## Cape Immigration Decision

### Deportation of Undesirables

Mr. Justice Maasdorp gave judgment to-day in a case wherein Feinstein appealed against an order of the Colonial Secretary for the appellant's deportation as an undesirable. The Judge said the machinery for Feinstein's removal was not provided for in the regulations. The respondent was, therefore, restrained from deporting applicant or detaining him in custody, pending a further order of court. It will be remembered that Feinstein's case caused a somewhat heated discussion in the House of Assembly during the recent session.—Reuter.

### Facts and Comments

JAPAN AND AMERICA. London, May 7.—A treaty providing for general arbitration between the Governments of Japan and the United States was signed in Washington yesterday.—Reuter.

ASIATICS IN MOZAMBIQUE. We understand that the provisional regulations regarding Asiatics in the Province of Mozambique published in a recent issue of *INDIAN OPINION* have been withdrawn by the Portuguese Colonial Government. It is also understood that an attempt will be made shortly to introduce fresh legislation on the principle of registration of Asiatics with annual fees.

LADYSMITH HINDUS. A correspondent writes that an Association has been formed there, known as the Sanathan Dhurm Soodhur Sabha, under the chairmanship of Babu Raghoonath Singh and with Mr. B. B. Maratho, as secretary. The Sabha meets every Sunday devoting one hour to lectures on Unity, Morality and Truth.

THE "TU QUOQUE" ARGUMENT. Basutoland belongs to the Basuto and is under Imperial protection and as such her government ought to be for the good of Basuto above any others. There are many capable Basuto out of employment some of them victims of the all-white labour policy now being assiduously pursued in the two new colonies. Now why cannot our government if it has the interests of Basuto at heart at all find employment for these by the retrenchment of Europeans and their replacement by Basuto. Now-a-days the Golden Rule: "Do unto others as you would that they should unto you" is obsolete and the "eye for eye, tooth for tooth" doctrine has won the day. However there is a Sesuto proverb which says "Whites never oppose each other, but blacks, do" and so it is.—*Naledi ea Lesotho*.