

# Indian Opinion

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## NOTES AND NEWS

MRS. M. G. POLAK, the wife of Mr. H. S. L. Polak, needs no introduction to the readers of INDIAN OPINION. Mrs. Polak has written a very interesting book on "Mr. Gandhi: The Man" in which she gives a very vivid picture of Mahatma Gandhi's private life. The book is unique in that it stands apart from all other publications in connection with Mahatma Gandhi. Mrs. Polak has had the privilege of sharing Mahatma Gandhi's family life for many years in South Africa and her picture of his private life is therefore more living than anyone else could have depicted. It is the desire of Mrs. Polak that a quarter of the money that she receives from the sale of her book should go to some good work in South Africa in which Mahatma Gandhi would be interested. Mrs. Polak has accordingly sent us a cheque for £5 being a quarter of the first payment that she has received with a request that the amount should go to the Indian Child Welfare Society. Indians in South Africa will no doubt very much appreciate this generous act on the part of Mrs. Polak which has been prompted by the loving affection she still has for them even after a lapse of so many years. The Indian Child Welfare Society will have reason to be proud of being the chosen one to win the gift.

AN At Home was given in honour of Mr. R. J. Duff, general manager of the New India Assurance Co. and Mrs. Duff, who are on their way back to India from England and arrived by train last Sunday from Capetown, by Mr. Sorabjee Rustomjee, the chief representative of the Company in South Africa, at the Castle, Mayville. Among those present were Kunwar Sir Maharaj Singh and the Kunwarani Lady Maharaj Singh who also arrived the same day from Capetown by boat, the Mayor and Mayoress, Mr. and Mrs. Oliver Lea, Mr. and Mrs. Fleming Johnston, the Rev. and Mrs. Lamont, Mr. and Mrs. Wanless, Mr. Grant, Mr. Rainie, Mr. and Mrs. Otto Siedle, Mr. and Mrs. William Doull and many other Europeans and a large number of prominent Indians. Speeches were made by Mr. Sorabjee Rustomjee, the Mayor, Advocate J. W. Godfrey, the Agent and Mr. Duff. The guests of honour and other distinguished visitors were garlanded and presented with bouquets.

Mr. Duff's visit is of interest to the Indian community in so far as the Company whose general manager he is is very largely an Indian Company and the only Indian Insurance Company in South Africa. The Board of Directors is composed of distinguished personages including Mr. F. E. Dinshaw, Sir Lalubhai Samaldas, Kt., C.I.E., the Hon. Sir Pheroze C. Sethna, Kt., O.B.E., Seth Ambalal Sarabhai, Sir Chunilal Mehta, K.C.S.I. and Hon. Sardar Suleman Cassim Mitha, C.I.E. The Company was established in 1919 and has during recent years extended its activities outside India. We have no hesitation in recommending our brethren in this country that it is their first and foremost duty to

patronise their own Company even though they may be offered more facilities by other rival Companies but which are foreign.

TWO distinguished lady representatives of the Kanya Maha Vidyalaya, Jullundur City (Punjab), Shrimati Narayani Devi and Shrimati Rumparyi Devi have recently arrived in Durban and are the guests of Mr. R. K. Kapitan. As is usual with such institutions the good ladies have come for funds from their brethren in this country in aid of a "Permanent Fund" of Ra. 500,000 yielding a monthly interest sufficient to carry on the work of the Vidyalaya and Orphanage and a Widows' Home attached to it. The institution has built buildings worth about Rs. 3½ lacs that have to be completed in the near future. Like the Karve Institution this is an institution in Northern India for the emancipation of our Indian womanhood. All those who have visited it have paid a glowing tribute to the work done by the institution. Our welcome guests, therefore, deserve all the assistance that is possible to give them. We are afraid, however, that they have chosen the wrong time to take this long journey. These are trying days of depression and those who are always ready to give have had during recent months heavy demands made on their purses to fulfil local as well as other more important obligations. They must therefore not be disappointed if they do not receive as generous a response to their call as they may have expected.

IT is interesting to note that Mr. Tielman Roos, the arch-enemy of Indians whom he terms with contempt as 'coolies' now appears in the role of a counsel for two Indians charged under the Gold Law in Johannesburg for illicit gold buying.

THE Farmers' Assignment Bill published in the Gazette of June 12, is in substance a measure to vary the Insolvency Act in favour of farmers by permitting a meeting of creditors to postpone liquidation and appoint an administrator of an estate to nurse it back to solvency. The Bill provides the qualifications and procedure for assignment. If any person who carries on farming as his principal occupation owes in the aggregate £100 or more, and has received or been threatened with a summons for £5 or more, he may give notice of his intention to assign his estate. The debtor himself may be appointed the administrator but in that event the creditors may appoint a supervising trustee, who may be an official in a magistrate's office, to assist and advise the debtor in the administration of the estate.

THE Bill while aiming at assisting the farmer it is doubtful if in actual practice it will succeed in achieving that laudable object. For the merchants who hitherto sold goods on credit to the farmer without fear will now be very reluctant to do so.

DISCONCERTING news about Mahatma Gandhi was received during the last week-end and the

doctors attending him have recommended complete mental and physical rest for a further period of four weeks.

The civil disobedience campaign, which was suspended for six weeks when Mahatma Gandhi began his fast on May 8, has again been suspended until July 31.

LATEST news about Mahatma Gandhi's health received from Poona on June 20 is that he is again making satisfactory progress towards recovery. He now weighs 6st. 7lb. and is able to get up and read for two hours a day.

MAHATMA GANDHI'S youngest son Mr. Devdas Gandhi was married last week to Miss Laxmi Rajagopalachari the daughter of the well-known leader Mr. C. Rajagopalachari. The ceremony was officiated before Mahatma Gandhi without the pomp that is always associated with Indian weddings. We wish Mr. and Mrs. Devdas Gandhi Heaven's choicest blessings.

Among the visitors to Durban are the Superintendent and three students of the Cape Athlone School for the Blind. This institution, which now caters for the needs of blind children of all the non-European races of South Africa, irrespective of creed, is certainly deserving of help. On Thursday evening, 25th inst., the Superintendent lectured on the Institution in the M. K. Gandhi Library, under the auspices of the Indian Social Service Committee. This week the students will visit local schools, giving demonstrations in aid of the institution. While in Durban, the students will be the guests of the St. Aidan's hostel at Sydenham.

A generous donation of £501 was made by the Surat Hindu Association towards the Transvaal Hindu Seva Samaj building scheme, which provides for the erection of a hall to be named after Mahatma Gandhi, a temple and a school in Johannesburg. The scheme is to cost £10,000. Half of the amount has already been subscribed by the Johannesburg Hindus. Assistance for the completion of the scheme is now being sought from Hindus in other parts of the Union. Warm appreciation of Durban Hindus' generous help was expressed by the Seva Samaj officials, who are now out collecting funds, before they left for Johannesburg.

The Immigration Department, Bulawayo, Southern Rhodesia, issues the following notification:—

"In accordance with the provisions of Section 6 of the Southern Rhodesia Immigrants Regulation Amendment Act, 1933, the production of an unexpired passport or other recognised document of identity is required of any person entering the Colony of Southern Rhodesia who in the opinion of an immigration officer is of the age of 16 years or over."

The following figures indicate the size of the population of India on each census, the first census being taken in the year 1872:

Year	Population (millions)	Increase
1872	206	
1881	252	23.2
1891	287	13.2
1908	294	2.5
1911	315	7.1
1921	319	1.2
1931	352	10.6

According to these figures, the increase of population in 1931 as compared with 1872 is 71.28 per cent.

## THAT COLONISATION SCHEME

THE resolution of the last Capetown Conference to explore the possibilities of a colonisation scheme in other countries, for Indians in South Africa, is once again brought before the public by the recent statement in the Assembly on the question, by the Minister of the Interior, Mr. J. H. Hofmeyr, announcing the decision of the Government to appoint a committee, to undertake a preliminary investigation in South Africa in connection with the proposals of the Capetown Agreement, and to report as to the country or countries in which further investigation as to the successful operation of such a scheme might advantageously be made, and the extent to which Indians in the Union would participate therein. Pious advice is offered by our Durban morning and afternoon contemporaries to treat this question as one of bread-and-butter rather than of politics. "No loss of birth-right was involved," the *Natal Advertiser* points out, "when plans were made twenty or thirty years ago for thousands of British working men and women to leave their congested country and assist in opening up the empty territories that were crying for population in Canada and Australia."

To us, we must frankly and honestly confess that there is a question of principle involved in this whole matter. What is at the bottom of this proposed scheme? That is the question we must ask ourselves. That it should be associated with the proposed colonisation scheme of the Government of India for the surplus population of that country does not improve in any way the nature of the scheme of the Government of the Union. The motives underlying both the schemes are poles asunder. India is badly in need of an outlet for her congested population. South Africa is not only not in need of an outlet but has vast areas lying idle which require to be populated. South Africa is not too small for the white people. Indeed immigration from Europe is encouraged. It is found too small only for a hundred and eighty thousand Indians, who are considered to be undesirable in this white man's land. So whilst for India the question of colonisation in other countries is one to relieve her congested population for South Africa it is one of getting rid of a section of her population which she considers to be undesirable. We do not wish to enter here into the oft repeated history of the past. To put it very briefly, the motive underlying the present scheme is precisely the same as that underlying the Assisted Emigration Scheme and the scheme is to be worked in addition to the Assisted Emigration Scheme. We are opposed to this scheme precisely on the same grounds as we are opposed to the Assisted Emigration Scheme. It is true that the scheme has not yet come to fruition and that it is only a question of exploring the possibilities of such a scheme. But we fail to see the wisdom in associating with a move that is entirely wrong in principle. It is all very well to remind us constantly that the question for us to consider is that of bread and butter rather than of politics. It is not a question of politics but of principle. Our position is like that of an unfavoured member of a family. His position in the house is made almost intolerable but he continues to claim his right to remain in the house. In the end methods are adopted to starve him out and when he still persists in his claim, his seeming sympathisers call him a fool and offer to help him to find a place elsewhere where he could be happy and

contended. "No thank you," he says, it is a question of principle with me to remain in this house, if it is a question of my finding a new place I do not require your assistance. I can do that on my own." Similarly do we say that we cannot co-operate with the Government in its policy of exterminating the Indians as the only means of solving the Indian question. The real need is for a commission to inquire into the question whether the population of South Africa is congested, and whether there cannot be found room in the whole of the Union to accommodate its Asiatic population, 80 per cent. of which is born in this country and the whole of which does not form even three per cent of the total population of the Union. Let an impartial Commission report on this, and should that report go against us there will be ample room for exploring other avenues.

Whilst we have made these observations on the proposed Colonisation Scheme itself as it affects Indians in South Africa, we do not see any harm in the appointment of a Committee to investigate on the lines announced by the Minister of the Interior. The Indian community could state its case clearly before such a committee and explain why it could not participate in it.

## Colonisation Scheme For Indians

### Committee Appointed To Investigate

The Minister of the Interior (Mr. J. H. Hofmeyr) announced in the House on Thursday, June 15, that the Government had decided to appoint a committee consisting of Mr. James Young, formerly Chief Magistrate of Johannesburg, Mr. G. Heaton Nicholls, M.P., a representative of the South African Indian community, and Mr. P. E. Kincaid, Commissioner for Immigration and Asiatic Affairs, to investigate the possibilities of the settlement in other countries of South African Indians, in accordance with the resolution of the Round Table Conference in Cape Town in 1932.

The terms of reference to the committee will be as follows:

To undertake a preliminary investigation in South Africa in connection with the proposals set forth in paragraph 3 of the Capetown agreement for the exploration of the possibilities of a colonisation scheme for settling Indians, both from India and South Africa, in other countries; and to report as to the country or countries in which further investigation as to the successful operation of such a scheme might advantageously be made, having regard to the political, climatic and economic conditions in such country or countries, and the extent to which Indians in the Union would participate therein.

### Effective Action

The Minister, after quoting the paragraph of the Capetown Agreement under which the committee had been appointed, said it had been the feeling of the Round Table Conference that the time had arrived for the exploration of the possibilities of such a scheme, and it was hoped that the opportunities thus created would appeal to a large section of the Indian population of the Union.

"I wish to state that it is the desire of this Government to take effective action along the lines agreed upon by the Conference, and it will apply its best efforts in that direction. The Government has considered carefully how best the proposed investigation should be initiated. It has come to the conclusion that the investigation, in which the Government of India and this Government are to co-operate, may be considerably facilitated and expedited by preliminary investigation of the ground to be covered, and it feels that such a preliminary inquiry

could, as far as the Union is concerned, best be undertaken by a small departmental committee not restricted to departmental officials."

### Indian Member

The Round Table Conference had contemplated associating a representative of the Indian community with the inquiry, and he was glad to state that the South African Indian Congress had indicated that this was the desire of the South African Indian community. The South African Indian Congress would accordingly be asked to nominate a member of the committee now appointed, as the Government felt such participation would be of material assistance to the committee.

It was proposed that when the committee had completed its work the conclusions reached should be transmitted to the Government of India, with a view to collation with such proposals as that Government might decide to make as a basis of the work of the commission to be appointed to make final investigations.

The proposals now made had been discussed with the Government of India and it had expressed its concurrence.

"The Government of India has also stated, and for this I wish specially to express the gratitude of this Government, that its Agent in South Africa is being requested to place himself and his staff entirely at the disposal of Ministers here, and of the committee, for giving such informal help as might be in his power."

The Minister then announced the composition of the committee, and added that he hoped the committee's work would make a substantial contribution towards the goal adumbrated by the Round Table Conference, which it was the desire of the Union Government to further to the best of its ability.

## The Agent On The Indian Question

### Interview At Capetown

In the course of an interview with a representative of the *Cape Times* before leaving Capetown for Durban Kunwar Sir Maharaj Singh, Agent of the Government of India, said:—

"The Asiatics of the Union are not even three per cent of the total population; and in the Transvaal they amount to less than one per cent of the total population and about three per cent of the European population.

"In Natal, where Indians exceeded Europeans by 35,000 in 1911, the Europeans are now officially estimated to exceed the Indians by 18,000.

"Most of the Natal Indians were introduced into South Africa at the request of the people of Natal.

"There has been no immigration of Indians into the Union for 20 years.

"It is as well to keep these facts and figures in mind when discussing questions affecting the Indian population of South Africa. Only by doing so can we see the whole problem in its true perspective."

"We expect to be in Durban until September," he said, "and then go on to Johannesburg. We hope to be back in the Cape, where we have made so many friends, soon after the beginning of next year."

Sir Maharaj has been in South Africa ten months; four of which he has spent in Natal, four in the Cape and two in the Transvaal. He has also visited Johannesburg several times both from Durban and Capetown.

It is to the Transvaal, indeed, that for the time being, the centre of the Indian problem has shifted.

This has been brought about by the passing into law last year at about the same time of first, the

Transvaal Ordinance for the control of licences and, second, the Asiatic Land Tenure Act.

"It would be out of place at this date," said Sir Maharaj, "to discuss the provisions of these measures both of which came into force before my arrival in South Africa, more especially as the Commission appointed under the Land Tenure Act has still to report, but it is not to be expected that the Indians of the Transvaal should contemplate without disquiet measures which operate harshly against them.

"The Indian in the Cape, and particularly in Capetown, is generally contented. He has very few grievances here. His standard of living is steadily rising. He is a progressive man with a progressive outlook.

"And what is particularly noticeable about him is this—that he employs the privileges he possesses, not as a member of a class, but as a member of the whole community. He does not vote as a man of a particular creed or colour, but as an individual. Liberty, for him, means in practice liberty to be a South African. His interests are the interests of a class."

If the Indians of the Transvaal still formed a community of their own within the Province it was because they had no choice. Debarred from owning property or land, lacking any security of tenure, how could they settle down and prove their worth as South African citizens?

"But in spite of great difficulties, I hope for better things," went on Sir Maharaj. "The Union Government has in recent years increased its grants for Indian education. For this a debt of gratitude is due to Dr. Malan, the late Minister of the Interior. His successor, Mr. J. H. Hofmeyr, is a man, not only of high intellectual qualities, but of breadth of vision.

"I appreciate very greatly the fact that the last Government agreed to subsidise relief this year for Indian unemployment, which has become acute, in Durban and Maritzburg, the municipality contributing half and the Government half of the required amount; while present Government has increased by £100 a year its grant towards Indian technical education.

"The officials of the Departments of the Interior and Native Affairs have also helped us on several occasions.

"There are, of course, many things which I should like to see brought about. One is the grant to Indians of the municipal franchise, which was taken away from them in Natal in 1926.

"By all means let this be accompanied by every safeguard to prevent the municipalities being swamped by the Indian vote; the important thing to ensure is that those who pay the same sums as others in rates should have at least some representation.

"It would also help to smooth away many present difficulties if members of municipalities, Provincial Councils and of Parliament would meet groups of representative Indians for informal talks from time to time.

"Frank, informal talks in which each side has been able to explain its difficulties as well as its aspirations have been of the utmost service in helping forward the solution of many international problems. Might they not prove equally valuable in the humbler sphere of race relations in the Union?

"Members of Parliament and representatives of the public in general often plead that they cannot take action in advance of public opinion.

"I appreciate their difficulties. Not a few have been friendly and helpful. On the other hand, it is a generally acknowledged fact in all civilised countries that legislation lags behind public opinion. Is it not, moreover, the duty of public men in any country to educate public opinion as well as to give expression to it?

"The newspapers in South Africa are very helpful in this way. They state the issues clearly and fairly and do much to eradicate misunderstandings and to

improve the relations between this country and India.

"And it is of the first importance, in the interests of both countries, that those relations should reach, and be maintained at, the highest level of friendliness.

"It is useless, in matters of this sort, to look only five or ten years ahead. India is marching fast along the road to self-government. The question to-day is not whether she will attain Dominion status, but how soon she will attain it—and the estimates of even the most conservative-minded grow steadily shorter.

"It is to be hoped that, by the time India enters into full partnership with South Africa in the British Commonwealth, every possible cause of friction between the two countries will have been removed.

"I am glad to say, at any rate, that I see no reason, as things stand now, to anticipate any fresh anti-Asiatic legislation."

Both Sir Maharaj and Lady Maharaj Singh expressed the deepest appreciation of the kindness and friendliness they had met with everywhere in the Cape.

"Indians of all classes have welcomed me with open arms and expressed their confidence in me," said Sir Maharaj. "I am very grateful to them. Europeans, among whom we count many friends, have been extremely kind. So have the Malay and coloured communities. We have also seen with pleasure a little of native life here."

The Kunwarani was equally appreciative of the welcome she had received in the Cape.

"The social atmosphere here is delightful," she said. "Everyone seems to have conspired to be kind to me and I am more than sorry to have to leave so many friends. But I console myself with the thought that I shall be back among them early next year."

## Things In General

(BY OBSERVER)

THE Minister of the Interior's statement in the Union Parliament in connection with the proposed Indian colonisation scheme will have been read with considerable interest.

THIS Committee, very rightly, will not have power to adopt any scheme but will forward its recommendations to the Government of India, who, after adding its own proposals, will join with the Union Government in a final Commission.

WHILST welcoming any scheme which will relieve the economic stress and strain in South Africa and India, one cannot help feeling sorry that any such enquiry should be found necessary, at least so far as this country is concerned. There are vast tracts of uncultivated land in the Union which could be developed and made to produce corn, vegetables and fruit. Instead of a dog-in-the-manger policy, why not throw open the land to Indian farmers?

THE markets of the world are open to receive any surplus products; and the capacity of India alone to absorb huge quantities of such commodities as wattle bark, cotton, wool, fruit, etc., has not yet been explored. We are told that the one item of fruit, to be exported to India, suggests enormous possibilities. It will be well if this Committee gives a thought to this view of the matter.

AND why, it may be asked, should any other country wish to take in the surplus population of South Africa and India unless it is for the benefit of that country? If, let us say, countries possessing suitable climates, such as Brazil or California, were to invite Indians to settle there, could we imagine their doing so for any other reason than that it would be of benefit to the country? Surely the same reasons should prompt the Union Government to make use of the asset of the surplus Indian population for the production of wealth and the increase of trade in South Africa.

THERE is another point worth noting. Just as, by developing farming, trade and industries, prosperity is brought about, so it is just as true that, by sending away the workers, poverty and unemployment is the result. The merchants and traders who complain to-day that there is insufficient business, will find there is still less if a few thousands of their customers leave the country.

THE terms of reference for this Committee ought to be amended to include South Africa among the countries where a colonisation scheme could be inaugurated. This Committee will have done good work if it realises, as a result of its labours, that there is no country in the world better than South Africa for the settlement of Indians. Just as Indian labour saved Natal from bankruptcy and made Natal the "Garden Colony," so a well-planned scheme of land development for Indians, with Government assistance in the way of irrigation, etc., would do a great deal in bringing about prosperity for the Union of South Africa.

## The Cape Indian Congress

A crowded public meeting of Indians was held under the auspices of the Cape Indian Congress in the National Theatre, Capetown, on Sunday June 11, for the purpose of discussing the following subjects: (1) Challenge to Cape Indian Congress, Re-confidence of community; (2) Re-affirmation of resolution of non-participation in Joint Council Conference; (3) Mahatma Gandhi's recent fast, and (4) Transvaal attack on the Agent-General.

### Chairman's Speech

The chairman Mr. Khan Gool, in the course of his speech said:

"I am pleased to be able to express on behalf of the meeting our appreciation of the presence here this afternoon of the Agent for the Government of India and Kunwarani Lady Maharaj Singh. Time and again they have both given ample proof of the absolute devotion to duty they cherish in matters affecting our interest, for which we are indeed grateful. On the eve of your departure from Capetown may we express the hope that your stay in the peninsula has proved both pleasant and profitable, and may we wish you both a quick return in our midst.

"The agenda of this meeting shows that the representative character of the Cape Indian Congress has been challenged, and the attendance this afternoon would seem to indicate that the Cape Indian Congress still enjoys the confidence of the majority of our people in the Cape and that its honour will be vindicated.

"Resolutions will be put to this meeting in respect of the forthcoming Joint Council Conference

and in the matter of the happy termination of the recent fast of Mahatma Gandhi.

"The fourth item is not of such significance as at first sight appears. But I shall not at this juncture do more than say that the formidable array of speakers will deal very capably with this and other items.

"Permit me to appeal to you for a fair hearing for the speakers and I would earnestly request that no lukewarm support be accorded the Congress, but that the measure of support and confidence in this body, affiliated to the South African Indian Congress, be delivered in no unmistakable way.

### The Agent's Appeal

The Agent addressing the meeting first in Hindustani and then in English made a stirring appeal to the Indian for coalition and a unity of purpose amongst their ranks.

"Both my wife and I," said Sir Maharaj Singh, "have thoroughly enjoyed our four months stay in the Cape Peninsula, for apart from its scenic beauty—the best in the country, it is the seat of the traditional liberal policy of the Cape Province towards the non-European of South Africa. "In my considered opinion," maintained the Kunwar, "it is the only policy in the country which has the elements of stability, for which we are very grateful. I sincerely hope that I will live to see the day when this liberal political atmosphere will permeate into the other three Provinces of the Union."

Making a stirring appeal for coalition, Sir Maharaj Singh said that Indians should not make personal attacks upon one another, but as the European form a coalition, and strive after that unity of purpose which will ultimately bring success.

Kunwar Sir Maharaj Singh also paid a tribute to Mr. A. Ismail for the self-sacrificing work taken upon himself on behalf of the Indian community.

The Kunwarani, in speaking, appealed to the meeting to allow their womenfolk to take more interest in their political welfare. This would constitute a decided advantage, as was already seen in India, where the women have now been allowed to enjoy the franchise.

Among the other speakers were Messrs. A. I. Kaje, Sheikh Ahmed, R. G. de Norman, N. Nagia, M. Y. Hawa and J. M. H. Gool.

Mr. Ahmed Ismail, the general secretary of the Cape Indian Congress, thanked the Kunwar and the Kunwarani for their presence, and the meeting for its continued confidence in himself and the organisation.

### Resolutions

The following resolutions were passed unanimously:—

(1) That this public meeting of the Indians of the Cape Peninsula, desires to place on record its continued confidence in the Cape Indian Congress, affiliated with the South African Indian Congress, and reaffirms its whole-hearted support of the latter body as the mouthpiece of the Indian community in South Africa."

(2) That this meeting endorses the action of the Executive of the Cape Indian Congress in refusing the invitation of the Joint Council Conference, and, while adopting the principle of co-operation, is of opinion that the non-European Conference should in no wise be superseded and that the full benefits of the co-operation with the European can best be achieved if there is co-operation among the non-European first."

(3) "That this meeting desires to place on record its thankfulness and gratitude for the successful

termination of Mahatma Gandhi's recent fast and prays that he may long be spared to guide wisely the people of India along the road to development of full nationhood."

(4) "That this meeting affirms its regard for, and confidence in, Kunwar Sir Maharaj Singh, as Agent for the Government of India, in his earnest endeavours to improve the lot of his countrymen in South Africa, and to effect a better relationship between the Indians and other sections of the people in this country; and respectfully tenders to him and the Kunwarani Lady Maharaj Singh its heartfelt thanks."

## Johannesburg City Council And Asiatics Council's Policy

A statement embodying the views of the Johannesburg City Council on the Asiatic Land Tenure question was presented to the Commission on June 12, by Mr. R. G. MacWilliam, who is appearing for the Municipality at the sessions of the Commission.

"In arriving at its recommendations the Council has necessarily had great difficulty owing to the fact that the almost unanimous view of the public of Johannesburg is against any extension being granted for Asiatic occupation and residences and naturally resulting in conflict between sectional interests, who find that they, perhaps more than other sections of the community, are to be affected as the result of one or more of the recommendations arrived at," the memorandum states.

The Council emphasises that the broad question of policy on which it stands is that the provisions of the Gold Law relative to the occupation of ground held under mining title should as far as possible be enforced. While recognising that enforcement of those provisions in their entirety is probably not feasible, the Council urges that only where full reasons justify departure from the provisions of the law, should any question of exemption be considered. The Council realises, however, that there is a large population of Asiatics, coloured people and natives for whom some provision must be made in the municipal area.

In making its recommendations, the Council has been guided by consideration of the class of inhabitants at the moment occupying particular areas, and had in the main borne in mind the density of the coloured population which at present inhabits particular areas. This does not mean that there are not areas at present inhabited by coloured persons which have not been recommended for exemption, for the view of the Council is that, once adequate provision is made for the occupation of property by coloured persons, other areas, even although at present occupied by them, should receive relief. This may in certain circumstances entail some hardship, but it is not a consideration which should stand in the way of relief being granted to such areas.

Considerable delays and difficulties have arisen from time to time in the Council's policy for housing of natives. So far approximately 30,000 natives have been removed from proclaimed areas and are now accommodated by the Council at its hostels and native townships. There are 11 areas which fall under the Gold Law, and which still have to be proclaimed, and it is estimated that the total number of natives living in these 11 areas who would probably be affected by the proclamation, and be required to move, is 13,232.

"It is impossible to say at what date these natives will be removed from the areas in question, but the Council is pursuing an active policy of removal.

"In a comparatively short time the present native residents will be removed from certain areas, and it is felt that when this is done more than adequate provision will have been made for the accommodation of Asiatic and coloured persons not only for the present, but also for normal future expansion.

"While recognising that there are many coloured persons whose conditions of living are equal to the European standard, it must not be lost sight of that the proper and adequate supervision of residences by coloured persons in connection with health and sanitary conditions is a matter which presents very considerable difficulty owing to the presence of natives."

"Greater supervision is required, and as far as possible steps to this end are taken. Moreover the creation of slum areas is as far as possible kept in check by the utilisation of the powers under the municipal by-laws and regulations. Closing orders obtained average approximately 300 per annum over the last two or three years. Over a period of time the consistent adoption of this policy combined with the eventual removal of the native population must show a much improved condition in the areas which are to-day recommended by the Council for exemption. In the light of these considerations it is suggested that no valid criticism can be directed against the areas which have been recommended by the Council.

"Certain of the roads passing through the areas constitute main arteries into the centre of the town. The Council feel strongly that these approaches should as far as possible be kept free from coloured occupation.

In so far as there may be cases where the persons at present in occupation of particular properties may be entitled to put forward claims to continue in such occupation, the Council is strongly of opinion that if any such requests are granted the grant should refer only to occupation by the present occupiers and not to residence. This may involve alteration of the present statutory provisions contained in Section 3 of Act 35 of 1932 to provide for personal occupation only in favour of the existing occupants, and if this be so the Council respectfully urges upon the commission that representations to that end should be made to the Government.

In demarcating the areas which may be removed from the restrictions of the Gold Law, the Council feels that it is in the interests of all concerned that these areas should in the main be compact and that it is undesirable that a series of "islands" of coloured occupation should be created in the centre of what are essentially European habitations.

"Cases may be found where an individual trader is entitled to be granted relief outside the areas generally recommended for exemption. Such an individual may not be, and indeed, frequently is not, the occupier of the whole of the stand on which he has been carrying on business. Any relief granted to such an individual should be confined only to that portion of the stand which he may at present be occupying, for if any other course is followed it would result in the extension of Asiatic occupation instead of limitation of occupation to the extent to which it may at present exist.

In such areas where there are European industries and factories, it is the desire of the Council that areas in the vicinity should be kept free from coloured occupation to allow for future expansion of European industries.—*The Star*.

## Kimberley Indian Women Picturesque Gathering In City Hall

(From Our Own Correspondent.)

The newly-formed Indian Women's Association—the first effort of Kimberley Indian women to organise—instituted their movement with a social, given in the City Hall, which was an outstanding success from every point of view.

The Mayor (Councillor T. Looney) presided, and in opening the proceedings said that he was glad to have the honour of being invited to the function. It was pleasing to be surrounded by many smiling faces, which enabled all to forget the depression.

Proceeding, the speaker said the Indian women deserved their warmest congratulations for their splendid organisation in the interests of charity. It was an incentive to others to know that all sections of the Indian community were united in this great work.

The task they had undertaken deserved the support of the community more especially as their efforts would benefit all existing charitable organisations.

The Mayor paid tribute to the chairlady (Mrs. Amina E. Mahomed) and her band of loyal supporters and workers, and also to Messrs. T. V. R. Pillay and P. M. Dawson, who had founded the Indian Women's Association.

Mrs. A. E. Mahomed, in thanking the Mayor and Mayoress, said they felt that the presence, together with the crowded attendance, was a tremendous compliment to the Indian women of the city.

The speaker said that the object of the function was to bring out clearly the aims of the association. The Indian women of South Africa had long been imbued with the spirit of their sisters of India, who had always been prominent with their menfolk in their fight for deserving causes.

They now felt impelled to share in the burden of alleviating distress among the sick and poor of the town.

At the conclusion of the remarks, from the chair the Mayor and Mayoress were garlanded.

The speeches were interspersed with items from a musical programme, in which all the artists excelled.

Mrs. V. Veerasamy proposed a hearty vote of thanks and appreciation to the Mayor and Mayoress, to the public for their support, to the members of the Versatile Jazz Band and all the other artists, and to those ladies and gentlemen who had assisted in organising the function.

Mr. F. Pope (Assistant Resident Magistrate) expressed appreciation of the objects of the Association, and trusted that the cause of charity would benefit considerably through its efforts.

During the evening the Mayor announced that Mr. K. N. Pillay, who had been impressed by the success attained by the women, had offered £5 5s. towards their fund. A donation of £3 5s. was also received from Mrs. John Orr.

At the conclusion the Mayor invited all the men present to give three hearty cheers for the women.

The following were present at the principal table: Mesdames A. J. Beal, P. Susman, Connolly, Baker, F. Pope, G. Isaacs, T. V. R. Pillay, Misses N. Dawson, I. Mahomed, the Deputy Mayor, (Councillor W. Gassen), Mr. P. M. Dawson, Dean T. C. Robson, and the Rev. Fathers Jansen and Weber.

## Asiatic Land Tenure Act Commission

Evidence By Indian Commercial  
Association

(Continued from last week.)

**THE CHAIRMAN:** Of course, so far as the actual extent of areas is concerned, one complicated factor to-day is the presence of large numbers of natives in many of these areas for which the Indian Association is asking. Under the Native Urban Areas Act those natives will presumably be moved in the course of the next few years and provided for in native townships and villages. That will leave space which is at present not occupied by Europeans in some of the areas, in many of these areas for which you are asking.

**MR. J. V. BRINK, K.C.:** Undoubtedly that is a factor. But against that I am going to lead evidence, my lord—one of my witnesses, Mr. Jajbhay, will tell us that in his observations—and he has grown up in Johannesburg—the progressive occupation in those areas is always down; once a particular locality becomes inhabited by natives, it is very difficult to rehabilitate it unless you pull it down and rebuild it.

**THE CHAIRMAN:** We have to deal with the present circumstances, and the Council looks forward, from a statement we have received, to the next eight or ten years to completing this heavy task of providing adequate accommodation for the native population elsewhere.

**MR. J. V. BRINK, K.C.:** We quite recognise that that is a factor, and it has been duly considered. The areas will be certainly cleared of natives and coloured people may go in there, and that may set free other areas. And here we have this difficult question, that the Indian does not own the ground; he does not own the property and therefore does not spend money upon the premises. It could not be expected that he should do so. Where the Indian does own property, in the Asiatic location, for instance—in the Malay location—there, even though he has got no security of tenure, your lordship will see that the Indian has put up shops that rival the European shop in the nature of the building and so on. And if he were allowed eventually of course to acquire the property in these reserved areas, then certainly he would build, and certainly he would erect a proper residence for himself. But while we have European ownership, with the Asiatic merely a tenant there, it is difficult to know whether the buildings will be improved for the benefit of the Indian.

My learned friend Mr. MacWilliam points out that the acquiring of property is not inside the scope of the Commission. Obviously that is so. I know that. But it is a factor which I ask the Commission to recognise; that the Indian does not own the property and therefore he cannot improve it. He is dependent upon people to build the necessary accommodation for him.

**THE CHAIRMAN:** I am reminded that in many cases the Indians are actually owners to-day, by reason of these companies which have been formed; so that it is not a case of the Malay location being the only area of which they are owners. In fact they are much more owners in the real sense elsewhere because they have the title through the companies which they control.

**MR. J. V. BRINK, K.C.:** Undoubtedly—and your lordship has seen in Disraeli Street the model buildings that have been put up in property like

that. Where the Indian has the control and has the benefit, however indirectly through a company of ownership, he will spend his money on improving the building.

**THE CHAIRMAN:** I understand the point you are now making is that bad condition in several of these areas is partly due to the fact that the Indians are not in control, and that they have to take such premises as their European landlords are content to give them.

**MR. J. V. BRINK, K.C.:** Yes.

**THE CHAIRMAN:** Therefore the bad condition of these areas is not due to the Indian tenant but to the white landlord? That is the point, I understand.

**MR. J. V. BRINK, K.C.:** Yes, that is the point. I was using it in this connection, merely to show that you could not expect him to go into these abandoned native areas unless somebody would spend the money to improve the area. Now it was with this in mind, my lord, that we allow for some sort of expansion, that my clients have asked—for instance, take Market Street: they have not been content to stop at Troye Street, where really the coloured occupation to-day ceases, but they have asked for a couple of streets further up to Delvers Street. Now it has been correctly pointed out that beyond Troye Street it is predominantly European occupation. We know that. But if any allowance is to be made for expansion, then it obviously will be made on the outskirts of the areas; and this would be a suitable sort of expansion for further business by Indians, with their fathers in the lower end of the street, if they were allowed to expand into two neighbouring streets. And similarly in Fordsburg, for residential purposes we have asked for larger areas than the Municipality at present at any rate are willing to concede, although it would appear from the Fordsburg Ratepayers that they are quite in agreement with our point of view.

**THE CHAIRMAN:** There are two organisations in Fordsburg with opposing views on this subject.

**MR. J. V. BRINK, K.C.:** Yes, there are opposing views. I refer to the Fordsburg Property Owner's Association, and I know that what they call the Western Property Owners' Association take an opposing view. I was merely referring to the view of the Fordsburg Property Owners' Association which was that from Sydenham Road at the Fordsburg dip right up to High Road, bounded on the northern side by Bree Street and on the southern side by the Main Reef Road—that that should all be exempted under this law, so that the coloured people can gradually fill it up. The Europeans would presumably, if they could afford to do so, move out of that area. Then the next principle (on page 20) is so obvious that I do not need to spend any time on it. It is that there should be the minimum disturbance of existing rights and interests. I think that is so obvious that I do not propose to dwell on it.

**THE CHAIRMAN:** Rights and interests are two different things. If they have rights, of course, in the legal sense, they are entitled to the protection of the law.

**MR. J. V. BRINK, K.C.:** The word "interests" means they are not protected. We mean by that their business, their goodwill: that they have been established there for some time, that they are near to their customers, and so forth. We do not want to throw an Indian out who has got a little business which is providing him and his family with a livelihood, unless it is really necessary for some other important consideration to eject him. I sub-

mit that in equity and with fair consideration a man like that should if possible be allowed to remain. Now there is the question of churches and schools and so on. These churches and schools are I take it permanent, and it is desirable that those areas where public communal buildings of that sort are in existence, that the Asiatic should naturally be allowed to live and trade round about those centres, unless there is some very good strong reason to the contrary. Take for instance round about Market Street again: we have a school near there, a religious school, which has been built up with Indian money.

Then on page 21 of our memorandum we mention another point: that is, there will be influx from other parts. The Johannesburg Indian will not be left to the exclusive enjoyment of these areas. The coloured people can come up from all over the Union to Johannesburg; and if Johannesburg is going to be the prosperous that we hope it is going to be, with the development of the mining industry, then coloured people are going to come here from all parts of the Union .....

**THE CHAIRMAN:** You are now speaking of South African coloured?

**MR. J. V. BRINK, K.C.:** Yes, the South African coloureds. They are going to come here and seek to earn their living in Johannesburg; they will come to live here, and the population will be materially augmented in that way. And that is a factor which must be considered, so that the existing population should not be overcrowded. Then Asiatics can come, of course—traders from other parts of the Transvaal; they can come and settle here. If business is more prosperous in Johannesburg they can come in here and crowd out the existing trader, compete with him, and so on. There must be due allowance made for a thing of that sort. They are entitled to come here, and some provision must be made for an influx of that sort. Then also of course there are some of the areas which are township areas. They may be driven out, they probably will be driven out from those parts—like Norwood and other parts. They have already left Norwood, I believe. And they will have to come into the exempted area which will have to absorb them. Allowance must be made for that sort of thing. That is all discussed on page 21 of our memorandum, where the point is made.

Then on page 22 we make another general point, and that is, that the areas which will be set aside in reserve will tend to be absorbed by factories—growing factories, furniture works, store-houses, machine-yards, and so on. The coloured population and the Asiatics cannot stop this because they do not own these areas. They own limited portions through the companies, but the vast majority of the areas are owned by Europeans; and if the European finds that it suits his pocket or his circumstances to do away with the coloured habitations, and to establish mercantile houses and so on, furniture works, he will do so. And that will correspondingly decrease the area for coloured and Asiatic business occupation more and more. Particularly will that happen around a place like Market Street. I have already pointed out that aspect. But they cannot take everything there because there are certain properties of course owned by Asiatic companies.

The next point, my lord, is this question of the rent. That is also a consideration. If these areas are really to be limited in extent then, there is no doubt about it, there is a good ground for thinking that the Asiatic tenant will be exploited by the European landlord. Supposing, for instance, to



come down to a specific case, there is a shop on a portion of a stand, and that portion of the stand is exempted, then, my lord, that Asiatic tenant who is not fortunate enough to own that stand will have his rent put up, and up, and up, by the landlord. And therefore it is imperative that some account should be taken of that. We therefore in principle suggest that if there is an area to be exempted, it shall not be less than one stand: it shall not be portion of a stand. And generally speaking, where the area is exempted regard should be had to the fact that, unless the area is a liberal one for Indian occupation, rents may be pushed up against the unfortunate tenants.

**THE CHAIRMAN:** In the case of the islands, is that a consideration?

**MR. J. V. BRINK, K.C.:** If only portion of the island is exempted it will apply very heavily. Take for instance an island in Ophirton, where there may be six shops. If the Commission only allows three, the other three shops will then disappear, and the rents are going to go up at once.

**THE CHAIRMAN:** And then the landlord has the tenant at his mercy always?

**MR. J. V. BRINK, K.C.:** Yes.

**THE CHAIRMAN:** The tenant, if he wishes to continue trading in that locality, he has to pay what the landlord asks?

**MR. J. V. BRINK, K.C.:** Yes. The rent will always be raised until he pays the last farthing, and then when he can pay no more he will have to go. That is the unfortunate position when he does not own the land, when he has to be a tenant. The more restricted the trading rights are, the more the landlord will demand for his rent. That is an unfortunate fact, and that is one reason for being liberal, my lord, in the allowance of these trading areas. Now there are just one or two other small points that arise out of the Municipality's recommendations. I do not think I should criticise these before I have heard evidence and so on, and I am reluctant to do so, but in advance I would like to say that my clients are very much opposed to some of the suggestions which the Municipality have made here. For instance in "Q" (the last page of the printed Supplementary Report of the General Purposes Committee) the Council request permission to ask the Government to allot disused mining land within the Municipality of Johannesburg for residential land and business occupation by Asiatics and coloured people, in order that a final solution and settlement of the problem shall be achieved. As far as we can see, and know, disused mining land is not a desirable place for an Indian to go and live and have his being. It is usually surrounded by mine-dumps, and from that point of view it is extremely unpleasant, if not unhealthy, to live in. And then also it conflicts with one of the points of view which the Asiatics very strongly hold, and that is, segregation. They are very much opposed to segregation, and they refer to the Lange Report on this question, that segregation is calculated to degrade them; and they are very much opposed to segregation on principle. That is apart from the fact that disused mining land is not a suitable spot to locate for respectable Indians to live in.

Then turning to the suggestions in 'O': my Association is very much opposed to the suggestions here, in principle. Here, my lord, the Council suggest that in areas other than those which the Council recommends should be withdrawn, the present occupants only should be allowed to trade, but not to reside. This means, firstly, that a distinction is to be drawn in reserved areas, or stands,

which are small areas; a distinction between residence and occupation. And secondly, that is to be limited to the lifetime of the occupant.

Now as regards the question of the lifetime of the occupant, it would seem very harsh to do that. It would mean that a man would go on keeping his shop, building up his business, and immediately on his death the whole of the value of what he has built up would disappear. He might die prematurely, and his widow and his children would have no benefit from his business; they would have to be cleared out at once.

**THE CHAIRMAN:** This recommendation 'O' appears to require some elucidation, and possibly Mr. MacWilliam may be in a position to deal with it. As it stands, it suggests that something should be done for which the present law does not provide. There is no provision in the law, so far as I am aware, for dealing with individual sites in the manner suggested in 'O.'

**MR. J. V. BRINK, K.C.:** I do not know whether the Act contemplates drawing a distinction between occupation for residence and for trading. Surely the Act (Section 3) contemplates that if it is reserved, it will be reserved for all purposes?

**THE CHAIRMAN:** It is not reserved at all. That is not the term used.

**MR. J. V. BRINK, K.C.:** "Withdrawing" is the term used.

**THE CHAIRMAN:** There is nothing about partial withdrawal or conditional withdrawal. The only kind of withdrawal for which this section appears to provide, subject to what Mr. MacWilliam may have to advance, would seem to be an absolute withdrawal.

**MR. J. V. BRINK, K.C.:** Yes. There is a decision in the Appellate Division on a point similar to this, that I have been trying to find. I will give it to your lordship at a later stage. It does say that in that sort of provision there is no intermediate choice: it is the one or the other.

**THE CHAIRMAN:** I would be glad to have the reference to that.

**MR. J. V. BRINK, K.C.:** I have been trying to find the decision, but I have not been able to put my finger on it; but I will submit it to your lordship later. I submit that that is the interpretation of Section 3 of the new Act.

Section 131 (a): that is section 3 of Act No. 35 of 1932. It takes it, my lord, that it is outside the scope of the Commission to recommend any amendment of this Act?

**THE CHAIRMAN:** I realise from the statements which we have received that parties are seeking to put forward a good many suggestions as to amendments. It is, strictly speaking, outside our reference to consider questions of amendments. It is an important point in regard to the procedure of the Commission. As I say, many parties are seeking to put before us suggestions as to amendments. I have told the different parties that the business of the Commission is defined in its terms of reference. At the same time, it seems that we cannot lay down an absolutely rigid rule that we will not listen to anything which is not within the strict four corners of the law. I have no doubt that in the course of this inquiry it will become apparent that there will be great difficulties in the strict interpretation of the law as it stands; that the attitude we should take up is that we will not listen to proposals which are contrary to the general principles of the law, but that where it appears that some provision is to be supplemented or modified, we are prepared to listen to what parties have to say about that. But those

suggestions as to amendments must be kept within fairly narrow limits. I do not want to exclude them altogether, because that might prevent matters being gone into which should be gone into in the course of this inquiry: so we lay down the general rule that while we do not want to hear proposals involving fundamental changes in the law as it stands, we do not wish to prevent parties from putting before us minor modifications which should be inserted if the law is to have the effect that is intended.

Mr. BRINK: That is all I intended. I merely wanted to point out that we had those difficulties in reading those suggestions. That concludes my opening remarks with regard to the attitude of my Association:

(To Be Continued.)

## Indians Abroad Directory

Mr. S. A. Waiz, secretary Imperial Indian Citizenship Association and editor of the Indians Abroad Directory, 1933, writes to us as follows:—

"Dear Sir,—May I, through the columns of your esteemed journal, thank my good friends and correspondents in South Africa who assisted me in the task of compiling "Indians Abroad Directory, 1933." My thanks and those of Indians in South Africa are particularly due to the Pandit Bhawani Dayal Sanyasi, who, in spite of indifferent health supplied me with all the available statistics and other useful information regarding Indians in South Africa.

"The Directory must be incomplete in various directions. I respectfully request your readers in South Africa and elsewhere to send me their suggestions and ideas towards the improvement of the future editions of the Directory.

"I am hoping that before long we shall have "Who's Who" sections in the various Chapters of the Directory.—Yours etc. S. A. WAIZ.

## News In Brief

After several months' absence the Kunwar Sir Maharaj Singh and the Kunwarahi have returned to Durban. They arrived by the Kenilworth Castle on June 18. They were accompanied by their two sons and daughter. During their brief stay in East London, they were the guests of Mr. & Mrs. S. Cascojee.

On June 11th, his Holiness, Pir Sayed, as well as the staff of Sastri College, were the guests of the Orient Club at Hippingb. The visitors, after an inspection of the beautifully laid out grounds, were entertained to lunch. Mr. M. Ebrahim presided over the gathering.

The variety entertainment and play "Chandrasekran," staged by the children of the Hindu Tamil Institute on Saturday 17th June, was a most successful affair. There was a large crowd present, the show concluding at 1-30 a.m. The proceeds of the function will be given in aid of the Institute.

Sastri College, as well as the Indian community, are extremely grateful to Mr. M. D. Barmania for his valuable gift of books to the College. This is the first act of munificence of its kind, and as Sastri College is already laying the foundations for a library, it is earnestly hoped, others will follow Mr. Barmania's noble example.

Mr. Moses, of the Simplex Furniture Factory, is also thanked for his kind gesture in donating a large book-case to accommodate the books.

Deep regret will be felt at the prolonged illness of Mrs. James Somarsundram who is now a patient at the St. Aidan's Hospital. All our hopes are for her speedy recovery.

## Sporting News

Mothie (Kid) Singh arrived in Durban on Saturday, 11th inst. He is the first Indian from overseas to tour South Africa, and on this account should be given an enthusiastic reception on July 8, when he is dated to make his first public appearance in South Africa. 24 years of age, Mothie Singh has already a long line of victories to his credit and if reports of his overwhelming victories in previous bouts, in America and England, are true, he should have an effortless as well as successful tour in South Africa. During his sojourn in South Africa, Mr. Mastry, of the Central Laundry, Durban, will be his manager.

### JULY 8th—PROGRAMME

Mothie (Kid) Singh vs. Frenchman (Cape)	12 Rounds
Bud Geigan vs. Julius (East London)	12 Rounds
Bennie Singh vs. Hendrick	10 Rounds
Kid Abrahams vs. Tiger Shaik	4 Rounds

A capacity house is anticipated. The Durban Town Hall will be the venue of the match.

A most exciting soccer match took place between the Durban Sunday Association and the South Coast Association on Sunday 18th inst., in the latter's ground. Although the play deteriorated somewhat towards the end, owing to the unfair tactics of some of the players, the match on the whole was extremely fast. Durban emerged victors by 7-5. At the conclusion of the match a banquet was given in honour of the visiting team.

The same day the Mayville Association beat the Maritzburg County Association at Mayville by 3-1. Durban will thus play Mayville in the near future.

## CAMPAIGN AGAINST UNTOUCHABILITY

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