

Indian Opinion

No. 14—Vol. XXXI.

Friday, April 7th, 1933

Registered at the G.P.O. as a Newspaper.
Price Fourpence.

NOTES AND NEWS

PROFOUND regret will be felt throughout the Indian world as well as the sporting world at the unexpected news of the death from heart failure of Sir Ranjitsinghji Vibhaje Maharaja Jamsaheb of Nawanagar which took place at Jamnagar last Sunday morning. India is proud to have produced a world famous cricketer as "Ranji" was. England was so charmed with his unprecedented success in cricket that she adopted him as her own batsman. He played with and among Europeans the latter forgetting entirely that he was after all an Indian. According to the laws of the Union of South Africa, however, "Ranji" the cricketer or the Jamsaheb of Nawanagar was classed among the undesirables!

The news of his death comes as a shock particularly after being 'in the news' in the earlier part of last week when as Chancellor of the Chamber of Princes, the Jamsaheb made a personal expression of views on the White Paper's proposals for a Federal Government in India and was unbecomingly rebuked by the Viceroy. Rajkumar Digvijaisinghji the nephew of the Jamsaheb, it is reported, will be his successor. The Jamsaheb was born on September 10, 1872 and died on April 2, 1933.

INDIANS in South Africa will be grieved to learn that the Countess of Cromer died at her home in Marlborough Place, London, on March 4. The Countess was the mother of the Hon. Evelyn Baring who was secretary to Sir K. V. Reddi during his term as Agent of the Government of India. The Countess of Cromer spent much of her time in South Africa while her son was in service and graced almost every public function with her presence. Soon after the Hon. E. Baring left for India the Countess sailed for England where she has stayed ever since. The community's deepest sympathy will go out to the Hon. E. Baring in his great and irreparable loss.

MR. Cassim Adam, a well-known merchant in Pretoria has informed the Pretoria Hospital Board of his willingness to increase his promised contribution of £1,000 towards the building of a ward for Indians to £1,250, provided the authorities contributed a similar sum. The Board agreed to make application to the Provincial Administration for a similar contribution. Mr. Cassim is to be congratulated for his very generous offer. There is a charge against the wealthy section of our community that they are doing mighty little for their poorer brethren. The charge, we are sorry to say, is not wholly unjustifiable. The splendid gesture made by Mr. Cassim Adam should be emulated by all the well-to-do in our community. Acts such as these will not only be a source of great help in the advancement of our people in this country but will greatly enhance the prestige of the community in the eyes of the European public. We sincerely hope the Provincial Administration will be generous enough to grant the Board's application and thus encourage Indians in their acts of self-help.

MR. S. B. Mehd, secretary of the Indo-European Council of Johannesburg had a bitter experience the other night when he tried to visit the Metro Theatre during the showing of "Son of India." He went and asked for a ticket and the lady at the window was about to issue him one but his complexion put her in doubt and she asked him his nationality. When she was informed that he was an Indian she refused to issue him a ticket. The next day Mr. Mehd interviewed the manager who expressed his regret at what had happened but said he was helpless as he could not even allow the Agent of the Government of India to enter as it was for Europeans only. A person no matter what his character or appearance may be, so long as he is of European descent he may be admitted. But if he is of Indian descent he may not. His greatness of character or standing will not come to his rescue. It is this insult to Indians as a race that we resent and we do not think any right thinking European can blame us for doing so.

IN sentencing an attorney, Willem Frederick Karel Wethmar to 18 months with hard labour for theft and uttering at Harrismith, the Judge-President, Mr. Justice F. E. T. Krause, is reported to have said: "An attorney was an officer of the court, one who was, as it were, recommended by the court as being a trustworthy person. There had, especially of late, been too many cases of attorneys converting trust moneys to their own use and before passing sentence he would make a recommendation to the Law Society that inspectors be appointed to investigate the books of all attorneys every six months in order to ensure that trust moneys are deposited to the proper accounts and to obviate the possibility of thefts of this nature occurring in the future."

An appeal for funds is being made by Mr. Goolam Rasool on behalf of the Northern Transvaal Indian Association who is at present contesting three important matters which are of vital interest to the Indian community. One of these is in connection with differential treatment in Post Offices. The case was fought on behalf of the Pietersburg Indians. The decision of the Supreme Court (Transvaal Provincial Division) was in favour of the community and an appeal against the decision is now before the Appellate Division. The second is the Immigration appeal case of Ismail Ranjoomia. The judgment of the Supreme Court in that case appears elsewhere in this issue. The third case is an appeal against the refusal of Yusuf Goolam Rasool's application for a certificate for a trading licence by Duvelskloof Village Council. It is proposed to contest the validity of the General Dealers' (Control) Ordinance of 1932. All these matters affect the Transvaal Indians as a whole and it is but fair that they should contribute towards their expense. We feel, however, that this is not going to be of much help for the obvious result will be the tightening up of the laws wherever they are found defective. They can help us only if such measures were declared ultra vires of the powers of

the authorities or if we ourselves are prepared to put up a fight against the Government in the event of our failing in the law courts.

It is extremely doubtful whether the new Coalition Ministry is going to be short lived or whether it is going to enjoy a long life. Mr. Tielman Roos is once again on the warpath and has formed a "United Coalition Party." He regards the Government as merely a Pact and that his new Party will make the real Coalition. The General Election which is supposed to take place on May 17 will be an extraordinarily stormy one and one can only expect to know the real situation after the storm is over. At present we can only say that it will be a wonder if the present Ministry passes successfully through the storm.

A Renter's message from New Delhi states :— The unusual experience of being mildly reproved by the Viceroy befell the Maharajah of Nawanagar (Ranj) of cricket (name) when the Chamber of Princes was discussing the Government's newly-announced policy of Indian federation. The Maharajah, as Chancellor of the Chamber, read an account of the work of Indian princes at the last Round Table Conference, and expressed the opinion that the present federation scheme was dangerous to the States as well as the British connection. The Viceroy intervened, saying he was unwilling to interrupt the Chancellor's presentation of the report, but it was no occasion for airing personal views on "the terrible danger of possible federation." The Jam Sahib thereupon discontinued reading the report.

What is described as a "mild reproof" is resented by Nationalist Indians as being an uncalled-for rebuke. This school-master's ways of the Viceroy will have to come to an end. If the Chancellor would have described the scheme as a great blessing to India and the Indian States, we doubt very much whether the Viceroy would have interfered as he did or whether he would have patted the Jamsahab on the back and recommended His Majesty to bestow on him a few more titles.

THE BOYCOTT WEAPON

THE boycott of German goods by the Jewish people and the boycott of the Jewish people by the Germans as a result of the alleged brutal treatment of Jews under the Hitler Government, has set the world thinking about the weapon of boycott as a means of settling disputes. Of course it is not a new thing. Boycotts and strikes have been in vogue for years and very often they have been used indiscriminately. The present boycott has been unprecedented in the history of the world. If the Jews felt that they were unjustly treated their action was certainly not unjustifiable and the unanimity they have shown is certainly worth emulating by every nation. While we favour the boycott weapon as a means of getting redress of one's just grievances, we certainly would not advocate indiscriminate use of it. Our contemporary the *Natal Mercury* is charmed with the unanimity shown by the Jews. It writes :—"In contrast to this Jewish boycott of German goods, which appears to have brought results with amazing rapidity, the might of the British Empire has quite failed to impress the Soviet Government or to secure the guarantee of a fair trial for the British engineers in Russia who were arrested on charges of sabotage."

We do not know whether a boycott of this nature would be justifiable. One must consider what one would do oneself when placed in similar circumstances. What, for instance, would British Government do if they found foreigners in their country charged with espionage and conspiracy? Would they not take similar action to what the Soviet

Government has taken and apply to them the laws of the country? There is no sense then in preaching a boycott when an action may be justifiable and when the law should take its own course without, of course, disregarding the commonly understood moral code. Our contemporary brings in also the question of the ban on the supply of armaments to countries engaged in fighting and points out scornfully that when Britain made a half-hearted gesture of boycott against the traffic in armaments she was left to stand alone." We think in this instance the rebuke should have gone not so much to the countries that did not fall in line with Britain but to Britain herself. There is such a thing as individual boycott and collective boycott. The British gesture in putting a ban on the exportation of arms and ammunition to fighting countries was certainly very admirable but her surrender when she found herself standing alone was as much censurable. A thief who makes up his mind not to steal cannot do so with the reservation that his brother thieves will also fall in line with him. His duty is to stand alone and boycott all his brother thieves and suffer to be boycotted himself. He then stands chances of getting better allies who would help him to overpower his brother thieves.

In the treatment of the Jewish people in Germany we find a parallel in the treatment of Asiatics in South Africa. In Germany the committing of atrocities is reported. In South Africa physical atrocities are absent but the laws against Asiatics are atrocious enough and their effect is, and will be, to oust the Asiatic. Would not India be justified in launching a vigorous boycott against South Africa as a protest against the ill-treatment of her nationals?

Transvaal Asiatic Land Tenure Act Commission

Statement Of Springs Town Council

The following is the text of the statement submitted by the Springs Town Council to the Transvaal Asiatic Land Tenure Act Commission :—

As a preliminary the Town Council begs to refer the Commission to the statement of the Springs Town Council submitted to the Select Committee on Asiatics in the Transvaal which met in February and March, 1930, which it prays may be considered and read as if inserted herein.

2. In this statement the Town Council of Springs proposes only to deal with the Indians in occupation of Erven Nos. 13, 46, 67 and 150, situate in the town of Springs, save in so far that the Town Council submits for the earnest consideration of the Commission its request that no recommendation be made to the Minister that his power to exempt land in terms of Section 3 of Act 35 of 1932 be exercised in favour of any legal occupants of land in the town of Springs. The submission of the Town Council is that such exemption is unnecessary in the latter cases, such occupants being fully protected by Section 4 of Act 35 of 1932, and if exercised would result in such land being vested in coloured persons in perpetuity, a position which it is submitted is neither desirable nor contemplated by Act 35 of 1932, as it confers a far greater privilege than designed by Section 4 of Act No. 35 of 1932, which section the Town Council submits conveys the intention of the Legislature as regards legal occupants,

3. As a further preliminary before dealing with the individual cases of illegal occupation in the town of Springs and for the assistance of the Commission in coming to a decision regarding the position of the illegal occupants of land in the town of Springs, the Town Council attaches hereto a plan of the town of Springs, and submits generally the following facts:—

(a) Before the sitting of the Select Committee on Asiatics in the Transvaal, in 1930, the draft Bill which subsequently became Law with little or no modifications as Act 35 of 1932 had been published and beyond a doubt had been extensively circulated and the contents and purport thereof were fully understood and appreciated by Asiatics and coloured people.

(b) In all cases of applications by Indians for certificates under the General Dealers' Control Ordinance for trade premises in the town of Springs after the publication of the draft Bill which later became Law as Act 35 of 1932, the Town Council of Springs warned the applicants of the contents of such draft Bill pointing out that if such Bill became Law so far as the Town Council was concerned it would have to be strictly construed, and the Town Council further issued with each certificate granted the following notification:

"Should there be any alteration in the present law, the applicant is liable to have any applications he may make for a renewal of this certificate refused."

(c) In all applications for certificates under the General Dealers Control Ordinance received by the Town Council after the publication of the draft Bill which later became Law as Act 35 of 1932 all applicants, and more particularly the holders of trading licences on Erven Nos. 13 and 46, were asked if they were aware of the terms of the said Bill. In each instance the applicant admitted that he was and in one instance an applicant, certain Jassub Ebrahim who later withdrew his application, expressed himself as follows:—

Cr. Harrison: "Has Jassub Ebrahim ever heard of the proposed Asiatic Tenure Bill?"

Mr. Moodie (Attorney for applicant): "That is dead."

The Mayor put the question to the witness: "Yes. I know this."

Cr. Harrison: "Does he know what the Minister has promised to the Court. That he is going to introduce this and date it back?"

..... "I don't know that."

"Well he did say this.".....

"Let him say it. We are not afraid. According to Company Law"

As the witness' reply was not altogether intelligible Cr. Brink phrased it for him as follows:—

"According to the constitution of Company Law he is not afraid of what the Minister said or may say."

And the applicant confirmed that this expressed his reply.

(d) As a general rule the Asiatic trader attracts to a large extent the native trade and he is unable to control his customers to the same extent as the white trader, which creates in most cases an undesirable congregation of natives around his shop to the annoyance and inconvenience of occupants of adjoining properties and users of the public thoroughfares.

(e) As a general rule the trading methods of the Asiatic are looked upon with suspicion, particularly in so far as the general belief is that he fails to comply with laws and ordinances governing his tra-

As an example, it is a general belief that the assistants of an Asiatic are underpaid and this creates an unfair trading advantage in competition with traders carrying out the terms of the Law. The Town Council submits the following extract from the evidence of an Indian, certain Suliman Ismail Moolla, at the hearing of his application for a certificate on the 19th day of December, 1930:

"Cr. Harrison stated he did not like the arrangement with the applicant's assistants.

"What is there to prevent you saying, 'I pay so much' and then take it all back?"

The applicant spoke on country trade and stated whatever the Law was for this town, he would carry it out.

"What is the wage you have to pay your assistant?"

..... "I don't know."

"You mean to tell me you are opening a business having a three years' lease at a rental of £22 10 a month. You know nothing of town trade and you don't even know what you have to pay your assistants?"

..... "I know business in Springs is very good."

The applicant stated his assistants could make their own arrangements as to board and lodging.

Cr. Harrison: "Will you undertake to let them make their own arrangements?"..... "Yes."

"You don't know what is the lowest wage you have to pay?"

..... "I don't know exactly."

The applicant, in regard to business in Springs said it had been stated that during the Springs Gala Week Springs would double itself in a very short time.

"You do not know how much you have to pay?"..... "No."

"Do you know yet what you are going to charge for board and lodging?"

The applicant stated he would first need to find out what expenses in Springs would be.

"What did he pay in Devoti?"..... "We gave it free. Gave them about £6 or £8 a month and free food."

This ignorance of the Law seems unbelievable and read with reports of meetings of Indians in connection with Act 35 of 1932 at which "passive resistance" was suggested and threatened and approved, suggests a leaning towards lawlessness and renders the Asiatic as a general rule an undesirable trader in the eyes of the law-abiding traders.

(f) It is generally recognised that the Asiatic by reason of restrictive legislation has developed a sense of resistance to the evasion of the Law. This restrictive legislation from time to time was without doubt occasioned through the wishes of the public.

(g) Springs is a growing town and with the opening of new mines it is progressing and developing rapidly. Certain believers in the future of the town have at considerable cost and expense erected modern premises in the recognised business centre of the town into which Asiatics have penetrated, to the very great prejudice of such investors.

The encroachment of Asiatics invariably results in the depreciation of adjoining properties; and has done so in the instance of Springs to the loss and discomfort of owners of adjoining properties, who view this penetration as a grave menace. European traders are disinclined to set up business next door to an Asiatic trader with the result that each encroachment creates an oasis in the continuity of the building up of the business centre of the town. The Town Council submits hereunder a table showing the comparative depreciation of properties owing to the Asiatic invasion of the town of Springs:—

Valuation Of Springs Stands

Nos.	1929 Roll	1932 Roll
29	£2750	£3250
31	1500	1250
33	1000	750
35	700	500
37	650	500
1686	3575	2750
1684	1725	1725
1682	1225	1225
1690	825	750
1316	2750	4750
1318	2250	4000

27	2750	4000
25	1750	4000
68	325	300

From the above table and the plan of the township attached hereto it will be clearly seen that Erven affected by the encroachment show a decrease in valuation, or remain constant, whereas Erven removed from the Asiatic trader show substantial increases in valuation.

The Town Council particularly refers to Erf 1686 purchased prior to the encroachment of the Asiatic for £3575, which has depreciated to £2750 as compared with stands 1318, 27 and 25 on the opposite corners, which have appreciated to £4000 and over, as shown above.

Owing to the nature of the lay out and development of the town, the trading centre is a restricted one, and so much capital has already been spent therein on first class premises, that it is out of the question that this should be removed.

Encroachment invariably results in the enforced removal of the business centre as is quite apparent from the example of the town of Vereeniging.

(h) The Council has provided adequate accommodation and trading facilities for Indians in the Asiatic Bazaar at Springs, but when it became generally known that the town of Springs was an "open camp" after the decision in the case of the Town Council of Springs vs. Moosa and Seedat A.D. 1929, hawkers and shop assistants in the Bazaar filed applications for certificates under the General Dealers Control Ordinance and became fully fledged traders in the town of Springs. This influx has resulted in frenzied trading, the wholesale cutting of prices, and in the great loss to established firms. The town was flooded with handbills advertising sales "under cost," all from these new firms anxious to obtain a footing in the town. This influx persisted notwithstanding the publication of the Bill now Act 25 of 1932 and it is felt that this type of trading, which must result in insolvency, must be viewed with very grave suspicions, and it is a continual source of worry and concern to adjoining traders.

(i) The areas penetrated by the Indian traders were not prior to such penetration occupied by coloured persons and such penetration is against the wishes of other occupants of and owners of land in these areas. Until it was realised that such encroachment could not legally be prevented, all applications received and had to face objections to the issue of certificates from such occupiers and owners of adjoining property or their representatives.

(j) The illegal occupants will suffer no prejudice other than of their own creation by being ejected from the premises. They entered into occupation after due warning by the Council with their eyes fully open to the probable consequences to themselves. On the other hand their non-ejection and exemption of their premises will result in grave prejudice to others.

(k) The introduction of the Asiatic trader and the possible forced retirement of white traders unable to compete with the Asiatics, tends to obstruct an avenue of employment for the white youth of the country.

(l) The Town Council suggests that the appearance and spread of the Asiatic standard of living into the centre of the town of Springs is distasteful and obnoxious to those who enjoy the white standard of living, as on each of the erven mentioned in this statement the trader has his wife and children and assistants resident with him.

(To be continued)

Kimberley Indian Political Association

Annual General Meeting

A largely attended meeting of the Indian Political Association was held at the Indian School Hall, Bultfontein Road, last week, for the purpose of electing new officers for the ensuing year.

Mr. P. M. Dawson presided and dealt lengthily with the activities of the Association.

The secretary, Mr. T. V. Rajagopal Pillay, submitted an instructive annual report which was adopted.

Mr. K. F. Michael moved a vote of thanks to the retiring officers, which was carried with applause.

The following members were elected to carry on the work for the year: Kunwar Sir Maharaj Singh, patron; Mr. P. M. Dawson, president; Messrs. G. N. Naidoo, P. Luckey, S. R. Naidoo, M. Ramasamy and S. V. Lawrence, vice-presidents; Mr. N. K. Pillay, honorary treasurer; Messrs. T. V. Rajagopal Pillay and R. V. Padayachy, honorary joint secretaries; Messrs. W. Joseph and K. Rambaly, auditors.

The meeting terminated with a vote of thanks to the chair.

Transvaal Indian Congress

Mass Meeting

A mass meeting of Indians under the auspices of the Transvaal Indian Congress was held on Sunday April 2 at the Patidar Hall, Johannesburg. Various speakers at the meeting denounced the action of the Indian Commercial Association in asking the Asiatic Land Tenure Act Commission to set aside segregated areas for Indian occupation.

It was pointed out that the confinement of Indian traders within limited areas would mean their eventual ruination and the end of their Commercial Association in the very near future. The Union Government under the Capetown Agreement forced the Indians to bring out their wives and children from India and make South Africa their home and it was the duty of the Government to provide these Indians with the means of earning their livelihood but, instead, the Government through the Asiatic Land Tenure Act, is seeking to deprive the Indians of their right to earn an honest living and thus to starve them out.

The following resolutions were unanimously adopted:—

(1) (a) That this mass meeting of Indians assembled under the auspices of the Transvaal Indian Congress, which represents the Indian population of the Province, totally disapproves the action of the so-called Transvaal Indian Commercial Association, which body does not even represent the majority of the commercial community of the Province, nor did it consult, or get a mandate to submit a memorandum to the Transvaal Asiatic Land Tenure Act Commission.

(b) That this mass meeting of Indians representing all shades of opinion, further strongly condemns the request contained in the memorandum of the said Association, to set aside certain areas for Indian occupation, which in other words mean indirect compulsory segregation of the Indian community, to which our Congress has always been opposed on principle.

(2) That this meeting strongly protests against the action of local authorities in refusing, under the Transvaal Provincial Council Ordinances, the issue of certificates for trading licences to Indian applicants without assigning any reason for such refusal, and

draws the attention of the Honourable the Minister of the Interior and His Honour the Administrator to the hardship and ruin such harsh and one-sided operation of this clause in the ordinance causes Indians and requests the repeal of this clause which is a violation of the Capetown Agreement.

(3) That this mass meeting of Indians assembled here this afternoon hereby resolves that the Congress be authorised to convene a Provincial Conference at the earliest date, when other disabilities to which the Indian community is subjected can be discussed and action taken thereon.

Mr. Heaton Nicholls On The Indian Problem

Mr. G. Heaton Nicholls, is an M.P. for Zululand and a member of the South African Party. Addressing a meeting of his constituents he referred to the Indian problem which he considered was of such grave consequence so far as Natal was concerned simply because the other three Provinces refuse to accept their share of the burden.

"It is a glaring commentary upon the unitary system which is stressed in the Coalition Agreement that in connection with our Indian problem the Coalition Agreement does not apply," Mr. Nicholls remarked. "If we cannot offer an opportunity for our Indian population to migrate to the other Provinces we ought surely to be able to offer them facilities to migrate elsewhere, if they can be induced to go.

"The possibility of such migration was considered by the Round Table Conference in January last year, at Capetown, but the agreement arrived at has been completely ignored by Dr. Malan. One of the followers of Dr. Malan, Dr. Van der Merwe, once referred to Natal as a Coolie and Kafir location—one is left wondering whether it was not the intention to make it so.

"An Indian Colony," he continued, "where Indian immigrants would have the same opportunities as Europeans, would serve to emphasise the coming of age of India, and the Indian community of South Africa would be acting as patriots to Mother India if they would consent to become the advance guard of this modern Indian colonisation.

Colonists

"The Indians of Natal are particularly fitted to accomplish this. They are trained colonists, such as do not exist in India. Now in order to explore the possibilities of such a scheme the Round Table Conference agreed to the appointment of a roving commission, which was to visit the various suggested colonies and consult British Colonial Governments.

"The appointment of this Commission did not commit either South Africa or India to anything beyond exploration of the possibilities of diminishing Indian population of South Africa. Only after the fullest information had been obtained would the Indian community be asked to consider the proposals.

"I have not the slightest doubt that if they once understood the full implications of such a scheme, there would have been a very large response.

"I am sorry to say that nothing whatsoever has been done. The Commission has not been appointed. Natal was to be left to stew in her own juice. The matter must now be left for the Coalition Government and I hope that one of its first actions will be to take up the threads where they were dropped 12 months ago."—*Natal Mercury*

The Relation Of Europeans To Indians In Natal

(By THE RT. REV. BISHOP FERGUSON DAVIE)

The following paper was read by the Rt. Rev. Bishop Ferguson Davie on the above subject at a meeting of the Indo-European Council held on March 28 at the Tamil Institute, Durban:—

For three years and a half I have been trying to learn what exactly is the relation which exists between the European and the Indian in Natal. By the word relation I do not mean only the outward relation in social, political and economic matters, but also the inward attitude of mind between them. In many ways the latter is the most important. No one can read the columns of *INDIAN OPINION* or the *Natal Mercury* without seeing (even if he did not otherwise learn it) that there is very considerable feeling between the two communities. Curiously such a reader would soon find that each side believes that he and his compatriots are very unfairly treated by the other side, and that he and his children will eventually be ruined by the other side.

Outwardly there is very little relation between the two races. They do a certain amount of business. Now and then the Orient Club kindly invite a few Europeans to attend a lunch or tea party. This hospitality is very occasionally returned.

There is in fact, very little social intercourse between the races—distinctly less than in India. There is no disguising the fact that there is good deal of antipathy between the two races. Let us try to consider this feeling and the reasons for its existence.

I will first describe the objections which many Europeans feel to the advance of the Indians, and then the injustice under which the Indians believe they are suffering. It is I believe an advantage for us to face these frankly.

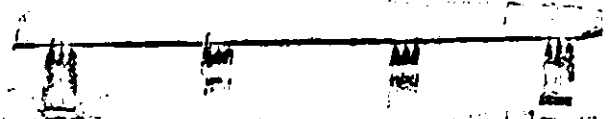
In 1897 Mahatma Gandhi nearly lost his life in a riot in Durban. A description of what happened is given in "Mahatma Gandhi, His Own Story" edited by Mr. C. F. Andrews. One reason of the assault on him was that he was believed to have spread reports in India about the Europeans in Natal which were unfavourable and unfair to them.

But that was not the only reason for that outbreak. Sir Francis Younghusband in his "Dawn In India" relates how he was in Durban at that time as the special correspondence of the *Times*. He mentions two arguments that were commonly used against the Indians at the time.

The first was that the Indians who were coming to Natal (there were about 800 arriving when Mr. Gandhi landed) would undersell the Europeans in the labour market and bring down the standard of living of the Europeans by forcing them to receive lower wages. In this connection it must be realised that European tradesmen here have a standard of living for which their fellows have longed and fought. They would feel keenly having to give it up.

The second argument was put something like this:

For thousands of years the coast of Natal has been opposite the coast of India. But no persons came from India to colonise it or to reduce it to order. The English came less than a hundred years ago. They civilised the country, opened up roads and railways and set up a government which made life and property safe. Surely they are entitled to some profits for this. But when law and order were established, Indians came into the country



and proceeded to make money out of it to the detriment of the Europeans. This, the objectors would say, is not fair. The Indian should not be allowed to take away a fair amount of profit from the European.

These arguments are not put quite so logically now, but they are, I believe, at the back of the mind of a large number of Europeans. And Indians must, I think, recognise that there is some justice in their contention.

It is a reasonable idea that the European who has produced law and order among the Natives should profit by the Native trade.

I had conversation this month with a Member of Parliament who has gone into the question deeply, and he told me that 80% of the Native Trade is in the hands of Indians.

Again look at towns like Richmond and Verulam. Twenty or thirty years ago the trade of those towns was mostly in hands of Europeans. Now I think there are only four European shops in Richmond and five in Verulam. In each town there is large number of Indian shops. One effect of this movement outside Durban is in the opposition to Indian shops in West Street. This is not caused by a desire to be unfair to Indian traders. It is caused by the fear that the Indian shopkeeper will push out the European and ruin him if he is allowed to get central sites.

In this connexion you will have noticed in this morning's paper a suggestion by Mr. Heaton Nicholls which seems curious, but which shows how strongly some feel on this subject.

The Cape Town Conference he says suggested that a committee should be formed to investigate the possibility of finding a country to which Indians in South Africa could go to form a colony. More than a year has passed since then, but Dr. Malan, in whose province this lies, has done nothing.

Now he suggests that the reason why Dr. Malan had done nothing was because he wanted to keep the Indians in Natal, apparently so as to ruin the British who predominate here. "Natal was to be left to stew in her own juices." I have also heard it said that the Indians were already ousting Europeans in factories, shops, wholesale trades and offices in and near Durban, and that there was very little chance for European lads now leaving school, to get any work at all because of the Indian competition.

I hold that these ideas are exaggerated, but we have to take account of them.

I think that these are the feelings and fears which provoke hostility against Indians in the main—the feeling that they can undercut the European by living very cheaply and that they will force the European to a much lower standard of living than he has at present, or will drive him out of trade, leaving very little either for him or for his children.

But in addition to this there are certain unpleasant features connected with some Indians in this country. The Indian members of our Indo-European Council are of course, men of standing, decent and high morality. But a large number of their fellow-countrymen have not yet risen to the same heights.

I took a young English friend of mine to have morning tea some ten days ago at the house of an educated Indian. It was quite a shock to him. He said, "these are quite unlike any Indians I have ever seen before. These Indians who live near my house are entirely unlike these." The only Indians he had till then seen were very untidy persons.

It is of course said that it is the poverty of the Indians which makes them untidy, but neatness and cleanliness, such as keeping the drains near the

house clean, are quite compatible with small wages.

The farm labourers in my father's parish when I was a boy, only received £2. 10. 0. a month after paying their rent. But their houses were neat and tidy and most had a neat garden too. Can we say the same of the poorer Indians in this country? I was once saying to an Inspector of a Health Board near Durban that it seemed a shame that an Indian with a small wood and iron shanty paid the same rates as an Englishman with a big brick house. His reply was, the main work of the Health Board for which rates were necessary, consists in making the Indians clear away the dirt round their houses. They are more costly than Europeans to the Health Board because of their unhygienic habits.

I feel that the Indian Social Service Committee has a great work to do amongst poorer Indians in training them in neatness and hygiene. This will not only benefit their own people directly but will also indirectly lead to better feeling between the races. Anything that can be done to uplift the Indian people hygienically and morally will have a beneficial effect on the relations between the two races.

Amongst the class of Indians who take service in the houses of Europeans, there is at times much to be learnt in honesty and cleanliness of speech. That is what I have frequently heard from European parents who have had Indian servants. Here again I beg of leading Indians to do all they can to raise the standard of the poorer members of their community.

The above are some of the criticisms which are made against the Indians by Europeans and I hope that Indians will consider them thoughtfully and do what can be done to remove any just cause that may exist of the European being annoyed with the Indian.

But the feeling is not on one side only. Indians have a feeling that they are not being treated justly politically, that socially—even when well educated—they are ostracised and have to suffer rudeness from some Europeans which is intolerable. They feel that deliberate injustice is at times shewn to them as a race and that restrictions are put in the way of their advancement which is contrary to the British boast of fair play.

(To Be Continued.)

Union's New Cabinet

The new Coalition Cabinet, as officially constituted, is as follows:—

PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS: General Hertzog.

MINISTER OF JUSTICE: General Smuts.

MINISTER OF FINANCE: Mr. N. C. Havenga.

MINISTER OF MINES: Mr. Patrick Duncan.

MINISTER OF NATIVE AFFAIRS: Mr. Piët Grobler.

MINISTER OF RAILWAYS AND HARBOURS AND OF DEFENCE: Mr. Oswald Pirow.

MINISTER OF AGRICULTURE: General Kemp.

MINISTER OF LABOUR: Mr. A. P. J. Fourie.

MINISTER OF LANDS: Colonel Denys Reitz.

MINISTER OF THE INTERIOR, OF PUBLIC HEALTH

AND OF EDUCATION: Mr. J. H. Hofmeyr.

MINISTER OF POSTS AND TELEGRAPHS AND OF PUBLIC WORKS: Senator C. F. Clarkson.

Mr. Richard Stuttaford has been appointed a member of the Executive Council, with the designation of Minister without Portfolio.

The administration of the Irrigation Act has been assigned to the Minister of Lands, and matters re-

lating to industry as well as the direction of the Board of Trade are entrusted to the Minister of Labour.

Immigration Appeal Case

Ismail Ranjoomia versus Commissioner
For Immigration And Asiatic Affairs

Supreme Court Judgment

(Continued from last week)

Certain questions of law have been reserved under section 3 (2) of Act 22 of 1913, and as the narrative has now come to an end these questions must be answered. Counsel for the appellant abandoned questions 7 and 8, so that these fall away. He then argued questions (1) and (9) together, and these questions are undoubtedly of chief moment because they affect not only the appellant but many other Asiatics as well. I recite these questions textually.

Question 1. Whether in view of all the facts disclosed the Board was entitled to declare the appellant a prohibited immigrant.

Question 9. Whether the provisions of Act 15 of 1931 are retrospective so as to affect appellant's rights under his Transvaal Asiatic Registration Certificate.

The scope of Act 15 of 1931 is patently one of the points with which the questions are concerned. The other point of law wrapped up in them is whether, even if Act 15 of 1931 be retrospective beyond the 1st August 1913, the appellant is not still protected by Act 22 of 1913 section 5 (f) as amended on the ground that he is domiciled in the Transvaal and therefore is not a prohibited immigrant.

Let us consider in the first place the question whether Act 15 of 1931 is retrospective beyond the 1st August 1913. Before it was passed persons like the appellant, who held registration certificates obtained by the fraud or a third party prior to the said date, enjoyed a double protection. Not only did section 11 of Act 36 of 1908 make their certificates conclusive evidence of their right to enter and reside in the Transvaal, but section 4 (2) (b) of Act 22 of 1913 prevented the Minister from deeming them to be persons unsuited to the Transvaal. Holders of certificates which had been obtained honestly and without fraud, on the other hand, enjoyed this double protection whether their certificates were granted before or after the 1st August 1913. Act 15 of 1931 in the first place expunged this double protection from the Statute Book by repealing both of these sections. If it had gone no further, then at the very least the holders of registration certificates granted after Act 15 of 1931 could not have used their certificates as evidence of anything except that their names were entered upon the register of Asiatics, not as excluding them from a "deeming order" made by the Minister. But it is possible that certificates obtained by fraud even before the 1st of August 1913 might have been retrospectively affected, since the double protection which the Bhula judgment deemed conclusive against the retrospectivity of Act 37 of 1927 beyond the 1st August 1913 had been repealed. On the other hand certificates honestly obtained might have been held to be affected only if granted after Act 15 of 1931 on the principle, enshrined in section 13 2) (c) of Act 5 of 1910, that where a law repeals any other law, then unless the contrary intention appears, the repeal shall not affect any right acquired under the repealed law. But Act 15 of 1931 did not stop at the repeal of the double protection. It both repealed the 1908 provision which made certificates conclusive evidence of the holder's right to enter and reside in the Transvaal, and enacted the exact contrary—"the holder of a certificate of registration . . . shall not by virtue of such certificate . . . be entitled to enter or reside in" the Transvaal. Parliament therefore not only said that the provision which for twenty-three years had made these certificates conclusive evidence of the right to reside should be repealed, but added that these certificates should not confer any right to reside. Not only so but according to the English version of the Act the new provision applies to certificates "issued at any time under any law" . . . It would appear that Parliament intended to sweep away all legal difficulties connected with certificates of registration by abolishing the privileges attaching to them by statute and by providing that they should have no significance whatever so far as the right to enter and reside in the Transvaal is concerned. As this new provision is made part of Act 22 of 1913 from which, at the same time, the subsection (4) (2) (b) which safeguarded registration certificates is expunged, it seems to me that the reasoning of the majority of the Court in Purshottam's case indicates the construction that Act 22 of 1913 is now to be read as if it never contained any protection for registration certificates and always provided that no right to enter or reside was ever evidenced by them. Especially is this so as section 11 of Act 36 of 1908 is

also repealed. Can one, therefore, avoid giving to the words "issued at any time under any law" their literal meaning and holding that they apply to all registration certificates, whatever their date and the circumstances in which they were obtained? If this is the true interpretation, the result is indeed a drastic interference with existing rights, but of course the only point is to ascertain the intention of the legislature. Mr. Millin argued that the words "issued at any time" are just as capable of meaning "in the future," as of meaning "whether past or future," and that if Parliament intended to include both past and future legislation it could have chosen unambiguous words like "issued prior to this Act or hereafter." The actual words used are, however, very strong and they stand along with the repeal of section 11 of Act 36 of 1908 and section 4 (2) (b) of Act 22 of 1913. Indeed they replace and reverse this latter subsection. Alternatively Mr. Millin relies upon the Dutch version of the new provision which reads "De houder van een registratie certificaat . . . of van een ander te eniger tyd krachtens een of andere wet uitgereikt document" and contends that this version must, since it was signed by the Governor-General, be preferred to the English. And he proceeds to argue that the words "issued at any time under any law" only qualify "any other document" and do not refer to "a certificate of registration or a certificate of domicile." Although the order of the Dutch words is more favourable than that of the English to Mr. Millin, I doubt if it is possible to confine the qualifying words to "any other document." Some reference to the origin of the certificate of registration and of domicile is almost demanded, and this is naturally supplied by the words qualify only "document" and the subsection is construed in accordance with Mr. Millin's contention, then the subsection deals with certificates of registration issued only after the Act came into force, with certificate of domicile issued only before the Act came into force (because these certificates ceased to be issued after 1st August 1913), and with "any other documents" issued both before and after the Act came into force. The Bhula judgment at p. 338 shows that this disparity may be intended. But the words "issued at any time under any law permitting his entrance into or residence in the Union or any Province thereof" are almost necessary to make clear to what certificates and documents the Act is referring, and are naturally and easily applied to all the documents mentioned, and with great awkwardness confined to "any other document." These three classes of documents were all mentioned in section 5 of Act 37 of 1927 and again with words of description—"authorising him to enter, reside or remain in the Union or any Province"—which apply to them all. But even if "issued at any time under any law" refers only to "any other document" it seems to me that the new subsection refers to all certificates irrespective of their date. If this be so then Act 15 of 1931 prevents the appellant or any other Asiatic from using a certificate of registration as the answer to a charge of being a prohibited immigrant, and only domiciled Asiatics are protected. Before Act 15 of 1931 came into force certificates of registration were a powerful protection to Asiatics until set aside, as they might be, on the ground of fraud. But fraud by a person other than the holder could not be used as a ground for attacking certificates granted during the six years 1907 to 1913. In Act 15 of 1931 Parliament appears to me to have intended to rid the law of all inequalities by making all certificates valueless in relation to prohibited immigration.

The next question to be considered is, is the appellant domiciled in the Transvaal? Domicile became of importance to Asiatics in the Transvaal when Act 32 of 1913 excluded domiciled Asiatics from the class of prohibited immigrants, and also their wives, and their children under 16 (section 5 (f) and (g)). Section 30 gave to domicile its common law meaning but required three years' continuous residence. The definition substituted by Act 37 of 1927 section 11 added that domicile should be lost by three years' unbroken absence from the Union whether or not the person concerned was in possession of a registration certificate. But section 16 of Act 22 of 1913 provided that domicile should not be acquired by reason only that the prohibited immigrant had been allowed to enter or remain through misrepresentation, and since Act 37 of 1927 that section also provides for the cancellation of a registration certificate obtained by fraud perpetrated by or on behalf of the holder. But thanks to section 11 of Act 36 of 1908 and section 4 (2) (b) of Act 22 of 1913 registration certificates granted before the 1st August 1913 still protected the Asiatic, who might be unable to prove domicile by reason that he had been allowed to enter or remain through misrepresentation. Now, however, by Act 15 of 1931 (as I have just decided) a registration certificate is valueless to protect an undomiciled Asiatic, so that section 10 (2) of Act 22 of 1913 becomes comparatively unimportant, and the crucial section 14 10 (1) which makes a residence begun by means of misrepresentation ineffective for the acquisition of domicile. If Act 22 of 1913 must now be read as though certificates of registration never conferred any right to enter or reside, then on the admitted fact that the appellant gained entrance to the Transvaal by means of misrepresentation, it seems to me that continuous though his residence here has been for over twenty years, section 10 (1) forbids that residence, thus vitiated in its origin, from being reckoned for the purpose of determining whether the definition of domicile has been satisfied. It is true;

as Mr. Millin urged, that a registration certificate was neither necessary nor unnecessary to domicile, which depends solely upon intention and continuity of residence. But until Act 15 of 1931 was passed, registration certificates did complicate the situation to this extent that they were, until set aside, conclusive evidence of the right of the holder to reside in the Transvaal. Therefore even if the holder's entry had been unlawful, the certificate made his residence thereafter lawful, and he might urge that three years' continuous residence of this kind established his domicile here. Perhaps, however, section 10 (1) might have defeated such a claim even though the original misrepresentation by which entry was obtained was not that of the holder of the certificate. Anyhow registration certificates were or might be a complicating factor if the question of domicile were raised. But now by Act 15 of 1931 they are in effect swept away, and with them goes, in my opinion, the right of residence which they evidenced or conferred. If Act 15 of 1931 is retrospective so far as the effect of the certificate is concerned, it is retrospective also as regards the residence which was built upon them. The result will be a pronounced simplification. No Asiatic has the right to enter or reside here unless he is domiciled here; and he cannot acquire a domicile here if his original entry was obtained by dishonest means. The appellant's entry was procured by dishonest means, and therefore in my opinion his long residence fails to establish domicile although his intention may always have been to make the Transvaal his home. Mr. Millin urged that his domicile here was actually admitted and recognised by the Immigration Authorities when they admitted his minor son in 1926 and his wife in 1929 to enter the Transvaal under section 5 (g) of Act 22 of 1913. But domicile in this case depends upon statute law, and the oversights or mistakes occurred before the simplifying Act of 1931 was passed. In my opinion, therefore, questions 1 and 6 must both be answered in the affirmative.

The next group of questions are those numbered 2, 3, 4, 4 (a) and 4 (b) which counsel embraced in a single argument. The wording of these questions is as follows:—

2. Whether it is competent for an Immigration Officer to prohibit or restrict a person from entering or remaining in the Union so long as an appeal is pending against a previous prohibition order in identical terms against the same person.
 3. Whether it is competent for the Board to hear an appeal against a prohibition order when there is pending before the Board an appeal against a previous prohibition order in identical terms against the same appellant.
 4. Whether it is in law competent for the Commissioner to withdraw an order of prohibition after an appeal has been noted against such order and before such appeal has been determined.
- Whether if such order can be so withdrawn such withdrawal can defeat appellant's rights to have his appeal heard and determined.

- 4 (a) Whether it is material to the question raised in par. 4 hereof that the appellant consented to the withdrawal.
- 4 (b) If so, whether there was evidence on which the Board could find that such consent was given.

The short point made by Mr. Millin was that as soon as Bhula's case was decided the appellant had a statutory right to have a decision of the Board to the effect that he was not a prohibited immigrant in terms of section 4 (1) (a) and (b), that he still has this right, and once the decision is pronounced he can never again be attached under those two sub-sections, so that the appeal, with which this special case is concerned, was invalidly heard. The prohibition notice of the 23rd June 1930 was framed under section 19 of Act 22 of 1913. I see nothing in that section which forbids an immigration officer who has served such a notice from withdrawing it for a good reason. In the present case the notice was withdrawn at the request of the appellant's Attorney on the 26th day of May 1931, and the appeal was plainly abandoned (though never in formal words withdrawn) as appears from the fact that it was never mentioned again until the appellant's counsel, at the hearing of the second appeal on the 13th November 1931, which was based on the notice dated the 16th October 1931, pretended that he had come before the Board to argue the appeal based upon the notice which had been withdrawn in the previous May.

The appellant had the right under Section 2 of Act 22 of 1913 to get a formal judgment in his favour after the Bhula decision, had he desired. But he elected to take the benefit of that decision by getting the first notice withdrawn, and thereby avoiding all further expense connected with the appeal which he appears to me to have treated as abandoned. Nobody can object to an immigrant who acts thus. He is not forbidden by the Statute so to act; and if he does so act and the Department complies, there is an end of the proceedings which had been commenced under sections 19 and 2. If this be a misrepresentation of the facts, why were no steps taken by the appellant to get a decision from the Board on the first notice from the 5th May 1931 (when the Appellate Division gave judgment in Bhula's case) until the Board met to hear the appeal from the second notice? Not even when the second notice was served was there any protest against its validity or any request for a hearing of the first appeal, although an appeal against it was duly noted. Then ingenuity sought to come to the rescue and the Board was told at the hearing of the second appeal that the appellant had appeared to

argue the first appeal. But suppose Mr. Millin is right in arguing that when once a prohibition notice is served and appealed from, the Board is bound to proceed to judgment, is he correct in saying that a judgment in favour of the appellant in the first appeal would have saved him from any further proceedings under section 4 (1) (a) and (b)? No authority was cited that a decision by the Board stands as conclusive regardless of subsequent legislation. Save for the reservation of points of law the decision of a majority of the Board is final and conclusive (section 2 (11)). But if new legislation alters the position of an immigrant, I see nothing in section 19 which forbids an immigration officer from serving a prohibition notice upon a person whom the Board has, under prior laws, declared not to be a prohibited immigrant. If that is right, then the routine of an appeal may, if the immigrant desires, be gone through again and a fresh decision by the Board must be given. If Mr. Millin is right, the appellant, whose registration certificate was obtained by fraud, cannot be declared a prohibited immigrant because his appeal against the notice was lodged before Act 15 of 1931 came into force, whereas an Asiatic in precisely the same position as regards fraud, who is served with a notice from which he appealed after Act of 15 of 1931 came into force, can be declared a prohibited immigrant. Answering questions 2 to 4 (b) then, not theoretically in accordance with their wording, but with reference to the facts of the case (the Board having found that the first notice was withdrawn), I am of opinion:—

Question 2: No appeal was pending when the second notice was served.

Question 3: No appeal by the appellant from the first notice was pending when the present appeal was heard.

Question 4 (a) and (b): An appellant can insist on the appeal being heard if he has noted the appeal before the prohibition notice has been withdrawn, and a withdrawal at that stage without his consent cannot defeat his right to have the appeal heard. But the proceedings can be terminated by consent of parties without any decision being given by the Board, and there was evidence on which the Board could find that the consent of the appellant was so given.

With regard to question 5, Mr. Naser admits that it is so worded that the answer is bound to be "No." But the wording does not do justice to the admitted facts. It appears from annexure "X" (and see paragraph 25 of the special case) that after the Immigration Officer had put in certain documents when the appeal was before the Board he asked that the appeal be dismissed. Thereupon the appellant's counsel applied for the reservation of the law point that at the enquiry held by the Immigration Officer on the 23rd October 1931 the appellant was neither present nor represented. This was true but it was accounted for by the appellant's attitude when he was invited to attend the enquiry in regard to the first prohibition notice. However, the Immigration Officer tendered to hold an enquiry to meet the appellant. This offer was accepted by the appellant's counsel and the enquiry was held. Mr. Millin admitted that the appellant acquiesced in the procedure adopted, but he contended that the appellant could not in law waive his right to make a case before the Immigration Officer before that official declared him to be a prohibited immigrant. It is true that the Act is drawn logically and contemplates that the declaration should follow the enquiry and not precede it. But in precisely similar proceedings the appellant had already refused to attend the enquiry and there was no fresh evidence to offer. He did not attend the second enquiry either, so that it is not possible to suggest that he was being treated contrary to natural justice. If the appellant's counsel had insisted upon the declaration being withdrawn until the enquiry had been held, he would probably have been within his rights. But he was content to have the omission rectified in a simpler way and there was a substantial compliance with the section. As all the provisions for an enquiry are inserted for the benefit of the immigrant, I think that if the enquiry is held at that moment in the proceedings which meets with his approval and acceptance, there has been no irregularity. Mr. Millin relied upon Regulation 95 in addition to section 19, but I think that Regulation only refers to cases where the immigrant is arrested and detained in custody pending the enquiry. It will be apparent that, while answering question 5 in the negative, I am of opinion that the true facts do not entitle the appellant to attack the proceedings in law.

Question 6 deals with the law which the Board must apply to an appeal pending before Act 15 of 1931 was passed. Mr. Millin argued this point as though the proceedings were analogous to a civil action in the Supreme Court, and said that the Board should have heard the appeal against the first prohibition notice, and as that appeal was noted before Act 15 of 1931 became law, the law as it stood before this Act, was the law to be applied. But I do not think that the analogy of a civil action being tried in accordance with the law in force at the date of summons, can be applied to proceedings before the Board. If I am right in thinking that Act 15 of 1931 applies to all registration certificates, it seems to me that the Board could not ignore that Act because it became operative after the notice of an appeal. My answer to question 6 is that the provisions of Act 15 of 1931 apply to the first appeal, assuming that appeal to be still pending.

Questions 7 and 8 were withdrawn and need not be dealt with.

As to Question 10, the appellant is still the holder of a registration certificate. As such he was entitled to reside in the Transvaal and although he was an Asiatic, the Minister could not include him within the class of Asiatics deemed to be unsuited to the Union. That was a special protection which the appellant owed to section 4 (2) (b) of Act of 1913. The deeming orders (Exhibits V and W) except from their operation (1) Asiatics who hold registration certificates (2) Asiatics domiciled in the Transvaal. It would appear from the prohibition notice, the appeal from which has been dismissed by the Board, that the appellant has been declared a prohibited immigrant on the ground that he is no longer excluded from the deeming orders, since Act 15 of 1931 provides that his certificate confers upon him no right of residence in the Transvaal, and he is entitled under no other statute to reside there; nor is he domiciled there. Being an Asiatic person he therefore becomes one of the class deemed by the Minister to be unsuited.

The respondent is entitled to his costs against the appellant. Mr. Justice Charles Barry concurred.

News In Brief

Owners of sheep and goats in certain farms and locations in the Port Shepstone, Umzimto and Harding districts will be compelled to dip all their animals twice between April 15 and July 20, according to a Government notice gazetted Friday last.

The Municipality of Durban, in conjunction with the Union Government, has agreed to engage another 150 Indian men on relief works in the incorporated areas.

New postal changes have taken place from this month, namely, revised rates for cablegrams, new postal orders and new Union Loan Certificates at reduced interest rates.

In regard to cablegrams the weekend letter telegrams service will be abolished and the daily letter telegram rate will be for a minimum of 25 words, instead of 20, to all countries, and the rate to Great Britain will be 5d. a word, instead of 4d. On this scale the minimum charge for a message is 10s. 5d. The rates to other European countries are slightly higher. The urgent rates has been reduced to double, instead of treble.

New Union postal orders have taken the place of the British postal orders. The outstanding feature is that the King's head has been removed and Union Coat of Arms placed.

The new Union Loan Certificates will be issued at the old rate, namely, 16s. each, but they will accrue to 24s. in ten years instead of 26s. as in the case of the previous issue.

From this month the authentication by initials of material alterations in bills of exchange, promissory notes and cheques will not be accepted by the banks of South Africa. Such alterations in future must be authenticated by full signature.

In the House of Commons, according to a Reuter's message from London, the Government motion to establish a joint select committee on the White Paper proposals for the creation of a federal constitution for India was carried by 449 votes to 43. A Labour amendment affirming India's right to Dominion status, and urging the release of Gandhi and other political prisoners, was defeated by 475 votes to 42.

Mr. D. U. Mistry, Bar-at-Law, writes to us:—
Sir,—Ever since my return to the Union of South Africa after qualifying myself as a Barrister, I have

generously received goodwill and kind courtesies from our people irrespective of class, creed or sect, from old and young alike. On the occasion of my short visit to the Motherland I take this opportunity to thank them all with genuine sincerity. The interest my countrymen are showing in the cause of education lends strength to my faith in the future of Indian people no matter where they are. No words are adequate enough to express my sense of obligation to the INDIAN OPINION for giving me every possible encouragement.—Yours etc., D. U. MISTRY.

The Maritzburg Town Council is starting a scheme for the relief of Indian unemployed who number a little over 200. The Maritzburg Indian Unemployment Relief Committee formed under the auspices of the Natal Indian Congress are inviting applications for work from unemployed Indians to be submitted to the Town Council. The Council made two grants of £100 each for parts of 1931-32 and 1932-33, payable at the rate of £20 a month for the relief of workless Indians. The money, which has been handled by the Unemployment Relief Committee, has been used to buy groceries for distribution among the families of those without work. Quantities of dry rations of rice, dhol, sugar, and mealie meal have been given once a month.

The annual general meeting of the Transvaal Indian Football Association will be held at the Trades Hall, (No. 5) on Monday 10th April, at 7.30 p.m. Business:—(1) Minutes, (2) Council's annual report, (3) Financial statement, (4) Election of officers.

Here And There

(By G. S.)

At the usual monthly meeting of the Indo-European Council held at the Tamil Institute, Durban, on Tuesday evening, the 28th inst., the Rt. Rev. Bishop Ferguson-Davie delivered a most thought-provoking address on Indo-European relationships in this country. The lecture was cursory, and not by any means comprehensive nor exhaustive, the Bishop merely touching upon the more salient features of this important race problem.

Mr. Maurice Webb, officiating as chairman, on behalf of the Council wished Bishop Ferguson-Davie farewell on his acceptance of a post at the South African Native College at Fort Hare.

Bishop Ferguson-Davie, by a decision of the Church Council, has been coerced to abandon his duties as Superintendent of the Indian Mission in South Africa. He will in July take up the duties as Warden of the Anglican Hostel at Fort Hare—a worthy successor to Bishop Smythe, who only recently retired.

The adjourned special meeting of the Carlisle Old Boys was held at the Carlisle Street School on Wednesday the 22nd inst. The club is now definitely established and it is earnestly hoped that old boys desiring membership will communicate with the Secretary Mr. J. Somasundram. The initial entrance fee is 2/6, the annual subscription 5/-. The first monthly meeting of the club will take place on Wednesday, 5th prox.

At a special meeting of the Surat Hindu Association on the 28th instant, convened for the purpose, Mr. D. Mistry, B.A., Bar-at-Law, was accorded a farewell reception on the eve of his departure for

the Motherland. It is learnt that, on his return, Advocate Mistry will open up practice in the Transvaal.

It is learnt authoritatively that the two sons of the Kunwar Maharaj Singh have been granted admission to a European College in the Cape. The students of the school in question unanimously acquiesced to the proposal—a happy and encouraging augury of future South Africa.

Mr. Buss, Principal of Sastri College, is due to sail for England on April 5. He has been given long leave which will extend over a period of six months. The gap occasioned by Mr. Buss's departure will be filled; it is hoped temporarily, by Mr. H. Lawrence, former principal of the Ladysmith High School. Mr. Lawrence, it will be remembered, was the central figure in the recent controversy in connection with the Ladysmith High School failures, and the target against whom the press levelled such pungent criticism as to lead eventually to a departmental enquiry. 'Is Mr. Lawrence's transference to Sastri College a direct result of this enquiry?' This is a question the Indian parent might justifiably ask himself.

Isipingo Indian Society

The 15th annual general meeting of the above Society was held last week at the Isipingo Indian School. Mr. Seeboo Ram presided. The attendance was poor owing to rainy weather.

Mr. B. Gopaling, the secretary, on behalf of the Committee, presented his report which showed the useful work done by the Society.

The undermentioned officials were elected for the ensuing year:—Patrons: Messrs. M. A. Jadwat, R. D. Chowhee, and G. R. Ghooorobod; President: Mr. Seeboo Ram, Vice-Presidents: K. Nowbuth and M. K. Peter, Hon. Secretary and Treasurer: R. Gopaulsingh, Assist. Secretary: T. Subramany, Committee: M. George, T. Ramalingh, Abdool Raiman, D. Cassim, Natalie, M. Hansram, J. Yarden, L. Resasion and B. Mahabeer, Hon. Auditor: M. N. Gangaa.

Fountain Of Wisdom

"I price my honour above my reputation and if that remains safe, then my reputation will take care of itself."—MAHATMA GANDHI.

Natal Indian Congress

The adjourned annual general meeting of the Natal Indian Congress will be held at the Parsee Rustomjee Hall, Queen Street, Durban, on Sunday the 29th April, 1933 at 3-30 p.m.

AGENDA:—1. Election of officials, 2. Supplementary financial statement, 3. General.

A. I. KAJEE

P. R. PATHER

Joint hon. Secretaries.

(અનુસંધાન)

મહાસભા કારનારાઓની ધરપકડ—કમલનામી કુરુકારના કુકમ (વરુદ જમ) અને અઠવાડિયે મહાસભા કરવા જવા મારસો મહાસભાવાદીઓની ધરપકડ થઇ છે. જેઓમાં મહાસભાના પ્રમુખ, પંડિત માલવીપાણી, તેમના પુત્ર અને પૌત્ર અને મહાસભા ગાંધીજીના પુત્ર શ્રી. દેવદાસ ગાંધી પણ આવેલા છે.

રૂઝીયામાં ખીડીઓની ધરપકડ—રૂઝીયામાં થોડા વખતથી ખીડીઓની પકડાપકડી તાલી હોવાથી ઈસ્લામમાં ખુબ ખળભળાટ થઇ રહ્યો છે. મેટ્રોપોલીટન વીકરી કંપનીના ખીડીશ કામદારોને પકડવામાં આવ્યા છે અને ખીડીશના કહેવા મુજબ તેઓના ઉપર જુલમ વર્તી રહ્યો છે. તેઓની સામેનો કેસ એપ્રિલ તા. ૬ કે ૧૬ મીએ ચાલશે એવી અર્થ સત્તાવાર ખબર છે. મોરબા ખાતેના ખીડીશ એલચી સર એસમન્ડ ઓવીને આ ખાખતની ચર્ચા કરવાને ઈજ્જા બોલાવી લેવામાં આવ્યા છે.

અમેરીકાએ બેકારો માટે ઠરાવેલી થોડી રકમ—અમેરીકાની સેમેટ બેકારોની રાહતને માટે રેટેને આન્ડ બાપવાને સાઠ કરોડ ડોલરની રકમ સ્થાપવાની સત્તા આપનાર બિલ પાસ થઈ છે.

અમેરીકામાં "પુસીટ્ટ" ની મહેનત વરવાડ—થોડા વખતપર અમેરીકાની સરકારે જ્યાં પીલામાં ત્રણ ટકા દારૂ નાખવાની છુટ આપનારો કાયદો પસાર કર્યો. હવે બીમારીના કારણસર દારૂના પરવાના આપવાની દાકતરોની સત્તાપર મુકામેલો બાકુલ પાકો એન્ડી લેનારો કાયદો પસાર કર્યો છે. એટલે હવે દારૂ પીનારાઓ દાકતરની પરવાનગીથી દારૂ પી શકશે.

અમેરીકા અને હુથીયારખંધી—લડાઇ કરનારો પુરરાજ્યોને હુથીયાર અને દારૂઓ પુરો પાડવા ઉપર પ્રતિજ્ઞ મુકવાની પ્રેસીડન્ટ રૂઝવેલ્ટને સત્તા આપવાની કચ્છાસત્તને પ્રતિનિધિ સભાની પરદેશખાતાની કમીટીએ જાહેર કરી છે.

લોડ એન્સફર્ડનું અવસાન—હિંદના ૧૯૧૬ થી ૧૯૨૧ કુધીના વાઇસરોય લોડ એન્સફર્ડ મયા રવીવારે ગુજરી ગયાના બંડાથી રૂટર ખબર આપ્યા છે.

વિમાનનો વિચિત્ર અકસ્માત—એકલેન્ડ (કેલીફોર્નિયા) માં રાતે વરસાદમાં વિમાન ઉડતું હતું તેટલામાં પાઇલટને ઈચ્છાઇતું ખાન નહિ રહેવાથી તે જમીન સાથે ભેટલા બેરથી અમલકાય કે વિમાન ફાટવાથી પાઇલટ અને બે ઉતાડે તરફથી જ મરી ગયા અને આલુખાલુના ધરોતે આજ લાખવાથી સાત ભજાનું એક આખું કુટુંબ જમવા બેઠેલું હતું તે મરણ પામ્યું.

Indian Child Welfare Society Centre

150, BROOK STREET, DURBAN

Open daily, Monday to Saturday, 8-30 a.m. to 11 a.m. Infants, young children, nursing and expectant mothers.

Lady doctors give free attendance.

Tuesday morning 8-30 o'clock. Friday afternoon 3 o'clock.