

# Indian Opinion

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## Indian Opinion

SATURDAY, MAY 16TH, 1908.

### The Natal Bills

THE more one examines the Natal licensing Bills, the greater is the feeling of dissatisfaction over them. The Bills are an open challenge to the Imperial Government. They frankly and openly attack Indians, not Asiatics generally. They attack not coloured people but Indians only. A Chinaman may, therefore, freely trade in Natal, save for the restrictions provided by Act 18 of 1896, but an Indian may not. The Zulu, very properly, we think, is unhampered, but the Indian, whether born in Natal or not, must not trade after a certain date. The *Mercury* pertinently asks whether an Indian may carry on the trade of a barber. And if he may, why should the European grocer and the general dealer alone be protected?

But to examine the details of the proposed legislation is not to understand it. In order to understand it properly, it is necessary to look beneath the surface. The Natal Government, then, by bringing forward the Bills, state their Indian policy. In their opinion the Colony has a perfect right to drive away Indians, not to recognise them as British subjects and to do as they choose with them without regard to Imperial obligations. In Kipling's words, the Servant is to be the Master. It is not enough that Natal is to be Mistress in her own, but it is to dictate terms to the Imperial Government. For we brush aside the idea that the proposed treatment of Indians can ever be part of the powers of self-governing colonies. And what Natal wishes to do is, after all, what most British Colonies would also like to do.

What will India do? The Indian Government, if they would faithfully discharge their trust, have a clear duty before them. They cannot see Indian emigrants being ruined and sacrificed on the altar of prejudice. But whether they realise their duty or not, it is clearly for the people of India to wake up and assert their right of protecting the interests of their "cousins across the sea." Every hamlet in India should express its abhorrence of the cruel injustice that is dealt out to their brethren who have emigrated to the colonies.

AFTER READING THE ADMIRABLY even messages from Canada's the *Times* correspondent at Vancouver, and Mr. Rudyard Kipling's special article to the *Morning Post*, one is naturally a little doubtful of the existence of any such thing as an Asiatic problem in the great Dominion. One hears nothing about the matter until one arrives in British Columbia, and then one learns, upon close inquiry, that the greater part, by far, of the agitation against the Asiatic, Japanese, Chinese, or British Indian is carefully engineered by the big Labour organisations, whose energies are as unremittingly directed against white competition from outside as ever they are against the undesirable Asiatic. Like some other places, British Columbia is a "white man's country." The expression is Australian, and it has become a catch-phrase wherever the white man wants to safeguard himself against every possible kind of competition. It is the acme of selfishness, and is based not so much upon race-pride as upon a gross materialism that is often of the most sordid. A writer in the *Empire Review*, some three years or so ago, described the Australian people as having adopted all that was most materialistic in Socialism and nothing that was spiritual in it. British Columbia, no doubt, is moved by the same ambitions, and, unfortunately, the province bears the same relationship to the Dominion as the Commonwealth or South Africa bears towards the Empire—it is the tail wagging the dog. We can quite appreciate the desire of a young nation to secure unhampered growth. But history gives no single instance of such a happy condition of affairs. Indeed, national character, has only grown as the nation succeeded in legitimately overcoming surrounding obstacles. We cannot conceive that the process of development from the stage of adolescence to that of manhood in the self-governing colonies will differ from that which ruled the

destinies of every nation existing to-day. Whilst the theory of slow development from a lower to a higher degree of evolution is gradually becoming discarded, we do not believe that the opposite extreme, of leaping from the feeding-bottle to the wise administration of the household, is any the more true on that account. If only the colonies would exercise the necessary amount of self-control and realise their tutelage and their growing responsibilities, probably not so much would be heard of these too frequently recurring racial crises.

ANOTHER BATCH OF INDIANS FROM Lobito Bay has arrived, Churlish and we understand that the Committee of the Natal Indian Congress has been refused permission to visit these men. We cannot congratulate the authorities upon their shortsighted policy. Whatever their decision may be as to the men, their right to be seen by their fellow-countrymen, especially when they are representatives of Indian public opinion, should be held to be unquestioned. Perhaps the Government consider that the Committee was over zealous when the first batch of Indians arrived from Lobito Bay. It is difficult to see what less the Congress Committee could have done. We think that the Committee was extremely self-restrained. It absolved the Local Government from much of the blame for the deportation of the returned Indians to India. We use the term "deportation" advisedly. The men who were entitled to remain in Natal, if they claimed their right, should have been accorded every facility to prove that right. Indeed, seeing that there were so many of the men, all poor, their position should have been impartially examined before they were made to leave for India. Be that, however, as it may, the authorities have undoubtedly committed an act of injustice in not allowing the Congress leaders to see the second batch of the unfortunate men. It betrays absence of innocence, if not probably fear also on the part of the Government. We hope the Congress Committee will not allow the matter to rest where it is and protect those whom it represents, even if it be in the face of Government opposition.

THE INDIAN ORPHANAGE. A Bioscope Entertainment will be given in St. Anthony's Hall, Victoria Street, Durban, to-night at 8 o'clock in aid of the Indian Orphanage. The prices of admission are 5/-, 2/- and 1/-.

## Pen Pictures in Canada

By Rudyard Kipling

In one of a series of "Letters to the Family" contributed to the *Morning Post*, Mr. Kipling writes:—

One cannot leave a thing alone if it is thrust under the nose at every turn. I had not quitted the Quebec steamer three minutes when I was asked point-blank: "What do you think of the Question of Asiatic Exclusion which is Agitating our Community?"

The Second Sign-post on the Great Main Road says: "If a Community is agitated by a question—inquire politely after the health of the agitator." This I did, without success: and had to temporise all across the Continent till I could find someone to help me to acceptable answers. The Question appears to be confined to British Columbia. There, after a while, the men who had their own reasons for not wishing to talk referred me to others who explained; and on the acutest understanding that no names were to be published (it is sweet to see engineers afraid of being hoist by their own petards) one got more or less at something like facts.

The Chinaman has always been in the habit of coming to British Columbia, where he makes, as he does elsewhere, the finest servant in the world. No one, I was assured on all hands, objects to the biddable Chinaman. He takes work which no white man in a new country will handle, and when kicked by the mean white will not grossly retaliate. He has always paid for the privilege of making his fortune on this wonderful coast, but, with singular forethought and statesmanship, the popular Will, some few years ago, decided to double the head-tax on his entry. Strange as it may appear, the Chinaman now charges double for his services, and is scarce at that. This is said to be one of the reasons why overworked white women die, or go off their heads; and why in new cities you can see blocks of flats being built to minimise the inconveniences of housekeeping without help. The birth-rate will fall later, in exact proportion to those flats.

Since the Russo-Japanese war the Japanese have taken to coming over to British Columbia. They also do work which no white man will: such as hauling wet logs for lumber mills out of cold water at from eight to ten shillings a day. They supply the service in hotels and dining-rooms and keep small shops. The trouble with them is that they are just a little too good, and when attacked defend themselves with asperity.

A fair sprinkling of Punjabis—ex-soldiers, Sikhs, Muzbis, and Jats—are coming in on the boats. The plague at home seems to have made them restless, but I could not gather why so many of them come from Shahpur,

Phillour, and Jullundur way. These men do not, of course, offer for house-service, but work in the lumber-mills, and with the least little care and attention could be made most valuable. Someone ought to tell them not to bring their old men with them, and better arrangements should be made for their remitting money home to their villages. They are not understood, of course; but they are not hated.

The objection is all against the Japanese. So far, except that they are said to have captured the local fishing trade at Vancouver, precisely as the Malays control the Capetown fish business—they have not yet competed with the whites: but I was earnestly assured by many men that there was danger of their lowering the standard of life and wages. The demand, therefore, in certain quarters is that they go—absolutely and unconditionally. You may have noticed that Democracies are strong on the imperative mood. An attempt was made to shift them shortly before I came to Vancouver, but it was not very successful, because the Japanese barricaded their quarters and flocked out, a broken bottle held by the neck in either hand, which they jabbed in the faces of the demonstrators. It is perhaps easier to haze and hammer bewildered Hindus and Tamils, as is being done across the Border, than to stampede the men of the Yalu and Liaoyang.

But when one began to ask questions one got lost in a maze of hints, reservations, and orations, mostly delivered with constraint, as though the talkers were saying a piece learned by heart. Here are some samples:

A man penned me in a corner with a single heavily capitalised sentence. "There is a General Sentiment among Our People that the Japanese Must Go," said he.

"Very good," said I. "How d'you propose to set about it?"

"That is nothing to us. There is a General Sentiment, &c."

"Quite so. Sentiment is a beautiful thing, but what are you going to do?"

He did not condescend to particulars, but kept repeating the sentiment, which, as I promised, I record.

Another man was a little more explicit. "We desire," he said, "to keep the Chinaman. But the Japanese must go."

"Then who takes their place? Isn't this rather a new country to pitch people out of?"

"We must develop our Resources slowly, Sir—with an Eye to the Interests of our Children. We must preserve the Continent for races which will assimilate with ours. We must not be swamped by Aliens."

"Then bring in your own races, and bring 'em in quick," I ventured.

This is the one remark one must not make in certain quarters of the West, and I lost caste heavily while he explained (exactly as the Dutch

did at the Cape years ago) how British Columbia was by no means so rich as she appeared; that she was throttled by capitalists and monopolists of all kinds; that white labour had to be laid off, and fed, and warmed during the winter; that living expenses were enormously high; that they were at the end of a period of prosperity, and were now entering on lean years; and that whatever steps were necessary for bringing in more white people should be taken with extreme caution. Then he added that the railway rates to British Columbia were so high that emigrants were debarred from coming on there.

"But haven't the rates been reduced?" I asked.

"Yes—yes, I believe they have, but immigrants are so much in demand that they are snapped up before they have got so far West. You must remember, too, that skilled labour is not like agricultural labour. It is dependent on so many considerations. And the Japanese must go."

"So people have told me. But I heard stories of dairies and fruit farms in British Columbia being thrown up because there was no labour to milk, or pick the fruit. Is that true, d'you think?"

"Well, you can't expect a man with all the chances that our country offers him to milk cows in a pasture. A Chinaman can do that. We Want races that will assimilate with Ours, &c., &c."

"But didn't the Salvation Army offer to bring in three or four thousand English some short time ago? What came of that idea?"

"It—er—fell through."

"Why?"

"For political reasons, I believe. We do not want People who will lower the Standard of Living. That is why the Japanese must go."

"Then why keep the Chinese?"

"We can get on with the Chinese. We can't get on without the Chinese. But we must have Emigration of a Type that will assimilate with Our People. I hope I have made myself clear?"

I hope that he had too.

Now hear a wife, a mother, and a housekeeper.

"We have to pay for this precious state of things with our health and our children's. Do you know the saying that the Frontier is hard on women and cattle? This isn't the frontier, but in some respects it's worse, because we have all the luxuries and appearances—the pretty glass and silver to put on the table. We have to dust, polish, and arrange 'em after we've done our housework. I don't suppose that means anything to you, but—try it for a month! We have no help. A Chinaman costs fifty or sixty dollars a month now. Our husbands can't always afford that. How old would you take me for? I'm not thirty. Well, thank God, I stopped my sister coming out West. Oh, yes, it's a fine country—for men."

"Can't you import servants from England?"

"I can't pay a girl's passage in order to have her married in three months. Besides, she wouldn't work. They wont when they see Chinamen working."

"Do you object to the Japanese too?"

"Of course not. No one does. It's only politics. The wives of the men who earn six and seven dollars a day—skilled labour they call it—have Chinese and Jap servants. We can't afford it. We have to think of saving for the future, but those other people live up to every cent they earn. They know *they're* all right. They're Labour. They'll be looked after, whatever happens. You can see how the State looks after *me!*"

A little later I had occasion to go through a great and beautiful city between six and seven of a crisp morning. Milk and fish, vegetables, &c., were being delivered to the silent houses by Chinese and Japanese. Not a single white man was visible on that chilly job.

Later still a man came to see me, without too publicly giving his name. He was in a small way of business, and told me (others had said much the same thing) that if I gave him away his business would suffer. He talked for half an hour on end.

"Am I to understand then," I said, "that what you call Labour absolutely dominates this part of the world?"

He nodded.

"That it is difficult to get skilled labour into here?"

"Difficult? My God, if I want to get an extra hand for my business—I pay Union wages of course—I have to arrange to get him here secretly. I have to go out and meet him, accidental-like, down the line, and if the Unions find out that he is coming, they, like as not, order him back East, or turn him down across the Border."

"Even if he has the Union ticket? Why?"

"They'll tell him that labour conditions are not good here. He knows what that means. He'll turn back quick enough. I'm in a small way of business, and I can't afford to take any chances fighting the Unions."

"What would happen if you did?"

"D'you know what's happening across the Border? Men get blown up there—with dynamite."

"But this isn't across the border?"

"It's a damn-sight too near to be pleasant. And witnesses get blown up too. You see, the Labour situation ain't run from our side the line. It's worked from down under. You may have noticed men were rather careful when they talked about it?"

"Yes, I noticed all that."

"Well, it ain't a pleasant state of affairs. I don't say that the Unions here would do anything *to* you—and please understand I'm all for the rights of Labour myself. Labour has

no better friend than me—I've been a working man, though I've got a business of my own now. Don't run away with any idea that I'm against Labour—will you?"

"Not in the least. I can see that. You merely find that Labour's a little bit—er—inconsiderate, sometimes?"

"Look what happens across the Border! I suppose they've told you that little fuss with the Japanese in Vancouver was worked from down under, haven't they? I don't think our own people 'ud have done it by themselves."

"I've heard that several times. Is it quite sporting, do you think, to lay the blame on another country?"

"You don't live here. But as I was saying—if we get rid of the Japs to-day, we'll be told to get rid of someone else to-morrow. There's no limit, sir, to what Labour wants. None!"

"I thought they only want a fair day's wage for a fair day's work?"

"That may do in the Old Country, but here they mean to boss the country. They do."

"And how does the country like it?"

"We're about sick of it. It don't matter much in flush times—employers'll do most anything sooner than stop work—but when we come to a pinch, you'll hear something. We're a rich land—in spite of everything they make out—but we're held up at every turn by Labour. Why, there's businesses on businesses which friends of mine—in a small way like myself—want to start. Businesses in every direction—if they was only allowed to start in. But they ain't."

"That's a pity. Now, what do you think about the Japanese question?"

"I don't think. I know. Both political parties are playing up to the Labour vote—if you understand what that means."

I tried to understand.

"And neither side'll tell the truth—that if the Asiatic goes, this side of the Continent'll drop out of sight, unless we get free white immigration. And any party that proposed white immigration on a large scale 'ud be snowed under next election. I'm telling what politicians think. Myself, I believe if a man stood up to Labour—not that I've any feeling against Labour—and just talked sense, a lot of people would follow him—quietly, of course. I believe he could even get white immigration after a while. He'd lose the first election, of course, but in the long run . . . . . We're about sick of Labour. I wanted you to know the truth."

"Thank you. And you don't think any attempt to bring in white immigration would succeed?"

"Not if it didn't suit Labour. You can try it if you like, and see what happens."

On that hint I made an experiment in another city. There were three men of position, and importance, and affluence, each keenly interested in

the development of their land, each asserting that what the land needed was white immigrants. And we four talked for two hours on the matter—up and down and in circles. The one point on which those three men were unanimous was, that whatever steps were taken to bring people into British Columbia from England, by private recruiting or otherwise, should be taken secretly. Otherwise the business of the people concerned in the scheme would suffer.

At which point I dropped the Great Question of Asiatic Exclusion which is Agitating all our Community, and I leave it to you, especially in Australia and the Cape, to draw your own conclusions.

Externally, British Columbia appears to be the richest and the loveliest section of the Continent. Over and above her own resources she has a fair chance to secure an immense Asiatic trade, which she urgently desires. Her land, in many places over large areas, is peculiarly fitted for the small farmer and fruit-grower, who can send his truck to the cities. On every hand I heard a demand for labour of all kinds. At the same time in no other part of the Continent did I meet so many men who insistently decried the value and possibilities of their country, or who dwelt more fluently on the hardships and privations to be endured by the white immigrant. I believe that one or two gentlemen have gone to England to explain the drawbacks *visa voce*. It is possible that they incur a great responsibility in the present, and even a terrible one for the future.

## Lobito Bay Indians

In reply to a request from the Natal Indian Congress to visit the Indians returned from Lobito Bay, the Principal Immigration Restriction Officer sent the following reply:—

I beg to acknowledge the receipt of your letter of the 7th instant and to confirm the reply I gave over the telephone to Mr. D. Mahomed on Saturday morning viz: That the position of the Indians now interned at the Bluff was receiving the careful attention of the Protector of Indian Immigrants and of this Department and that in the interest of the people themselves it was considered inexpedient to open the compound to visitors.

AN INTERESTING APPOINTMENT. A Government *Gazette* notice announces that Mr. Suchitt Maharaj has been appointed an additional member of the Board of Examiners, to conduct the examination of candidates for Interpreterships, etc., in the Indian languages.

## South African Press on the Natal Bills

### "The Star"

The other two Bills raise issues of a wholly different character. One provides that after the end of the present year no new trading licences shall be issued to Asiatics. So drastic a piece of class legislation is without precedent in the history of the British Empire. With the principle of the Bill the Colonists of Natal and the people of South Africa as a whole are not likely to quarrel. Existing vested rights are respected. We are inclined to think, however, that whatever chance the Bill has of ever becoming law is greatly minimised by the yet more drastic policy laid down in the third Bill. This measure aims at the complete elimination of the Asiatic trader in ten years' time. The substance of the Bill is that after December 31, 1918, no trading licences shall be issued, transferred or be capable of being held by, or on behalf of, Indians. Those deprived of their vested rights will be entitled to compensation to the extent of three years' purchase reckoned on the basis of the profits earned by each business. Now, no matter how desirable from the point of view of the European residents it may be to check the growing ascendancy of the Indian trader, no matter how strong may be the demand from the electorate for prohibitory or confiscatory legislation of this kind, it is not reasonable to suppose that an Imperial Government which looks askance at all the Colony's dealings with questions affecting coloured races can be induced to sanction Bills which affect so fundamentally the legal and moral rights of His Majesty's British Indian subjects. If further evidence be required of the illogical, impracticable and the inequitable character of the proposed remedies, that evidence is found in the fact that there is no apparent discrimination between immigrant Asiatics and those Indians who are in reality as well as in the eyes of the law subjects of the Natal Government. All Asiatics, of whatever class, are to be reduced to a position—so far as the right to trade is concerned—inferior to that of the Kaffir or an illiterate foreigner.

In showing, as we have sought to show, the practical difficulties which stand in the way of a solution of the Asiatic problem on the lines proposed by the Natal Government, we wish to avoid the charge of seeking to impute that Mr. Moor and his colleagues are not profoundly anxious to find a remedy for the present deplorable state of affairs in the sister Colony. The only accusation that can be laid against them is that their measures are hasty, ill-considered, and unstatesmanlike. On the other hand, however, the steps which they have shown themselves ready to take,

have the merit of proving to the rest of South Africa, as in the case of their native administration, the present rulers of Natal are prepared not only to reconsider, but completely to revolutionise the policy of the Colony in reference to indentured labour and Asiatic traders. This change of attitude may be attributed partly to the growing recognition of the seriousness of the evils which a continuance of the old system must accentuate, but still more largely to the general trend of opinion in favour of South African union. In our view, the whole question of Asiatic immigration and labour is one that can be properly and successfully dealt with by a Government representative of South Africa as a whole. Since the foregoing was written we have received a letter from Capt. St. John Cooke giving the outline of his scheme for the settlement of Asiatics in the tropical portions of British South Africa. The main purpose of Capt. Cooke's proposals is to divert Asiatics actually resident in South Africa from the towns and the industrial centres by offering them inducements to take up land in areas unsuitable for white settlement. While Capt. Cooke's scheme might not furnish a satisfactory permanent solution of the Asiatic problem there can be little doubt that the existence of such an outlet for the energies of British Indian residents would render the Imperial and Indian Governments much less exacting than they would otherwise be in negotiating on the Asiatic question with the Government of a United South Africa.

### "Natal Witness"

It was only to be expected that Mr. Moor's Asiatic Exclusion Bills would raise a hubbub at the Coast, and already a section of the Press is endeavouring to prove how unjust and impossible these measures are. After giving them careful consideration, our own view is that they are substantially what we have been waiting for in our endeavours of many years standing to eliminate the evils of Asiatic competition against European trade in this country. It is argued that the Bills, which of course, may be modified in many of their details, contemplate an injustice towards the Indians, and we suppose on ethical grounds this contention might hold good, since the Indian, though black, is a fellow creature and entitled to earn his living as well as anybody else. This is the sentimental side of the argument; when one touches its practical side one is bound to recognise that a fellow creature, black or white, who comes into a country and secures its trade on a basis of competition which makes it impossible for those to compete against him who govern the country and bear the highest burden of its financial and administrative responsibilities, is not a desirable acquisition, and may quite legitimately

be got rid of if his presence causes the country at large to suffer. Those who apologise for the Indian trader have never had their living filched from them by an Indian; they have never seen the trade on which they depend for food and clothing for themselves, their wives and children, pass across the road to a black man, who spends next to nothing on his household, has no stake in the country, and sends practically all his earnings across the sea. They know little of the ruin and destitution which has been wrought by Asiatic trade, nor do they realise the number of families that have gone under and have eventually had to leave the Colony, carrying away their little all with them, because the Indian made it impossible for them to obtain a livelihood. We believe the general opinion on the Bills will be that they are not only in most particulars fair to Indians, but essentially fair to whites; and we maintain, though we should support no injustice to the Asiatic population of this Colony, the first care of the Government is for the prosperity and standing of the Europeans. It will be seen that the Bills strike at the root of the Indian difficulty, when they not only seek to prohibit the grant of further licences to Indians, but aim at stopping the further influx of these people, and eventually at buying out every Asiatic trader in the Colony.

Ten years' notice of the above intention is surely sufficient to enable Indians who have vested interests at this date to dispose of them if they wish; or failing such disposal, to arrange to transport themselves and their belongings elsewhere on due receipt of compensation. The compensation payable under the Bill shall be a sum equal to three years' purchase of the profits of the business, and this seems to us a very liberal amount. The Government only wishes to guard against a larger number of compensations than are absolutely necessary, for which reason, the Bill, "to bring to an end the issue of new trading licences to Indians" is to be introduced. Under this Bill no new liability will be formed for the payment of compensation ten years hence, after December 31 of this year. While again, in the Bill "to put an end to the further introduction of indentured Indian immigrants," it is provided that three years hence—namely, after June 30, 1911, no Indian immigrants shall be introduced into Natal at all. The net result and effect of these Bills, if they become law, is that on the 1st January, 1919, Natal will be once and for all rid of the Asiatic curse, and will then be able to hold up its head as a white man's country. Let those who champion the cause of the Asiatic at the expense and to the detriment of their own countrymen consider for a moment what it will mean to the European population of Natal to possess the whole of the

trade of this Colony not only with Europeans but with the natives. It will mean that hundreds of thousands of pounds will be put into circulation which at present are sent oversea; it will mean the employment of hundreds more Europeans in business than can possibly exist to-day, when trade is paralysed with the blight of Asiatic competition; and it will mean in various ways, progress in trade and industry in directions which are now practically closed owing to the impossibility of European traders making a profit in the face of competition of this character. One must be fair to the Indian and fair to the European. We maintain that hitherto we have not been fair to the European, but have allowed this blight to settle upon his trade and to ruin his prospects, not only at his individual expense, but to the sure and certain ruin of the country. We congratulate Mr. Moor upon his Bills, and on the favourable comments elicited from the English Press. It is to be hoped the Colonists and the Government will adopt a firm stand when there arises, as we suppose there will, the inevitable conflict between Natal and the Indian Government, and ourselves and a section of our English critics. It must be shown that in this matter of preserving the trade of the Colony for our descendants the European population stands together practically as one man.

## Mr. Gandhi Interviewed

### The New Natal Bills

The *Star* publishes the following interview with Mr. Gandhi:—As the leading member of the community most concerned, Mr. M. K. Gandhi, the Johannesburg lawyer, is entitled to a very considerable audience on the subject of the legislation which Natal proposes regarding its Indians. He gave his views to a representative of *The Star* this afternoon.

"With reference to the first Bill," said Mr. Gandhi, "that is, to stop indentured immigration, so far as I am aware every Indian will welcome it. The only regret will be that the stopping did not come sooner, and that it is still not to come for two years. Had indentured labour from India not been imported there would have been no Indian question in South Africa. Of course, the reason for Indian satisfaction may not be and is not the same as that for European satisfaction. Indians consider that the system of indentures is of little if any benefit to India as a whole or to the Indians concerned. It does not tend to the elevation or progress of the indentured people, and in the words of the late Sir William Wilson Hunter, the official historian of India, it is a state of semi-slavery."

### Very Serious Objection

"As to the two other Bills," proceeded Mr. Gandhi, "they are open to very serious objection. I have never heard of such legislation in any British Colony. The first of these two licensing Bills contemplates the stopping of all new licences in Natal. This means the stopping of the removal of the same business from one place to another, because as soon as a trader removes to another place it is considered to be a new business and a further licence is necessary. This Bill, if it becomes law, must mean ruin, practically, to Indian traders. Why should not the partner of a man who holds a licence in his own name, as soon as he severs his connection with the partnership, be able to take out a licence for himself? And yet prohibition to trade will be the effect of this Bill. There are many other points in the Bill which must strike at decent Indian existence in Natal.

### The Possible Consequence

"Some of the Indians, who are born traders, cannot take up any other employment or pursuit. To them, Natal is their home. What are they to do if they may not trade? It will be simply encouragement for fraud and of all kinds of underhand dealing if the Bill is persisted in. It is perfectly true that the position of the Indian trader under the present licensing law is not much better. He is always in a state of uncertainty, but that does not mean that the present Bill can be justified. Moreover, even with reference to the existing licensing law the position has become very critical and during my last visit to Natal I noticed that Indian traders had become very uncomfortable and were considering what could be done to obtain amelioration. The recent cable from home also shows that the Colonial Office is still reasoning with the Natal Government with a view to the amendment or repeal of the Dealers' Licences Act of Natal. The second licensing Bill is, in truth, a confiscation of what rights there may be left after the full effect has been produced by the operation of the first Bill. Thus the second Bill gives ten years' notice to the Indian traders to quit. If there are any left at the end of that period they are to receive compensation on a basis of three years' profits. This is ridiculous. How can such compensation be an adequate return for confiscating a growing business? This compensation can never enable the Indian to live on the interest thereof for the rest of his lifetime. I assume of course that such an Indian will not, except in rare cases, carry on his trade elsewhere.

### The Comparison with Britain

"I know that an attempt has been made to justify the second Bill by comparing it with the liquor licensing legislation at Home. The two, however, can hardly be compared. In the other case the restriction of the liquor

trade is necessary for the moral well-being of the whole community. No such argument can be advanced in connection with the Indian traders. Whatever their defects may be no one has been able to impute more dishonesty to them than to other traders, and Indian trade, *per se*, is not held to be harmful as the liquor trade undoubtedly is.

"I do not anticipate that such legislation will be passed, but the very fact that responsible Ministers in South Africa can contemplate with equanimity the passing of such legislation is a most deplorable one, and saps the foundations of Imperial statesmanship and Imperial federation. Many Imperialists in England include India also as part of Imperial federation and I do not know that it is possible to have at all a British Empire, leaving India out, seeing that, according to Lord Curzon, India is the dome of the Imperial edifice and that it is India which makes the term Empire possible."

## Opinions on the Natal Bills

In the course of conversation with several storekeepers, a representative of the *Natal Witness* gathered that the passing of such legislation was welcomed by white people all round, though there did not seem to be a desire to take away from the Indian trader the right to supply people of their own class. In fact, white storekeepers can very well do without this class of trade, but what is the great objection to Arab trading is that it has invaded the white man's domain to such an extent as to render something like the proposed enactments absolutely necessary.

Mr. W. H. Griffin expressed himself freely upon the subject. He said he was not in favour of stopping the immigration of the Indian labourer as such, but it should be distinctly understood that when he had completed his indenture he must return to India. Mr. Griffin stated that he looked upon the Indian labourer as a benefit to the country. Without the Indian workman we should have no sugar or tea industries to-day, and he, no doubt, had very largely increased the fruit production of the country.

### Not Honest

The very fact that the Indian labourer came here had the effect of his being followed by the trading Indian, or so-called Arabs, who were the bane of the country, and should not be allowed to trade. Had the Arab been content to trade only with the Indians, the present curse of this country would not have been so acute; but he was not content to do that, and simply filched the native trade from the hands of the European, and also the European trade to such an extent as to injure Europeans in their legitimate business.



Were it, continued Mr. Griffin, the case, that the Arabs and Indian merchants traded honestly, the European storekeeper could live, perhaps, and compete with them, but it was a well-known fact that they buy ostensibly as honest men, and after carrying on for a year or two, and getting as deeply as possible into the supplier's books they either turn insolvent or "rogue" the creditors out of their money. With that view in mind they undersold the European, as they naturally could do, not having any intention of paying for the goods that they had purchased.

Mr. Griffin said he thought that the Bill to prohibit the issue of further licences in the new year of 1909, was the right step to take. But when they were entirely prohibited from trading in this country, he thought they should be compensated. That was only right, and would have the approval of all right-thinking men. They had been allowed to come into the country, and establish themselves here, besides acquiring vested rights which could not be wrested from them without compensation.

Generally speaking, Mr. Griffin concluded, the Bills had his support and approval, and he congratulated the Government upon their intention to introduce these measures.

#### For the White People's Benefit

Mr. J. Holey (of Messrs. Edmonds and Holey) said the intention of the Government to stop further immigration of Indians after 30th June, 1911, would meet with the approval of all commercial men. The Bills might meet with opposition in some quarters, but before that date no doubt some solution of the difficulties would be found, so that no grievance or hardship would be put upon anyone who is dependent upon Indian immigration.

If the beetroot sugar industry was going to supersede cane sugar, then there would not be the same demand for Indians to work on the sugar plantations, so that the planters' greatest argument was at once met by the introduction of the new process of extraction.

There could be no two opinions amongst the thinking commercial element of this country that all licences to aliens must be stopped, but, on the other hand, justice must be done to them, and whatever measures were introduced ultimately to abolish their licences time must be given to those holding them to realise any vested interests and rights they might possess.

The passing of these Bills must be to the ultimate benefit of the white people in this Colony, because all through the Colony in the country districts there were now stores conducted by Arabs or Indians, who were not desirable citizens. They did not contribute to the upkeep of society in any way, and must weaken the status of any community where they

were allowed to trade. This could only have been allowed in this Colony under mistaken ideas of the right of British subjects.

#### Not Practic

Mr. F. Reed (of Messrs. Norrish and Co.) said the Bill to stop Indian immigration was, he believed, in accordance with the general opinion of the Colony, and should pass the Assembly by an overwhelming majority. The Bill to put an end to the issuing of new trading licences to Indians he also thought would meet with the approval of the mercantile community. The third Bill to prohibit after a certain time the holding of trading licences by Indians he thought would lead to some contention. Not only would this be in the matter of compensation, but it was also a question as to whether Indian residents in the Colony should not have the right to purchase at certain Indian stores. There was no reason whatever why the Indians should not trade with their own people, and he would be slow to take any step that would interfere with such trading.

He did not think this third Bill was practicable, and unless the Colony was unanimous in deciding the point the Bill would have very little chance of receiving the sanction of the Home Government. He thought that if no new licences were issued to Arabs, and if every advantage was taken not to renew licences in cases of insolvency, assigned estates, compositions, transfers, etc., the reduction of licences ten years hence was bound to be very large, without any provision for taking away the licences altogether and compensating these aliens.

#### Bazaars for Indians

From inquiries which a representative of the *Natal Witness* has made, it appears that the Indians and Arab merchants of Natal view with equanimity the three draft Bills concerning themselves which it is intended to introduce into Parliament during the coming Session. They maintain that the measures are too drastic in their character, and will defeat their own ends; besides they feel that the Bills will never receive the assent of the Imperial Parliament, to whom they look for the safeguarding of their interests as British subjects.

The Indians say they are sure that their interests are safe in the hands of those people in Natal itself who hold high places and whose personal interests are bound up with the continued employment of Indian labour in the Colony. The Indians will make a strenuous stand for their rights, and it is stated that the terms of the Bills have already been forwarded to India.

Supplementing the views of merchants already given in the *Witness*, it may be said that several European merchants are in favour of allowing the Arabs to cater for their own class, so long as they do not undertake European trading. This, it is felt,

might necessitate the establishment of bazaars, which would meet the case, and keep the Indians by themselves. Possibly some exemption of this kind may be arranged in the case of the passing of the Bills through Parliament, but it is an idea that is not in favour with the Indians who, of course, make most of their profits out of their trading with white people.

Captain A. St. John Cooke writes to the *Star* as follows:—

Sir,—Your issue of the 5th inst. states that the *Natal Government Gazette* contains a draft Bill to stop the immigration of indentured Indians into Natal after the 30th June, 1910, a second draft Bill to restrict the issue of new trading licences after the end of this year, and a third to prevent any trading by Asiatics after December 31, 1908.

The time seems opportune to ask you to put before your readers the outlines of a scheme, which first occurred to me in 1902. I put the scheme before Lord Selborne some 18 months ago, but at that time His Excellency did not think it would be at all acceptable to South Africans. In a speech at Klerksdorp on March 26 last, I am glad to see, however, that His Excellency is reported to have said: "I hope that all these questions of Indian subjects of the King will be settled by some such arrangement as has been suggested. A very good arrangement, it appears to me, is that in this very wide Empire of ours certain districts which are now unoccupied by whites should be reserved for Indians, just in the same way as we intend that places like Canada and South Africa shall remain European and not Asiatic."

At the annual Congress of the Transvaal Progressive Federation, I moved the following resolution, which was ruled out of order, and the suggestion did not, therefore, get the publicity I had hoped it might:— "That this Council supports the principle of the reservation of certain areas in the tropical portions of British South Africa (at present unoccupied by and unsuitable for colonisation by whites) for settlement by Asiatics now in the Transvaal, Natal, Cape Colony, and the Orange River Colony. That grants of land be made to all Asiatics in the areas named as an inducement to them to leave those Colonies, and it be suggested that indentured coolies in Natal be allowed to settle only in such reserve after the period of their indenture. That this principle be adhered to as the counterpart of primary principle (d) of the Transvaal Progressive Federation."

#### Natal's Draft Bills

The passing of the first Bill would undoubtedly stop the further very rapid increase of the difficulties now so prominent in Natal. It would, however, give the natives in India a handle to their objection to the further exploitation of India by the

whites. The consequences of the assumption by Indians of such a position might cause infinite trouble to the Indian and Imperial Governments.

The second Bill appears to savour too much of the methods of autocratic Russia. To forbid an individual to trade, no matter what his colour, provided he is legitimately resident in a country, where no such restrictions exist, is, I consider, barbarous.

The third Bill savours of the same arbitrary, coercive methods as the second. Even if it should be sanctioned by the Natal Parliament, it is almost sure to be vetoed by the Home Government.

#### Practical Scheme Needed

The scheme shortly outlined in the resolution quoted above seems to be the one to which the fewest objections can be raised. It has the following points in its favour:—

(1) It allows the immigration of indentured labour for the sugar and tea estates in Natal to be continued without increasing the Indian population in that Colony. It does not dislocate these important industries, as the first draft Bill threatens to.

(2) It concentrates a large Indian population in an area at present unproductive and, therefore, valueless to South Africa.

(3) It will gradually draw a number of Indian traders from the Transvaal, Natal, etc.

(4) It will remove or minimise the friction between whites and Indians. These differences are fanning the flame of discontent in India and adding considerably to the troubles of the Imperial Government.

(5) It will develop a territory from which tropical raw materials will be available for the industries of white South Africa.

(6) It will give the Indians in South Africa an opportunity of developing themselves and showing that they are not void of enterprise or the other virtues of good citizens.

The first step in the development of the idea is for the Governments of the South African Colonies to approach the Imperial authorities with a view to arrangements being made to place certain portions of territories such as British Central Africa, and North-Eastern Rhodesia at the disposal of the Asiatic for settlement. The following general principles to be adhered to in framing the regulations for the settlement:—

(a) No immigration to be allowed direct from India.

(b) Settlers to be drawn from Indians now in the Transvaal, Natal, Cape Colony and the O.R.C. only.

(c) Land to be granted on the ryotwari system, i.e., to be held direct by the settler from the Government.

(d) The Imperial and Indian Governments to agree to the continuance of indentured labour for a definite period of years provided such indentured coolies are given grants of land in

the selected reserve on the expiration of their periods of indenture.

(e) No settler to be granted a trading licence unless he has been previously licensed to trade in Natal, Cape Colony, the Transvaal or the O.R.C.

(f) The acceptance of land in the reserve to cancel any privileges previously obtained in the Colony in which the settler was formerly residing.

(g) Indian systems of administration to be adopted.

(h) Whites to be prohibited from owning land in such reserve.

(j) The reserve to be governed under the High Commissioner of South Africa.

The above are the outlines of the scheme, the complete details of which are too lengthy to enter into now.

A residence of fourteen years in India has proved to me that the Indian loves above all things to own a piece of land. Statistics show that 66 per cent. of the population of India live on the land and quite 90 per cent. by the land. The outlay to start such an Indian Colony would be small compared with the great benefits to be gained by the Colonists, the Imperial Government and the Indians themselves.

### Indian Labour in Trinidad

#### Immigration Amendment Ordinance

##### The Old, Old Story

West Indian Governments have never scrupled to take the side of the sugar planters whenever it was a question between the latter and their labourers. The reason generally assigned for the attitude was, and, we fear, still is, that members of the West India Committee have considerable influence with the Colonial Office. Everyone knows that the Colonial Office is only another name for "our masters at Downing street," and that certain prominent members of the West India Committee are the largest sugar plantation owners in these islands and in British Guiana. The official who does aught savouring of discrimination in favour of the labourer as against the planter runs the greatest risk of putting his head into a noose which will be used to jerk him off his seat. By pleasing the planters, promotion is certain and it is human nature to look after Number One. The law of self-preservation governs all men and operates most powerfully on the place-seeking official. That being so, it is easy to see why, in legislating in favour of labour and against the monetary interest of the sugar planter, it behoves West Indian administrations to do the thing warily and to take heed lest they fall. The recent legislation for the improvement of the condition of the free labourers in Trinidad serves to illustrate what we have been saying. In the "objects and reasons" for the ordinance, the

Government freely and frankly admit that the finding of the Labour Committee . . . . . was perfectly

correct and that an injustice had been done the free labourer for many years. The objectionable section of the ordinance which worked that injustice is, however, unrepealed, and, instead of coming straight with the remedy, the Government has preferred to hedge and to give the planters a loophole of escape.

Surely the Government must itself have realised that the ordinance seems to take away something from what it gives, and that the obvious thing to have done was to give the planters no opportunity of evading the law, as it was intended to be amended. In legislating for people other than sugar planters, the Government does the thing squarely and throughly; it does not mince matters with cabmen, boatmen, carters and the like. Their maximum fares for certain distances are laid down with charming precision and fixity, regardless of the paying capacity of the public, or any other contingency; but sugar planters are far too mighty folk to be dealt with thus firmly. It is true the minimum wage is fixed for the indentured labourer, but the Labour Committee found that indentured men did not get that minimum as a general rule. That, however, is a side issue. If the minimum wage for the indentured labourer is fixed, it would surely be an easy thing to do likewise for the free man, and the obvious reluctance to safeguard the interest of free labour from the rapacity of planters is simply keeping up the system of class legislation which has for so long been the ill-fortune of Trinidad. Besides fixing the minimum wage which the free labourer should be paid, the Government ought to go further and define what is a fair day's task, and how many hours' work at most should be exacted.

The Government has every right not only to "pretend to effect," but actually to effect the protection of free labour. The Government was moved by no scruple whatever when it laid it down as a hard and a fast law that free labour should not be paid more than the money wage (25 cents) given to the indentured immigrant. The Government "pretended to effect" that justice-denying regulation with a vengeance, and as a result free labour was penalised all these years. Will our contemporary be consistent and say that the Government had the right to do that? We claim that if it is thought that free labour should be paid 25 cents plus the cost of housing and medical attendance enjoyed by the immigrants, it is quite within the province and the ability of the Government to strike a fair average figure for housing and medicines, tack it on to the 25 cents and say that must be the minimum wage offered to the free labourers. Such honest and impartial dealing will not injuriously affect anyone.—*Mirror* (Trinidad).

## The Cape Immigration Act

### Deportation

#### Defective Regulations

Judgment was delivered by Justice Maasdorp in the Supreme Court on the 4th instant in the Feinstein immigration case, which was discussed in the House of Assembly some time ago, and subsequently came before the Court.

Justice Maasdorp, in giving judgment, said :

The applicant in this matter arrived in Table Bay by the S.S. Dunluce Castle, on March 22, 1908, and the immigration officer, treating him as a prohibited immigrant within the meaning of section 3, sub-sections (a) and (b) of Act 30 of 1906, refused him permission to enter the Colony. The applicant was detained on board, and taken on to Port Elizabeth, where he was in a similar manner treated as a prohibited immigrant.

The question now arises whether he came under the description of a prohibited immigrant when he arrived in Table Bay. Upon the information now before the Court, I am satisfied that the immigration officer was right in coming to the conclusion that the applicant was unable to meet the requirements of the above-mentioned section, through his inability to write required by sub-section (a), and want of means in sub-section (b). He admitted at the time that he possessed no means, and embarked at Teneriffe as a stowaway.

#### Question of Domicile

Now can he claim to be exempt from the provisions of section 3 of the Act, by reason of his being a person of European birth domiciled in South Africa? He seems to have at one time wandered in South Africa from one Colony to another, working at his trade as a watchmaker, whenever he could find employment; also finding his way to German South-West Africa, where he traded in cattle. After leaving the Colony he made his way to Cairo, Marseilles, Monte Carlo and Teneriffe. He seems to have had no fixed abode anywhere, and if it can be said that he displayed at any time any actual intention to settle anywhere it must be looked for in the passport which he obtained in Egypt, from which it appeared that he represented himself as a person born and domiciled at Cairo.

The immigration officers were, therefore, justified in treating him as a prohibited immigrant upon his arrival in Table Bay and at Port Elizabeth. I say this is the opinion I form upon the information placed before this Court, without at present reflecting upon the decision of the Assistant Resident Magistrate of Port Elizabeth, who had not before him the same information when he tried the applicant upon a charge under section 5 of the Act.

### Narrative of Events

Now to proceed with the narrative of events, it will appear that after the immigration officer had prohibited the landing of the applicant at Port Elizabeth, he was brought ashore by the police as a stowaway. This is the simple statement made by Turpin, the immigration officer, in his evidence before the magistrate. This statement is now complicated by explanations of the circumstances under which the police are said to have acted. What followed I shall give in the words of an affidavit made by Turpin: "Feinstein was brought ashore at Port Elizabeth from the Union-Castle Company's S.S. Dunluce Castle, on March 24, 1908, and was the same day brought before the Assistant Resident Magistrate of Port Elizabeth on the charge of having stowed himself in the Dunluce Castle at Teneriffe, from which place he was brought to Algoa Bay. He was sentenced to a fine of £10, or in default 30 days' hard labour. The fine was not paid, and he was committed to the gaol to undergo sentence. His sentence expired on April 22, and he was brought before the Assistant Resident Magistrate, and charged under section 5 of Act 30 of 1906. He was discharged and liberated on April 23, 1908."

#### The Question for the Court

These being the facts, the question the Court has to decide is, whether it is in the power of the Colonial Secretary to remove the applicant out of the Colony, and to detain him in custody pending such removal. Under the definition clause of the Act, the word "immigrant" is defined as meaning any person who arriving from without this Colony enters or claims to enter by land or sea. It is well to note the two distinct charges here mentioned, because the distinction is of importance in considering the other provisions of the Act, and the regulations made by virtue of it. The one class consists of persons who upon their arrival on the coast or the borders of the Colony claim to enter, but refrain from or are prevented from entering while their claim is being considered. The other class consists of persons who arriving from without the Colony have actually effected an entrance. It was necessary to provide machinery to deal with both classes of cases. Such machinery, without which the Act would be partially inoperative, is not contained in the Act itself, but left to be provided by the Governor, by means of regulations. Section 8 provides for regulations to be made in order to prevent immigration, and for the removal of prohibited immigrants; for the appointment of officers to carry out the regulations, and the temporary custody, control, and accommodation of prohibited immigrants, pending their removal. Such regulations have, in fact, been made, and all the powers possessed by the officers appointed must be looked for within the four corners of the Governor's Proclamation.

### Not Provided for in the Regulations

Regulations 10 to 17 of this proclamation deal with the case of persons claiming to enter the Colony, and regulations 20 to 22 deal with the case of prohibited immigrants found within the Colony.

Now, these latter regulations do not deal with all cases of prohibited immigrants found within the Colony, but only with such of them as are liable to be prosecuted under section 5 of the Act. Under this section any person found to have immigrated at any time into this Colony by land or sea, in violation of the provisions of this Act, is liable to prosecution and punishment.

But clearly this must apply to a person who has entered of his own act, and not to one who has been forced into the country against his will, as where he was kidnapped; or, as in this case, where he was forced in by the officers of the law. Or we may take the case of a person shipwrecked on the coast and making his way inland. All these cases are, in my opinion, covered by the Act, but they are not all provided for by the regulations. It seems to me that in whatever manner a person enters the Colony, whether with or against his will, he may under section 8 of the Act be removed, if found in it and ascertained to be a prohibited immigrant in terms of the Act.

It would follow, therefore, that the applicant, notwithstanding the fact that he entered the Colony in charge of the police, upon the charge of being a stowaway, was liable under the Act to be removed after the sentence expired. We must now refer to the regulations for the means by which his removal is to be effected. The regulations deal with persons who claim to enter and those who have entered; and with regard to the latter, regulation 22 directs that no order of deportation shall be issued by the Executive, except after a conviction for contravening section 5, and no order shall be acted upon unless signed by the Minister or the permanent head of his department. This was clearly intended to apply to all cases where a prohibited immigrant was found in the Colony, but the case was lost sight of where a prohibited immigrant was innocently in the Colony.

#### Suggested Offence Not Created by the Act

It was suggested that the offence might be committed by remaining in the Colony after entering it in a way which was on the part of the immigrant not unlawful, but the Act creates no such offence. As the regulations stand the applicant, who committed no offence under section 5, cannot be deported until he has been convicted of such offence. The officers of the Government forced him into the Colony, and no means have been provided for getting rid of him.

But the respondent raises another contention. He maintains that this is



not the case of a person who is found in the Colony, but of one claiming to enter. And now the explanations come in, as mentioned above, which affect to some extent the plain statement of facts given by Turpin. It is said that, upon the arrival of the ship at Port Elizabeth, the Immigration Officer gave authority for the temporary landing of the applicant in order that he might be prosecuted as a stowaway, and thereafter transhipped with a view to his being returned at the expense of the company to his port of embarkation.

There is certainly no provision in the Act for this mode of dealing with a person, nor is there in the regulations. The regulations contemplate the temporary detention of a prohibited immigrant claiming to enter, pending his removal; or the grant to him of a temporary permit in the given form for specified purposes. Provision is made for the punishment of persons escaping from detention or violating the conditions of the permit. No powers are given to the Immigration Officer to deal with the liberty of a prohibited immigrant by means of agreement with the police authorities in the manner described.

#### The Magistrate's Ruling

The applicant when taken in charge by the police as a stowaway passed out of the custody and control of the Immigration Officer. Upon his discharge from custody, he was treated by the authorities, not as a person claiming to enter the Colony, but as a prohibited immigrant found in the country, and was prosecuted under section 5 of the Act. The Assistant Resident Magistrate, in answer to a question submitted to him, states that the applicant was prosecuted by the police in conjunction with the local Immigration Officer on instructions of the Assistant Resident Magistrate. This seems to have been done with the object of obtaining his deportation, and at the trial Turpin said, "I ask for an order for his deportation, under subsection (c) of section 3 of the Act." Evidently the authorities, feeling obliged to deal with the applicant's case upon his discharge, referred to the regulations and decided that his case came under regulation 22, and proceedings were taken accordingly.

If his case is provided for in the regulations, then I think that the Assistant Resident Magistrate was right in holding it would come under regulation 22, and giving instructions accordingly. Then again the Assistant Resident Magistrate was right in my opinion in holding that the applicant had not immigrated into the Colony unlawfully, but had been forcibly brought into it.

Upon the points of domicile and want of means it is not necessary to enter now, beyond saying that this Court has in that respect fuller information than the Magistrate had.

#### The Court's Order

I say if the case of the applicant comes under the regulations, it would come under regulation 22. But I am of opinion that his case is not at all provided for in the regulations. He is not guilty of immigrating into the Colony in violation of the Act and is yet a prohibited immigrant found in the Colony. The machinery for his removal is not provided in the regulations.

Without implying that anything more can be done in this case, I may say, that possibly the respondent may be advised that he is entitled to take further steps in the matter. I shall, therefore, make the order in the following form: The respondent is restrained from deporting the applicant or detaining him in custody, pending further order of Court.

### At the Heart of the Empire

#### A Monthly Survey

##### The Focus of Anxiety

While a legislative programme of wide-reaching effect is being pushed forward in Parliament, while, even to-day, we are saying "Vale, Volunteers!" and bidding the "Terriers," the Territorial Army, welcome, and wondering, too, what the forthcoming Budget will bring of surprise or disappointment, there is one point which focusses national and anxious interest, and that is, the room in the Prime Minister's official residence where sickness and health are striving for the mastery. During the past month the bulletins reporting the condition of Sir Henry Campbell-Bannerman have been the first object of search on opening a newspaper, and the callers at Downing Street have shown how wide is the interest taken in the distinguished patient. King Edward, before leaving England for his holiday at Biarritz, paid his First Minister the honour of a personal call as Sir Henry was unable to take leave of his Sovereign officially at the Palace. It was a graceful act and will not soon be forgotten. The Queen, who is enjoying the pleasure of an informal visit from her sister, the Dowager Empress of Russia, is kept constantly informed of the doctors' reports; daily messages go to the King and other members of the Royal Family. It must be confessed that the outlook is not very favourable. The constant weakness and the absence of hopeful symptoms make one doubt whether Sir Henry will "win through." That he will be able to resume his place in Parliament is almost beyond expectation and a change of leadership seems inevitable. Sir Henry's personality counts for much and its withdrawal would be a serious loss. Meanwhile, Mr. Asquith, as his representative in the House, is the hardest-worked man in England; the duties of his own official position are

enough for one man, but in addition to being Chancellor of the Exchequer, with the Budget in preparation, he has on his shoulders the much-debated Licensing Bill and the leadership of the House. He may even be regarded as the Prime Minister-Designate.

#### Sounding the Alarm Bell

*The Times* has bulked more largely than usual in the public view during the month of March. To begin with it raised what might have been something more than a *furor* between Great Britain and Germany if either British and German journals had not kept their heads. It set the alarm bell ringing by intimating that the German Emperor was trying to influence the First Lord of the Admiralty, Lord Tweedmouth, as to naval requirements. The letter of the military correspondent of *The Times*, by means of which the matter was made public was headed, "Under Which King?" There was an immediate outcry for facts both in Parliament and outside. The result is this: the German Emperor wrote a private letter to Lord Tweedmouth in which he endeavoured to clear away certain British conceptions as to German naval policy, disclaiming any idea of rivalry. Lord Tweedmouth showed the letter to the Foreign Secretary, Sir Edward Grey, and both Ministers agreed that the matter should be treated as private. Lord Tweedmouth's answer was accordingly despatched. But certain facts concerning the correspondence leaked out, and were not diminished in their passage from person to person. Probably there were some remarks in the Emperor's letter which would not square with diplomatic or official language. These naturally gathered strength in the repetition, with the result that *The Times* declared the letters must be made public in order to allay suspicion. The demand of *The Times* was not conceded, and the incident ended with Lord Tweedmouth's explanation. The general feeling of the public and of the press was that there was no desire on the part of the Emperor to bring any pressure to bear upon the First Lord, as His Majesty would have been the first to resent any attempt to influence the budget for the German navy. His action may not have been perfectly discreet, but its motive was transparently honest. Lord Tweedmouth probably would have done well to prevent the contents of the letter leaking out, but otherwise no particular blame can be laid upon him. *The Times* stood strangely alone in the attitude it took up, and though everybody was not inclined to go quite so far as Mr. W. T. Stead, who declared that the editor ought to be shot, yet the better understanding prevailing now between Great Britain and Germany was certainly responsible for restricting the storm to the proverbial tea cup instead of rousing public anger on both sides of the North Sea. The Emperor's

words, spoken or written, are apt to be magnified into "incidents," as has been the case during the past few days with regard to the American Ambassador to Germany; but in this instance, too, the storm has become a calm.

As to *The Times*, however, I must not omit to add that the reconstruction scheme—the "pearsonification"—has ended in a victory for those in possession. Mr. Walter continues to be chairman of the board of directors consisting entirely of existing members of the staff; Mr. Moberley Bell retains his position as managing director, and Mr. C. Arthur Pearson remains—outside. New capital to the amount of nearly three-quarters of a million sterling is to be brought in, and it is rumoured that Lord Northcliffe (formerly Mr. Alfred Harmsworth) Mr. Pearson's rival, has a large finger in the new pie. The Book Club, it is understood, will continue as an ordinary lending library, and for American methods the order is "evenit."

(To be continued).

### "Radicalism Versus Imperial Passports"

Mr. S. M. Mitra writes as follows in the *Pall Mall Gazette* on the above subject:—

The announcement made last January that a settlement had been reached in the Transvaal regarding the registration of British-Indians and other Asiatics who have a legitimate domicile in that country was received with the greatest satisfaction by the Imperial Government, and a feeling of relief was felt by all interested, because the situation was becoming acute. The settlement was so long postponed that some harm to Imperial interests had already been done. The British-Indians, who had already returned to India against their will, cannot have carried back any friendly regard to the Imperial Government who had deserted them, and the sympathetic meetings held in India for the Transvaal British-Indians afford evidence of the solidarity of Indian views on the treatment accorded to their fellow-countrymen. But the lately-published Transvaal Blue-books, Cd. 3,887 of January and Cd. 3,892 of February, show that for India and Indians the whole matter of their admission to the Transvaal is not yet terminated, and that the arrangement which has been agreed to, namely, that certain Indians are to be admitted on some system of "temporary permits"—in a word, of "passports" is one of a very extraordinary character, considering that it is to have effect within the British Empire. The case cannot be properly understood without reference to the official documents. On April 1, 1907, Lord Selborne reported to Lord Elgin his assent to the Asiatic Law Amendment Act, No. 1 of 1907

and he hoped that it might be brought into force so as to check the illicit and unauthorised influx of Asiatics into the Transvaal, which was then proceeding at an alarming rate. The Act was not disallowed by the Imperial Government, though Lord Elgin placed it on record that they did not consider the position of Asiatics lawfully resident in the Transvaal satisfactory: he expressed the hope that that position might be improved. As the Settlement has closed the troubles of the Asiatics resident in the Transvaal, it requires no further discussion. Attention must be concentrated on the future admission of Indians to the Transvaal. On August 15, 1907, Lord Selborne assented to the Immigration Restriction Act, No. 15 of 1907, which placed restrictions on Immigration into the Transvaal, provided for the removal of prohibited immigrants and others, and for an Immigration Department. In sending it to England for his Majesty's approval, he enclosed a report by his Attorney-General, explaining the Act. Section 2 (4), containing part of the definition of "prohibited immigrant," was thus explained: "The intention is to bring within the definition of 'prohibited immigrant' Asiatic newcomers who are not eligible for registration under Act 2 of 1907, and who have hitherto been kept out by the refusal of permits under the Peace Preservation Ordinance, as also Asiatics who have temporarily left the Colony in order to evade compliance with that Act may afterwards attempt to re-enter the Colony." etc., etc. On October 10 Lord Elgin asked for Mr. Morley's views on this Act, more particularly with regard to Section 2 (4). Lord Elgin pointed out that the practical effect of this sub-section would be to prevent the further immigration into the Transvaal of British-Indians or other Asiatics. He did not propose to raise any objection to it, as the competence of the Colonial Legislature and Government to restrict further immigration by means of legislation similar to that already adopted in other Self-Governing Colonies had not been disputed, and, moreover, in the interests of the British-Indians themselves, it was probably desirable, in view of the state of colonial feeling, that further immigration should be restricted. Thus Lord Elgin did not propose to make any exceptions to the universality of the proposed restrictions on the further immigration of British-Indians. Mr. Morley, however, saw that Sub-Section 2 (4) introduced a principle unparalleled in legislation sanctioned for other Self-Governing Colonies, as it would perpetuate an arrangement introduced in very special circumstances, and would debar from entry into the Transvaal British subjects who would be free to enter any other colony by proving themselves capable of passing the educational tests for immigrants. He saw that it would, for instance, permanently exclude

members of learned professions and graduates of European Universities of Asiatic origin who might in future wish to enter the colony; also, that the Act might work grave injustice, since British-Indian subjects who had before 1902 acquired domicile in the Transvaal, but, having temporarily left the colony, had not yet registered themselves, might be debarred from re-entry. The Government of India had no criticisms to offer on the Immigration Restriction Act, if the Act 2 of 1907 preserved the rights possessed by Indians under the Peace Preservation Ordinance, 1903. Mr. Morley, writing to Lord Elgin, admitted the principle that the Colonial Government must be allowed to restrict Asiatic immigration by legislation similar to that of other Self-Governing Colonies. But he observed that the Sub-section 2 (4) would "exclude perpetually from a portion of his Majesty's dominions all British-Indian subjects, however high their social status or educational attainments, who had not already acquired domiciliary rights," and that, as regards Asiatics, the "educational test," which had elsewhere been found sufficient to exclude undesirable immigrants, would in the Transvaal be a dead letter. He presumed that, as the Colonial Government might, under Act 2 of 1907, grant temporary permits, this power would, if occasion arose, be used to prevent such a gross scandal as the exclusion from the Colony of ruling Chiefs, Indians of distinguished position, and high officials of Asiatic descent, on the ground that they are "undesirable immigrants." He asked for a definite assurance from the Colonial Government that they had no intention of refusing access to Asiatics of this type. He drew Lord Elgin's attention to the unfortunate effect upon public opinion in India which Act 15 must produce. He had not understood, when Act 2 of 1907 was under discussion, that the forthcoming Immigration Restriction Bill would be so framed as to perpetuate the exclusion from the colony of all future Asiatic immigrants without distinction. He asked Lord Elgin to impress upon the Transvaal Government the very strong objections from an Imperial point of view, to Sub-section 2 (4). Lord Elgin, telegraphing to Lord Selborne, assumed that the grant of temporary permits under Section 17 of 2 of 1907 would not be discontinued, and he asked from the latter's Ministers a specific assurance that there is no intention of refusing access as visitors to ruling chiefs, Indians of distinguished position, or high officials of Asiatic descent. Lord Selborne replied that his Ministers gladly gave the assurance asked for. Mr. Morley heard with satisfaction that "the Colonial Ministers have given the desired assurance as to the admission to the colony of Indian visitors of distinguished position," and on December 19 Lord Elgin allowed Act 15 of 1907

to be brought into operation. The official papers have been quoted for the sake of accuracy. The practical result is that only British-Indians of superior standing will be admitted to the Transvaal, as visitors, under "temporary permits." Let us consider the result both with regard to these passports and as to the Indians admissible. For certain residents of a part of the British Empire, passports will be required for admission to another part of that Empire. Why, even Russia does not require this from her subjects. The Mahomedans of Bokhara and Khiva, portions of the Russian Empire, are not restricted in moving about within that Empire. Again, consider America. The negro, admittedly the lowest form of humanity, is allowed to move about the United States as freely as any white person: he is in the full sense a citizen. Any of the subjects of the Sultan may travel from Constantinople to Mecca without passport. Russia and Turkey, backward countries, require passports from foreigners only, not from their subjects; our Imperial Government have agreed to passports being required within the Empire. Is this the boasted Imperialism, Liberalism, civilisation of England? The British workman can get a passport to Russia and Turkey, and stay there; the British-Indian can travel in despotic Russia or barbarous Turkey by asking the India Office for a passport, which he is granted; but if he wishes to visit the Transvaal, where his countrymen have shed their blood in hoisting the British flag, he is not sure of getting a passport thither. Liberalism and "passports within the Empire" sounds an absurd combination; in practice it is found that the Liberal Government have taken up that inconsistent position. Is it meant, in short, that the inferior Indian is not to be admitted to the Transvaal, even as a visitor, because he has a brown skin? What kind of citizenship of the British Empire does the inferior Indian then possess? Are there two kinds of citizenship, one of British India, the other of the British Empire? Where does Liberalism or Imperialism come in?

Now, as to the Indians who are to be admissible to the Transvaal. Where is the line to be drawn, and how is the exclusion to be worked? The assurance obtained by Mr. Morley is so vague that it will not command much confidence in India. Educated India is entitled to know what the expressions really mean. Why should only distinguished Indians or high officials get passports? Would an ex-M.P. or a Calcutta barrister be admitted? What is distinction? Would it include valour displayed on the battlefield, or wisdom in the Council Chamber? Would a brown Cambridge Wrangler or Doctor of Science come within the definition, or would it be left to the discretion of the Transvaal authorities to decide on the merits of each case, while the

applicant for admission waits at the port for the Transvaal? The whole matter is not finished; and it is very desirable that it should be completed on liberal lines. The British-Indian, contemplating a visit to the Transvaal, should know before leaving India whether he will be admitted to the Transvaal: he should not be liable to rebuff, after having undertaken his voyage. The truth is that "distinction" or "high official position" is too high a standard: no such standard is required for English visitors to Russia or Turkey: respectability and the expenses constitute a proper working standard, if a system of passports is to be enforced. If a system more rigorous than that required by Russia and Turkey is established, all India will soon know, and another cry of British injustice to India will be raised. Sympathy must be felt for Mr. Morley that he, a staunch Liberal, has to handle a question of passports for British-Indians within an Empire of Freedom and Liberty, but he will unwittingly add another cause to the present unrest in India if he does not soon obtain at least reasonable terms in the Transvaal passport system for his 300 millions of wards in India.

## Chinese Reform

### Anti-Opium Crusade

The following petition, numerously signed, has been forwarded by the Chinese Association to the Chinese Consul-General, Johannesburg:—

1. Your Petitioners are all free residents of the Transvaal, and are subjects of His Imperial Majesty, the Emperor of China.
2. Your Petitioners are desirous of counteracting the evil of the opium habit among the Chinese community in the Transvaal, and to prevent that evil from being spread amongst the non-Chinese classes.
3. Your Petitioners consider that the Opium Importation Ordinance is very largely responsible for accentuating and increasing the evil. According to the information in the possession of your Petitioners, importation of opium is not necessary even for the indentured Chinese; and, if it is considered necessary that some of these labourers should have opium, it will be open to the Government to stock the drug as a medicine and under well-considered prescriptions given to them.
4. In the humble opinion of your Petitioners, the importation of opium under the Ordinance, in spite of the strict administration of the Ordinance, has resulted in surreptitious importation.
5. In the humble opinion of your Petitioners, therefore, it is absolutely necessary that the Ordinance should be withdrawn at the earliest opportunity.
6. Your Petitioners further con-

it illegal to smoke opium or to take it in any other form except under medical prescription should be prohibited by law. And, in this connection, it is within the experience of some of your Petitioners that the permits have hitherto been issued promiscuously and often without any justification. It would, therefore be an additional, if not necessary, safeguard to provide that any permit so issued should be immediately reported to a Board of Medical men of renown, so that each certificate shall be properly examined.

7. Some of your Petitioners are themselves opium smokers and understand and realise the evil of the habit, and, whilst they are endeavouring to be free from the habit, the passing of a measure such as the one recommended by your Petitioners will be of very great assistance to them, in that temptation will have been withdrawn from their way.

8. Your Petitioners, therefore, hope that your Excellency will be pleased to bring the contents of this Petition to the notice of the Government, and strengthen its hands in eradicating the opium evil from the Colony. And for this act, etc., etc.

Dated at Johannesburg,  
this 15th day of May, 1908.

INDIAN MAIL. For Colombo and Calcutta, per *S.S. Umkuzi*, on or about the 21st instant.

SWAMI SHANKERANAND. Mr. Mohkamchand of Durban writes that the sum of £40 has been cabled to India for the expenses of Swami Shankeranand who is expected here shortly on a lecturing tour.

IMPERIAL PARLIAMENT. A Reuter cable states that in the House of Commons on Wednesday Col. Seely informed Mr. Cox (Preston), at question time, that he did not think the Transvaal Gold Law would deprive the Indian inhabitants of their present rights. Lord Crewe was communicating with Lord Selborne on the subject.

THE DESPISED COOLIE. On Saturday a gang of Hindoos, men, women, and children, in motley garb, the majority of them looking more attenuated than the average scum sent from India to Natal, marched through the town, says the *Ladysmith Gazette*. It transpired that they had arrived from the Ramsay Colliery, having, it was alleged, gone "on strike." It may be assumed that they would be kept at the expense of the public purse before trial, and probably prefer to work (while kept at the public expense) in jail to paying a fine. Yet we are supposed to bless the colliery proprietors, and to swallow lies about the gain to the colony from its mines. The Natal mines have indirectly cost the colonists thousands of pounds nothing for the benefit of a few hardy miners and speculators.



## ઈંડિયન ઓપિનીયન પ્રેસ તરફથી પ્રગટ થએલાં નવાં પુસ્તકો.

મુશ્કેલ કામેલ પાશાનું જીવન ચરિત્ર.

કિંમત ૩ પેની, પોસ્ટેજ ૦૧ પેની.

મારો જીલનો અનુભવ.

લખનાર મી. એમ. કે. ગાંધી.

કિંમત ૬ પેની, પોસ્ટેજ ૦૧ પેની.

### મળવાનાં ઠેકાણાં:—

ઈંડિયન ઓપિનીયન ઓફીસ,	મરકચુરીલેન,	ડરબન.
મી. એમ. એમ. દિવાન,	૧૪૭ ક્વીન સ્ટ્રીટ	"
" મકનજી બ્રધર્સ,	૧૮૨ એ સ્ટ્રીટ	"
" પી. વી. સંઘવી,	"	"
સન ષેડ ટેબેકો વર્કસ,	૧૬૪,	"
બાથુ તાલેવંતસીંગ,		વેરૂલમ.
" જી. સી. પટેલ,		સ્ટેગર.
" એમ. કે. ગાંધી,	બોક્સ. ૬૫૨૨	બેહાન્સબર્ગ.
" પી. એમ. જોશી,	બોક્સ. ૧૧૫૭	પ્રીટોરીઆ.
" ખેડેરીઆ એન્ડ મહેતા બ્રધર્સ,	બોક્સ. ૧૧૦	પીટર્સબર્ગ.
" ત્રીકમદાસ બ્રધર્સ,	બોક્સ. ૫૩૧	પોર્ટ ઇલીઝાબેથ.
" ટી. ડી. ત્રીવેદી,	બોક્સ. ૩૭૨	કોંબરલી.
" બી. આર. નાયક,	સોલસબરી,	રોડેશીઆ.
" મજદાસ અને લાલચંદ,		ડેલાગોઆબે.

થોડા વખતમાં બહાર પડશે.

સત્યાગ્રહ ( ઇનામી નિબંધ ).

કિંમત ૬ પેની, પોસ્ટેજ ૦૧ પેની.  
( અગ્રેજી ) કિંમત ૩ પેની, " "

એક સત્યવીર—કથા.

સાકરેદીસનો અભ્યાસ.

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સુદર ફોટોગ્રાફ.

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ઓ. જસ્ટીસ બદરૂદીન તઘયબજી.

મી. એમ. એચ. નાઝર.

ઈંડિયન સ્ટ્રેચર ખેરર કાર.

અફઘાનસ્તાનના અમીર.

મી. અમીરૂદીન ફજદાર.

મેસર્સ એમ. કે. ગાંધી, અને એચ. ઓ.

અલી.

કીમત : દરેકની પેની એક. પોસ્ટેજ  
અરધી પેની.

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છપાઈ તઈયાર છે.

ખુની કાયદો, તેના ધારા તથા તેને

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