

A U M. 1258 / 52

The Dharma Vir

PUBLISHED WEEKLY IN ENGLISH AND HINDI

VOL 3.

Springfield, Durban. Friday 10 January 1919.

No. 44&45

PERSECUTION OF ARYA SAMAJISTS

RELIGIOUS ZOOLUM AT DHOLPUR

His Highness The Maharaja of Dholpur.

Your Highness,

I lay once more before you the following few lines for your kind consideration. I beg to say that in obedience to your telegrams I and other co-workers of mine in the Arya-Samaj, men like Shri-Swami Shardhanandji and others went to the place of disturbance in Dholpur and tried our best to bring matters to a peaceful issue. The coming of Arya-Samajists from outside stations in order to defend the rights of the local people was stopped and those had come there were sent away, in the hope that the cause of the trouble, the complaints of the Arya Public would be removed the moment you would take the matter seriously in your hand. The Arya people were restrained from taking any improper steps or doing anything against the established law of the state. But the peaceful attitude of the Arya Samajists of your State instead of bringing justice and a proper disposal of their case to them, involved them in further troubles. The few men of the Samaj of your State have had to face many difficulties. The people of your State have been roused by some of your officials. The Arya people have been stoned openly in the public by an excited mob before the very eyes of the high officials of your State. Mahatma Sardhanand who was in Dholpur, then, was seriously wounded. Your officers could not defend the weak Samajists. The officers who were very prompt in the discharge of their duties, when expelling the Arya people out of their own rightful house for which they had acquired a right according to your own words given to the Arya deputation, the officers who could bring the power of the State to bear upon a small number of peaceful Arya people of your State, found themselves powerless to defend them against the rage of the mob. Does this state of things bring any credit on

the State and its Executive power. The prime duty of any normal State is to defend its weak subjects against the oppression of the strong. The main purpose of the complex mechanism termed the Raj is the protection of the weak and the administration of justice with justice among those that live under its sway. It is easy to side with the strong, it is easy to take the part of the majority; but right is right and it is not always necessary that it should be on the side of the strong and the majority. It is the duty of the State to stand as an impartial judge between its subjects. The benefit of living in society is the security that the weak and the few shall be safe from the aggression and high handedness of the strong and the many, and that right shall always be might. The State or the Raj constitutes the executive power of society and as such it must do its best to use its strength and power properly in defending the cause of right wherever it exists, whether with the majority or not. Every one in the State should feel and trust the strong arm of the Raj.

But your officers forget this. A steady effort has been constantly made by some of them to take Dholpur too hot for the Aryas to live. May I tell you, Your Highness, that the danger of playing with the religious feelings of any section of the Indian community is great and that it is dangerous to let loose the passions of strife among the subjects. That it is dangerous for the peace of all parties concerned to try to crush any section of the community on the ground of religious difference. Religion you know is not local. Things done in the religious field always take a Universal turn, and in India specially any oppression on any religious sect is sure to bring down the opposition of the people of the whole country, belonging to that particular sect. The Dholpur trouble is gradually taking an all-India-trouble type.

And it is for me, a true wellwisher of yours, to point out to you the impending danger. There is a proposal afoot among the Arya Samajists of the country in general that they should go in large numbers to Dholpur in order to defend their weak brethren there, if the State finds itself incapable of defending them and it is quite natural that they should think of doing so. Of this movement I have heard and I write this to inform you of it. If this happens, it will bring additional difficulties before the State. Is it not good, I ask to think of the matter, betimes, and to bring matters to a peaceful close, before things take a more serious turn? True statesmanship consists in foreseeing difficulties and providing for them. The spirit of retaliation and revenge getting hold of imagination of the masses always brings serious troubles. The State should never fail to take the right step on occasions of danger like this, and it should come as a powerful and strong intermediary to crush down disorder and establish peace—a peace not by destroying the weak, if right be on their side, but by upholding their cause and defending them against the oppression of the strong.

I have said my say. I have discharged my duty as your wellwisher. I have placed the dangers of the moment before you for your consideration. It is for your Highness, now to act as you deem fit. I hope and trust that you, the Head of a Hindu State, you in whom the strength of the whole Raj lies centered, you who are the father, mother and friend combined in one of your subjects, will know how to deal with them. You know your people better than others and it is time that you should rise equal to the gravity of the moment and decide things with the promptness and justice worthy of an able ruler of a Hindu Raj.

I hope therefore that the case of the cause to the Arya people will attract you.

attention, that your people in general will be made to feel that it is unlawful and against the principles of justice and equity for portion of your subjects to encroach upon the rights of others however weak they may be, that you look with displeasure upon the conduct of some of your subjects and officials who have had a hand in the oppression. Justice demands that those of your subjects who stoned the Samajists and who are trying even now to make their living in Dholpur a matter of great difficulty shall be brought to book at once for breaking the sacred social contract so that the Aryas of your State may feel that their rights are as sacred as those of others and that they may live a peaceful life free from all troubles and difficulties.

In this you will be earning the gratitude not only of the Arya people of your State, but also that of the Arya public of the whole country.

I beg to remain,
your Highness,
Your most obediently,
(S. D.) Hukam Singh,
Vice President,
Arya Pratinidhi Sabha.

U. P.

Publisher's Notice

There has been no issue of this paper last week owing to the fact of the public holidays.

THE DHARMA VIR.

Friday, 10 January 1919

PERSÉCUTION OF ARYA SAMAJISTS

Elsewhere we publish a letter written to the Maharaja of Dholpur by the vice president of the Arya Pratinidhi Sabha. That letter affords sufficient food for reflection on the part of the Maharaja and, we hope, that his highness will, after perusing same, realize the folly of permitting his high-handed officials to persecute Arya Samajists of his State, who had all along followed the tenets of their persuasion in a peaceful and law-abiding manner. The story of the trouble is briefly as follows: A year or two ago upon the orders of the Maharaja the Vedic Church of Dholpur was demolished, and upon a deputation of the Arya Samajists waiting upon him, His Highness promised to rebuild the church for them. Recently, certain buildings, in contravention of the royal promise, were erected on the spot, and, in the place where the Havan used to be performed a

closet was being established. On hearing this, the Samajists gathered on the spot and performed Havan, when they were ordered by the Mohammedan Prime Minister to quit the premises. This they firmly and with dignity declined to do, whereupon a large mob consisting of Mohammedans, Sanathan Hindus and state policemen stoned them. A great furore ensued and later after a few weeks Swami Shardhanandji arrived on the scene and he also was stoned while proceeding along the road. The Prime Minister now promises to give another piece of land where on to build the church, and the Samajists have declined the offer stating that there was no guarantee that they will not again be persecuted in this most shameful manner, especially having in view the unfulfilled promise of the Maharaja. Our readers will realize that these happenings do not redound to the credit of the state concerned. If they prove one thing more than another it is that the Maharaja and the officials are unfit to rule the state. If instead of protecting every religious sect from performing its religious rituals and services without disturbance, the state itself is the means of causing such disturbance and disorder does such a state deserve to survive? There is time yet however for the Maharaja to save himself and his state from ignominy. We hope His Highness will think discretion the better part of valour and act accordingly. The question is a very serious one and will give the state no end of trouble and worry unless satisfactorily ended.

INDIANS AND PEACE CONFERENCE

We had suggested in these columns more than once the advisability of sending delegates to the Peace Conference. Our suggestion was criticised in an unbecoming manner by the *Natal Advertiser*. We were not surprised at that, but when *Swaraj*, an Indian journal, applauded our European contemporary in an indirect manner, we were amazed. When the *Swaraj* was first published, the public were told that it will be the medium of educating local opinion on the Swaraj movement in India. Has that journal fulfilled that object? And is its editor capable of fulfilling such a lofty ambition when he himself is utterly ignorant not only of the conditions obtaining in India but also locally. In a footnote to the *Advertiser's* strictures upon our suggestion, the editor of *Swaraj* says, that there is no need to send delegates to the Peace Conference since the two Indians selected by the Indian Government are there. In this the "learned" editor misled

his readers. The people of India, at least those who are fighting for Indian Home Rule have refused to recognise the two gentlemen as India's representatives. How then does a journal whose professed main object is the attainment of self-rule for India at variance with the Home-Rule papers of India? Is it because the Editor of *Swaraj* possesses originality? Or is it because his great learning leads him to think differently from the puny minded editors of India. For our part, we feel confident in expressing that there has been no need in this country for such an organ as that of *Swaraj*. It is a disgrace to the name "Swaraj", and, is simply a collection of abuses against responsible and respectable leaders of the Indian community. That journal has not since its inception ever crossed swords with the European journals in this country when they questioned the capacity of Indians for self-rule and, one need not wonder such journals questioning our capacity when they read the *Swaraj* and appreciate the ability of the Pundit behind it. Of all the Indian journals in this country *Swaraj* is the one paper that seems to think thiswise, and the public may rest assured that its editor must have a screw loose somewhere.

SWARAJ'S FOLLY

For some weeks past the paper called *Swaraj* has devoted itself to diatribes of a most revolting nature against some of our country men and ourselves. Though temptation to reciprocate the sentiments of this paper was great, we, nevertheless, resisted it to our utmost, hoping Mr. Beethasi will realize his foolhardiness. In this, we now feel, we reckoned without our host. If Mr. Beethasi desires to rise in the estimation of his countrymen, we venture to assure him, he will deplorably fail by the methods he has adopted of vilifying and abusing those who possess greater capabilities and intelligence than himself. To unblushingly call a man of Mr. Nayanah's capability and respectability a chimpanzee indicates ill-breeding of the lowest type. Mr. Nayanah is old enough to be the grandfather of Mr. Beethasi and a Hindu will surely say that an unmitigated chandal is alone capable of such action. And why is Mr. Nayanah subjected to this iniquitous insult? Because in company with Mr. S. R. Pather he received the Mayor and Mayors of Durban at the Lords on Armistice Day, and, as in duty bound, raised his hat to the civic head of the Borough of Durban. Our readers will concede that in being captious with trivial details like these a person does not exhibit high intelligence or any intelligence at all; that such captiousness only proves that good taste

and good manners have neither been inherited nor acquired. The *Swraj* was dragged into the journalistic arena to educate Indians, here of the aspirations of India, and, how far it has succeeded in its object the public will be able to judge by reading its pages. Week in and week out it has excelled itself in roundly abusing us not overtly but in a cowardly manner. Ever since the inauguration of that journal one article has not been written to justify its existence and Mr. Beethasie should be ashamed of himself in continuing to assume the leadership of that organ. He would have done better by reproducing articles from Indian papers for the benefit of his readers, but, in his folly, he thought it best to drench them with the rinsings of his cloudy brain. Mr. Beethasie will now realize that the intelligence of a country store keeper of modest dimensions is insufficient to run a journal, and realizing, we hope, that in the midst of his greatness, he will seek congenial environments in an unpretentious sort of life.

S. A. Indians' Claims.

Delegates to Peace Conference.

Capetown, Dec. 27 (Reuter).—Reuter learns that the following cablegram was despatched by the Cape British Indian Council to Sir S. P. Sinha Indian peace delegate, London:—"Cape British Indian Council respectfully request you insist no disabilities on Indians or other non-Europeans on account of colour, race, or creed in newly-conquered German territory. Appeal for removal of disabilities, political and trading in the Union, very urgent. Suffering unbearable in South Africa. Indian Conference meets January 20, Capetown."

The same body also despatched the following cablegram to the Indian National Congress at Delhi:—"Indians send heartfelt congratulations to India on noble part in bringing world war to a successful conclusion. Congress must insist on full responsible government for India and full British citizenship for Indians in South Africa. Conference South African Indians meets Capetown, January 20. Sending delegates Peace Conference."

London, Jan. 6.—A Reuter telegram from New York announces the death of ex-President Roosevelt, which occurred at 4 o'clock in the morning. Only intimate members of the family were present.

Since New Year the ex-President had been confined to his home at Oyster Bay

by an attack of inflammatory rheumatism.

Aviation Developments.

Important Allied Conference

FLIGHT TO INDIA

London, Dec. 25 (delayed).—An Allied Conference, including the United States, Great Britain, France, Italy, and Belgium, will be held in Paris early in 1919, with a view to establishing a basis of future aerial navigation. The principal subjects for discussion, telegraphs Reuter's Paris correspondent, will include means to prevent the evasion of Customs barriers, also the prevention of the rapid conversion of German postal or commercial aeroplanes into bombing machines. The decisions of the Conference will be embodied in the Peace Treaty with Germany and her exallies.

Reuter's Delhi correspondent sends an account of an interview with Major-General Salmon, who flew to India last week.

Major-General Salmon said that the original purpose of his flight from Egypt was to make a tour of inspection through Mesopotamia, but the weather being favourable the Air Ministry ordered the flight to be made to India. Mails were collected and delivered en route. The distance from Cairo to Delhi, 3,233 miles, was covered in 47 hours and 20 minutes. No trouble was experienced.

The party carried a letter from the Sherif of Feisal, son of the King of Hejaz, asking the Arabs to assist them if necessary. The fact that the flight was accomplished by an ordinary service machine showed what a future lay before aviation for commercial purposes.

The "Echo de Paris," says Reuter's Paris correspondent, devotes an article to the future of aviation, in the course of which it specially refers to the Handley-Page flight to India. It pays a tribute to the bold outlook and extensive preparation of the British Air Ministry, and he rapidly with which its plans have been put into execution. It says that the policy of the British Government clearly is to profit, in agreement with the Allies, by the circumspection of German aviation in order to capture the most important aerial routes of the world.

Yeotmal, Nov. 24

The Yeotmal District Congress Committee wired the following resolution to

the Viceroy and the All-India Congress Committee: Strongly urges necessity of appointment of non-official representative on behalf of British India at the peace Conference, in addition to representative, and recommends Lokmany Gangadhar Tilak as the best qualified Indian for such appointment.

The Council of All India Moslem League have elected Hon Mr A K Fazlal Haq of Calcutta as President of the eleventh session of the League at Delhi and have fixed December 30 and 31st as the dates for session.

Employers & Indian Medical Fees.

IMPORTANT JUDGMENTS

Question of the Colonial Born.

UNREASONABLE SUGGESTION, therefore, though by no means a conclusive one, that the interpretation clause was introduced for the purpose of extending the meaning of the words in question in what may be called the new part of the Act, but that it was not intended to apply to those sections which in substance had been taken over from the earlier enactments on the same subject. And this suggestion is supported by the fact that the provisions of Sections 63 to 89, which deal with marriage, divorce, and cognate subjects can be made to apply most appropriately to descendants as well as to immigrants, and were doubtless intended to include them, whereas in many of the earlier sections of the Act, as, e.g., Sections 10, 11, 14, 18, 22-25, 27-38, it is quite impossible to read the words Indian immigrant as including descendants. The same cannot, of course, be said with regard to the Sections with which we are immediately concerned in this case 48 to 50, but the fact that in this consolidating statute these were taken over substantially from corresponding provisions of earlier statute which contained no interpretation clause renders it, to say the least, probable that clause 117 was not intended to apply to them. And an examination of these sections leads to the same conclusion. This Section 48, with which Section 50 must be read in order properly to understand it, requires every person in whose employ any Indian immigrants may be provide medical care and attendance of them, and to keep a "general and medical register book" in such form as the Trust Board may direct."

(To be Continued)

THE DHARMA VILAS

PUBLISHED WEEKLY IN ENGLISH AND HINDI.

VOL 3.

Springfield, Durban, Friday 17 January 1919.

No. 46

MESSAGE OF INDIA TO THE WORLD.

(By Historicus).

Continued from 27th December 1918

I glanced at the history of Europe and stated that the great Fact of Modern Age in Europe is the building up of nation states and the great aim of these states is the extension of their commerce and the acquisition of territory. I submitted that the great war is thus the logical sequence of those ideals which these nations have sought to realise. Thus these false ideals of life are responsible for the great misery and ruin—the result of this war. India is called upon to teach to the world true ideals of life and thought.

In this, I propose to discuss India's capacity for this great work.

The genius of India finds expression in her spirituality. India is par excellence a spiritual country and the Indians a spiritual people. In the hey day of her glory, the best that India offered to the world was her spiritual teachings and even in the days of her greatest degradation the strong point of the peoples were their spiritual outlook of life. Let us look at some facts of Indian history.

From time immemorial the proudest and the first position in held by the Brahmins. They are the leaders in spiritual thought and are India's thinkers. They are great, not because they are rich and powerful, but because they are learned, pious, self-sacrificing and servants of humanity. A Brahmin is not to hoard wealth, he is not to lead a life of comfort and ease. His whole life is to be a life of penance, of asceticism, and he has to have only a few physical wants. He is to live for others and teach and preach truth to the two orders of Kshatriyas and Vaishyas. He is to divide his life into 4 divisions and half of his life is to be spent entirely in the service of God and humanity. He is to have no family ties, no relationship to bind him to the world. Such are the rules of this order and they were faithfully carried out by the Brahmins. India was civilised through the efforts of these Brahmins. They went and preached to wild tribes, the name of

God and carried the lamp of Vedic learning far and wide. They helped in the annihilation of the savage races that inhabited India and saved the seeds of knowledge and culture. How hard would have been the task of these great benefactors of humanity! And yet these men, these pioneers of civilisation died unknown. History records no trace of their glorious names. They died doing *Nishkama Karam*, with out hope of even reward and gain, with out seeking fame—the last infirmity of a noble mind. Come down to a less remote period. The period of Upanishadas. Read of the deeds of the Brahmins. Wise and learned men are they. Men who sit at their feet and satisfy their spiritual cravings. They answer the most knotty questions of life and soul. Calm in the contemplation of God, they teach and preach daily and hourly. Yet they discard the things of the world. They make their homes in places, where they can hardly be comfortable physically. Yet when they are called to the councils of state to take part in discussion of religious and educational matters, proud kings and nobles stand up at their approach. The Brahmin, naked, his feet covered with dust, is worshiped. The king offers him his wealth, his riches and his throne, yet the poor, the humble, the dust covered Brahmin rejects these offers and is happy to solve the difficult problems of life and death. In all times and under the most difficult and trying circumstances, these wise men have by their pure lives sought to preserve the best traditions of the country and helped to preserve the intellectual and spiritual treasures of the race. When the art of printing was unknown they learnt by rote the *Granthas* and handed them down to posterity from generation to generation. What service these people have done to the growth and preservation of learning!

Even in these times when materialistic ideas rule and govern our lives, the lives of Brahmins, learned men and thinkers are worth a study. Who will not feel

proud at the great sacrifice of these men? Content with little, having the fewest wants possible, these heirs of a great tradition live in Kashi and other places and are proud to teach Sanskrit free to all who knock at their door. Look then at the life of these great workers in the field of politics, religious and social reform and who will not recall with pride the great names of Dayanand, Gokhale, Tilak, Malaviya and host of others who have done and are doing so much in a selfless spirit for the betterment of a fallen race. Let young India compare the life of these great and earnest workers with those of others in other countries.

(To be Continued)

THE BOMBAY NATION UNION'S SUGGESTION

SELF DETERMINATION FOR INDIA.

The Bombay National Union has issued the following to all Congressmen (Nationalists and Moderates) and leaders of public opinion in India:—

Since the last Special Sessions of the Indian National Congress, the world politics have vitally changed and progressed. When the world has moved onward with rapid strides it seems but desirable that our ideals and aims must also change in conformity with the altered ideals of the world. When the United States of America entered into this World War, now happily closed, its illustrious President avowed "Self-Determination for every Nation" as one of his Great Country's war aims. During the last few days, this principle of Self-Determination has been further defined by him, as recognising 'the right of the people to decide what will satisfy their aspirations and conceptions of their rights and destinies as members of the family of nations.' The grant of Responsible Government—in one or more instalments by the governing or suzerain power to its

subject nation is not, thus, in accordance with and does not satisfy the true principle of Self-Determination. This has been made quite clear by President Wilson in his reply to Austria regarding the Zecho-slav and Yugo-slav nationalities. The Austrian Government was prepared to grant Responsible Government to Zecho-slavs or Yugo-slavs, but President Wilson unequivocally stated that such a grant of Responsible Government by the ruling nation is not the application of the principle of self-Determination, but that the people, i. e. its accredited representatives must themselves "determine and carry out un hindered their future constitution according to their own wishes." The illustrious Prime Minister of Britain, Mr. Lloyd George also endorsed the same view when he declared that the now liberated people of Mesopotamia and Syria and other parts of the Turkish Empire will themselves determine what from of Government they think best and will have it. He thus enunciates the same principle as the President of the United States and further declares that that principle will be applied as well to the peoples of Asia as to that of Europe. In consideration of this altered view world politics therefore, it is but proper that we should shape and bring our ideals in line with it. In conformity with it, the question thus before us for consideration at this momentous time is not whether the Montagu Chelmsford Scheme is acceptable as it is or how far the British Government is prepared to go in the direction of the grant of self-Government to India, but the question is what the People of India, who have sacrificed so much of her blood and money on behalf of the Allies and the bones of whose soldiers are lying on the battle-fields of France, Flanders, Mesopotamia, Syria, East and West Africa, Egypt and Palestine, wish to have by the application of the principle of self-determination as above defined. Did India sacrifice her men and money in order that the Zecho-slavs, the Yugo-slavs, the Poles, the Armenians, the Arabs etc may have the principle of self determination, as above set forth applied to them, while India should continue to be satisfied by what modicum of Responsible Government its Bureaucratic Rulers may design to give her? The phase of the question has to be considered at once. The Peace Conference, in which the world-nations will take part, will assemble shortly and it is at this Conference that the claim of India with its ancient civilisation and her mighty past, to have the above principle of Self-Determination applied to her at once, must be pressed.

We therefore, request that with a due sense of the size and magnitude of

the present issue, you will kindly favour this idea of pressing upon the Peace Conference the claim of India to have the principle of Self-Determination applied to her. You must remember that if we do not rise to the height required by these momentous times, our life-time service in the cause of our mother-land will count for naught and the present as well as the future generations will condemn us for having neglected the true interests of this ancient land at the most critical moment. We therefore, earnestly request you to place this phase of the question before the people and the All-India Congress Committee, by holding public meeting all over the country, as soon as can be, under the auspices of the Provincial and District Congress organisations, the Home Rule League Branches and the other public bodies with which you may be connected and voice forth India's aspirations and conceptions of her destinies as a member of the family of nations to the free people of the world, so that when they meet at the Peace Conference the claim of India to have the principle of Self-Determination fully applied to her shall be recognised.

The Resolution to be passed at such meeting may be ordered on the following lines and copies of the same should be forwarded to us for our information and to.

1. The Viceroy.
2. The Secretary of State for India.
3. The Premier.
4. The Members of Parliament.
5. The Indian delegates to the Peace Conference and,
6. The All-India Congress Committee.

Resolution:—That having regard to the fact that the great communities of India are the inheritors of ancient civilizations and have shown great capacity for Government and administration, and to the progress in education and public spirit made by them during a century of British Rule, and further having regard to the fact that the present system of government does not satisfy the legitimate aspirations of the people and has become unsuited to existing conditions and requirements, and also in conformity with the principle of Self-Determination as enunciated by Mr. Lloyd George, the Premier of England, and also by President Woodrow Wilson of the United States of America this meeting resolves that at the Peace Conference the claim of India to have the principle of Self-Determination applied to her be fully recognised so that she may be able to progress unhindered in building up her future constitution in accordance with her own wishes.—Yours, etc.,

J. H. MAJUMDAR,
R. N. MANDLIK,

D. D. SATHAYE,
M. B. VELKAR,
Jt. Hon. Secretaries.
(Amrita Bazar Patrika)

Re South African Indian Conference.

The Editor, "Dharma Vir"

Sir,—The supreme crisis in the life of our countrymen having now arrived in South Africa, the British and the Union Parliament being about to sit at the same time, it behoves every patriotic Indian to realise this crisis and act accordingly. In addressing this final appeal my Committee is not unmindful of the fact that all representative bodies of Indians are awake to the colossal danger which threatens them. Look where you will in the Union indications are not wanting to prove this. From previous correspondences you will be aware of the objects of the Conference; and my Committee having every confidence in the assurance of your whole hearted support and co-operation, it is needless to repeat them in detail once more. The salient facts are before you; the actions of the various provincial Administrations of the Union as regards our people are also before you.

A common interest, a common danger, and a common purpose has welded us all into a strong bond of brotherhood to demand our rights with no uncertain voice. Various unforeseen causes having militated against us in the past, it has now finally been arranged to hold the Conference on the 20th instant, and my Committee request your Delegates to be in Cape Town at least three days before to decide upon a united course of action. In conclusion it is necessary to issue a word of warning a small number of self-interested un-influential persons, having themselves nothing to lose, are endeavouring to create mischief and dissension among our people as regards the Conference. Since such persons are to be found in every community, they can be safely left to the good sense of our people.

Yours Faithfully,
Shekh Ismail
Chairman.

A. Ismail, Secretary.

Malvern Indian Relief Committee.

To the Editor "Dharma Vir"

Sir,—The above committee under the energetic chairmanship of Mr. L. Sullivan Esq. of Facombe, has been working with great success, in combating the prevailing influenza epidemic, and in supporting the poor and needy. The committee meets weekly at the committee's room at Malvern, to discuss important matters in connection with the disease. The epidemic is so much abated that the committee was obliged to discharge the four sanitary inspectors, who rendered valuable services at all times.

There were three (3) Medicine depots, under the control of the committee at the following places viz. Malvern, Northdene, and Umhlaas (Intake).

By the kind consent of H. C. Balance Esq., Inspectors of Schools. The Malvern Indian School was opened as a hospital, which, was fully equipped by the above committee and The Medical Officer of Health, Durban. Fortunately there were none serious cases for the hospital except one, who was cured and discharged.

The following is a full report of the inspectors (from 30th November 1918 to 17th Jan. 1919.) No. of houses visited 174. Found sick and Medicine supplied to 1072. Foodstuffs supplied to 71 persons.

DEATHS. Males 21 females 12 Male Children 8 Female Children 3 total 44.

The undermentioned is a portion of the list of contributions, towards the above fund.

T. Burman (Mayor) £10 0 0, M. L. Sultan £5 5s 0, M. C. Naidoo £5 5s 0, Byrne & Coy £5 5s 0, P. M. Naicker £3 0 0, J. Mc. Intosh £2 2s 0, Jivan Rutchhod £2 2s 0, J. Ramchand £2 2s 0, Mohamed Ebrahim £2 2s 0, E. B. Milne & Baw £2 2s 0, Atkinson & Sons £2 2, 0, Joseph Cassim & C £2 2s 0, B. Ebrahim & Coy £3 3s 0, A. E. Deasi £2 2s 0, Lurie Bros & Katz £3 3s 0, C. A. £2 2s, W. H. Ismail £2 2s 0, Total £56 15 0.

Notes and News.

London, Jan. 11.—The new Ministry is mainly a reconstitution of the old one. Among the few exceptions, the selection of Sir S. P. Sinha, the distinguished Indian representative to the War Conference, as Under Secretary for India, is one surprising feature, no hint of appointment having appeared among numerous forecasts and speculations. His appointment is the first one of an Indian as a member of the British Government. It is expected in political circles that he will be elevated to the peerage.

Capetown, Jan. 14 (Reuter).—The president of the Cape British Indian Council has sent the following cable to Sir S.P. Sinha, on the occasion of his inclusion in the British Ministry: "Your appointment is the greatest national historical triumph, India's rightful place is fully vindicated. Joy."

Reuter's Delhi correspondent telegraphs that the Indian National Congress proposes to hold a session in London in the spring. The session will be attended mainly by delegates from India. A deputation will be authorised to present a petition to the Throne and to Parliament affirming India's loyalty, and offering the congratulations of the King's loving subjects on the success of their Majesties' armies and those of the Allies in a war for justice and liberation. The petition will further appeal for Indian constitutional reform in order to lift India to the position of free nations under his Majesty.

Employers & Indian Medical Fees.

IMPORTANT JUDGMENTS

Question of the Colonial Born

It is that sections Indian immigrant include descendants, it means that for all future time every person who has in his service, in whatever capacity, one or more Indians descendants from an immigrant is bound to keep such a book. The Indians in question may be educated men employed in responsible positions, yet this obligation attaches to the employer. And a neglect to discharge it subjects him to the penalties provided for in Section 94, the concluding portion of which provides that "the Governor may determine

the contract of service of such immigrant and also of any other immigrants in the employ of the same employer, and to assign such immigrants to some other person for the residue of the original

TERM OF SERVICES of such immigrant respectively." This manifestly is a provision which could not possibly have been intended to apply to an employer in respect of the descendants of Indian immigrants. Moreover, we find that Section 48 deals to some extent with the same subject as the latter part of Section 34 which is contained in a chapter of the Act in which clearly the words Indian immigrant are used in their ordinary and not in their extended sense. Then passing on to Section 49, it is provided that the Protector may require from any employer of Indian immigrant such return as he may see fit to direct as to the number, state, and condition of such immigrants. That no doubt is a very desirable provision for the protection of Indians who had come from India under indenture, but it is conceivable that it was ever intended to confer such a power for all future time upon the Protector over any employer who might have in his service Indians descended from such immigrants, no matter what their social position might be. In view of all these considerations, I am driven to the conclusion that it was never intended by the Legislature that in Section 48 the words Indian immigrants should include descendants. And if that be so it would follow that in Section 50 also these words were intended to be read in their ordinary sense. For the obligation in this section placed upon an employer where a medical practitioner has been appointed by the Trust Board to attend upon the immigrants in his service, is in substitution for that which devolves upon him under section 48 to provide medical care and attendance for them. If, then, under the latter section his obligation does not extend to the descendants of immigrants, the inference is irresistible that his liability under section 50 is limited to immigrants in the ordinary sense of that term.

It was suggested by Mr. Justice Tatham that a provision imposing upon employers the obligation to provide medical care and attendance themselves, but also for their descendants, would have been by no means unreasonable in view of the solicitude of the Indian Government for the welfare of such immigrants. But

(To be Continued)

THE DHARMA VIK

PUBLISHED WEEKLY IN ENGLISH AND HINDI.

VOL 3.

Springfield, Durban, Friday 24 January 1919.

No. 47

LOYAL INDIA

Now that an end has been put to the great world disruption, we can think dispassionately of the splendid help to victory given us by our Indian fellow subjects. It was left to Prussian lust for universal dominion to reveal the unsuspected strength of the attachment of the Princes and peoples of Hindustan to the British realm, as evidenced by their prodigal sacrifices of life and resources. As the war dragged its slow length along, their was no symptom of any evanescence in their loyal devotion. Offers of lavish gifts made at the outset were supplemented and multiplied. The native intellectual classes organised expressions of whole-hearted support from communities and associations of all castes and creeds. It was not possible to refuse their insistent demand that our Indian troops should share to the full in the perils of our campaigns, not only in the secondary operations in lands across the border, but side by side with British and French forces on the Western Front in Europe. The decision to put full trust in India's loyalty and in the valour of her fighting men made such an appeal to Native sentiment as nothing else could have done, and materially contributed without doubt to our success in stemming the tide of Hun invasion. It is good to remember that an Indian contingent of 70,000 men reached the battle front at the precise moment when the Germans, felled in their rush on Paris, were making their formidable lunge at Calais. So also did our Indian troops do memorable service in Mesopotamia and East Africa, helping to expel the enemy from their foothold in China, and taking part in the hurrying back the Turks in Egypt. Not only did India send us a quarter of a million fighting men, but within three months from the beginning of war she was aiding us with munitions and equipment of all sorts. Never before since the days of Robert Clive has India laid at our disposal help, both material and moral, on so vast a scale. At a certain crisis a generation ago, when we stood

on the verge of war with Russia, the Princes vied with one another in offers of men and money; and, although the peril passed without the firing of a shot, their action had the happiest result in a permanent establishment of Imperial service contingents, as a freewill native offering. The soldiers of India have again and again been of use to us, but never before the Great War did military enthusiasm extend so widely, far beyond Ruling Chiefs, and aristocrats, to the wealthy and influential western-educated middle-classes.

Those classes are more strongly represented in the Indian Legislatures than any other elements in native life. In September, 1914, the Supreme Legislature, on the motion of a private member, passed a resolution declaring that the peoples of the peninsula desired to share in the financial war-burdens of the United Kingdom. On previous occasions leaders of political opinion in India had taken a directly opposite course. Again and again has the Indian National Congress demanded that even the ordinary military expenditure of the Peninsula should be shared by the Imperial Exchequer, on the ground that such was determined solely by the exigencies of our supremacy and policy in the East. The fact was lost sight of that the advantage of Britain's naval predominance was immeasurable, having regard to India's huge sea-borne trade, the sum which she contributed to that object being an almost nominal one. We have heard it said that India herself has been paying the total cost of her contingents in the war. But this is not so. The customary military charges, amounting to £20,000,000 per annum, have suffered on reduction as the result of the employment of native troops abroad, while the whole equipment, transport, and maintenance charges, have been paid by the Imperial Exchequer. A large number of Territorial units, indeed, have been replacing native troops for Indian garrison work; but for these, India has not been

asked to pay a single rupee. At the same time it must be recognised that some of the great Ruling Princes, like the Nizam of Hyderabad and the Maharajah of Mysore, not only sent Imperial Service Contingents to Europe, but made direct money contributions to the extent of nearly a million sterling; to which must be added many offerings of war material and hospital equipment. India's revenues during the war showed large decrease from causes easy to understand; but, notwithstanding that, not a penny of new taxation was asked for; and an influential group of native legislators did not conceal their opinion that the contributions, handsome in themselves, were far from representing all that India could and should do. It was wise, no doubt, to resist the temptation of adding to native burdens in the way of taxation. The moral value of "business as usual" among the cultivating masses throughout the country can hardly be overestimated; and it is a matter for congratulation that the loss to Indian commerce from the war has been much smaller than might have been expected. All classes realise to-day, as never before, how much they owe to the fact that our incomparable Navy has guaranteed the full flow of the tide of India's prosperity.

The moral results of India's loyalty are to be added to the material ones. A new spirit of camaraderie has sprung up between the island-born soldier and his Indian brother-in-arms. Fresh links have been forged binding closer than ever, India with the rest of the King's Dominions. Moreover, we have truer estimate to-day than ever before of high qualities of Indian civilisation. The wounded will take back with them appreciative memories of the care with which they were tended, and of the comforts showered on them by the people of Britain. Stories of Indian heroism have found their way to the homesteads of Canada, to African farms and Australian sheep-runs. There is nothing like comradeship in arms, nothing better than sharing the hardships of campaigning, for

the levelling of class distinctions, for inspiring mutual respect and fostering friendships. "Gain" also has come to our Territorial soldiers from their sojourn in India. On their return home they cannot but spread and deepen a more lively interest in Indian matters. They have had opportunities of realising, by contact with the better elements of native life, the value of the British connection in the hour of danger. The moral principles for which our armies have been fighting are as dear to India as to ourselves, seeing that they form the foundation of our rule. Princes and Chiefs regarded with wrath the value set upon treaties at Berlin. We safeguard their possessions by a system of adoption in the absence of natural heirs. The "scraps of paper" embodying those principles are sacred, as the rulers well know, under our Flag. They know also how Germany would have looked at such documents, and after what a cast-iron pattern Hun domination would have been fashioned. They have no yearning for a mailed fist that would strip Indians of every advantage they enjoy. The native Press has made known our enemies' methods of making war. The Kaiser looked for the undermining of our rule when Turkey joined the Central Powers. Germany added to her blunders by despising Indians as men who could be tricked and kicked into disloyalty, and played her usual dirty game by means of ubiquitous spies. It is too early to estimate the full sum of the ultimate changes that will accrue to India from the war. A new landmark has been set up in our rule pointing to modifications in political and social developments. But there are fixed points of policy that will suffer no change, though issues and controversies will be dealt with in the light of an enlarged vision. So will India best fulfil her destinies and attain her ambitions. She has stood by us, to her undying glory, and it is our duty to make the best use of the honoured place she has won for herself in the British Imperial system.

Natal Mercury

THE DHARMA VIR.

Friday, 24 January 1919

S.A. INDIAN CONFERENCE.

Elsewhere we publish a report of a meeting held in Durban, in which a number of delegates were nominated to attend the South African Indian Conference. Widespread comment is being passed as to the manner in which these delegates were elected, and the insufficient notice given to the public. While we fully sympathise with these sentiments, we would like to point out the advisability of

not saying or doing anything to endanger a successful session of the Conference. We are a disunited people at this moment to our detriment, and any movement, that tends to the establishment of solidarity and unity amongst us, ought to be wholeheartedly welcomed by all sane-minded individuals in spite of the existence of some unfortunate discrepancies. We hope our countrymen will look at things in this light and encourage their countrymen of ours who are endeavouring at great sacrifice against seemingly insuperable odds to render our community a much-needed service. While we regret we are unable to attend the Conference in person, we feel, we cannot too strongly impress upon the prime movers of the movement, the desirability of so conducting the affairs of the conference as to give the maximum of satisfaction to the majority of our people. The detractors of the movement are anxiously waiting to turn any unfortunate incident into a big thing to destroy the conference. Extreme vigilance is essential on the part of the organisers, which, we are sure will not be found wanting. We pray Paramatma to shower his blessings upon the forthcoming deliberations.

Indian Grievances.

The Coming Capetown Conference

DEMAND FOR THE FRANCHISE Objectionable Railway Regulations

A mass meeting of Natal Indians was held on Sunday at the Madrasa Hall, Pine Street. Mr A. D. Padia presided, and Mr. J. M. Francis acted as secretary.

The Chairman, in the course of his address, said:—We have now assembled here for the purpose of considering what steps to take in regard to matters connected with the great National movement taking place both in South Africa and India. First of all, we thank God, that the Great War in which our beloved Sovereign had been engaged during the last four years, has terminated happily in the triumph of the British arms, and while we are proud of the victory gained by our Sovereign, it should be remembered that the victory is due primarily to the just cause which Britain espoused, that is, for the liberation of the world and for the extension of rights due to all free-born men. At the commencement of the war, the British Government made a declaration to the effect that England according to her characteristic tradition embarked on the Great War, not for personal aggrandisement, but for the upholding of the rights of small

nationalists and for giving the rights due to all classes and races, irrespective of colour. This noble announcement on the part of the British Government gained the unanimous approbation of all sorts and conditions of people in this Empire, and as a consequence to it, all British subjects threw their heart and soul into the war to make it a success. We, South African Indians, with a view not to embarrass the Government, refrained from making any agitation in regard to the multifarious

POLITICAL INEQUITIES and grievances during the war. But unhappily the Union Government did not remain so. In addition to the harsh Administration of the various laws enacted obviously against British India, they have added another one in the Railway regulations of the Railway Act, which has placed us at the mercy of any white Railway official. As a result, Indians and other coloured people are often subjected to humiliation and ill-treatment at the hand of the Railway officials, and though complaints have been made time out of number, there has not been any appreciable improvement at all. However, one is inclined to ask what benefit have the Indians derived from the Union of South Africa? You are aware that it is now close on nine years since the Union was formed. We, in Natal, although we vehemently protested against Natal joining the Union, were assured by the Imperial Government that we would be treated in a broad and generous spirit by the Union; and at that time, if I remember right, even the "Natal Mercury", in a leaderette stated that the Indians were unduly apprehensive in their opposition to the Union, and we were told that the British tone of Administration would prevail after the Union. Let us ask the Britishers that seeing that nine years is ample time for testing the Union, whether their surmises have proved correct or whether our apprehensions have been realised. Since the absorption of the four self-Governing Colonies into the Union, we, Natal Indians have lost many a valuable right, and the Cape

INDIANS HAVE SUFFERED similarly, while in the Transvaal, the position of our countrymen remains as it was during the Kruger's regime. In effect, I can safely say that by this Union, British Indians have derived no benefit and instead of benefiting all our rights are gradually dwindling to vanishing point. We have repeatedly brought to the notice of the Union authorities our troubles, but without any result. Even the Imperial Government have so far not helped us. Thus, you see, we are being knocked about from pillar to post, and there seems to be no end of it, if we let things remain as they are. At the time when the civil-

and world promises a new order of things as a sequel to this great war, we South African Indians, want to know, where do we come in in the adjustment of the new State? We have patiently waited all these years with the hope that the Union Government will spontaneously right our wrongs and inaugurate the proverbial British system of administration based and acted upon on equality and justice, but unhappily, as we find no signs of its forthcoming from any responsible quarter, we have no choice in the matter than to submit our present condition to the British people with a view to enabling them to judge in the new light of things. It is a matter of great pleasure for me to state here, that our countrymen from all parts of South Africa are going to assemble in Capetown next week for the purpose of deciding a

UNIFORM COURSE OF ACTION
for promoting the cause of the South African Indians. This is the first time that a United South African Indian Conference is going to be held, and I believe I am echoing the opinion of all assembled here when I say that we wish every success to the Conference, and we ardently hope and pray, that good will come out of the Conference. We have all along suffered in many directions, and to cite only an instance we have suffered immensely by Provincial jealousies, and Provincial restriction, which ought to be removed without any more delay if Union means anything to us, and I am happy to state that the united voice of the South African Indians through the forthcoming Conference might pave the way for the achievement of the ideal we have in view.

As I understand that all matters having reference to our national rights and common interests will be dealt with by the South African Indians Conference, I will leave it at that, and I hope that you will elect delegates to represent Natal Indians at the forthcoming Conference.

The following resolutions were subsequently passed:—"This mass meeting of the Natal Indians of Natal respectfully ventures to urge the claim of the British Indian subjects for the extension of franchise rights and this meeting prays that the Union Government will be pleased to introduce the necessary legislation in the Union Government."

2. "In view of the fact that since the absorption of the four self-governing Colonies into the Union, British Indian subjects have derived very little benefit therefrom: this mass meeting, in order to render the Union a meaningful expression, requests the Union Government to remove the inter-state restrictions placed against free movement of Indians throughout the Union."

3. "This mass meeting authorises the

Chairman and Secretary to forward copies of resolution to the Union Government, and for the information of his Excellency the Governor-General."

4. "That this meeting of the Indian community appoints Messrs. M. C. Anglia, Osman Ahmed, Mohamed Ibrahim, M. Rooknoodeen, P. S. Aiyar, Essop Bapu, R. B. Chetty, B. L. E. Sigamoney, A. Christopher, J. M. Francis, and M. Beechase as delegates to the South African Indian Conference to be held shortly at Capetown, and the delegates are hereby authorised to ventilate the various grievances under which Natal Indians labour with a view to their removal, and to urge the claims of British Indians for extension of franchise rights to all civilised persons throughout the Union." The following have been also appointed as delegates:—Messrs. M. L. Sultan, G. D. Lalla and S. C. Pathe.

Notes and News.

LABOUR MANIFESTO SELF-GOVERNMENT FOR INDIA

London, Nov. 29

Independent Labour opinion on Indian reform is represented in Mr. Lansbury's election manifesto to his constituency. It asks the repeal of the Defence of Realm Act, release of political prisoners at Home, India and Colonies, full freedom of speech, dress meetings and self Government for India on the principle of self determination.

MR. TILAK IN ENGLAND

AUTHORISED TO ACT ON BEHALF OF INDIA.

Mudras, Dec. 5.—The General Secretaries of Congress have cabled to Messrs. Tilak and S. Kasturiranga Iyengar that they have been appointed to be members of the deputation of Indian National Congress and authorized to act on behalf of the country as per the resolution of the Special Congress held in Bombay in August last.

Peace Conference.

LONDON, January 19.

It is stated, with regard to the representation of India at the Conference, that the Hon. E. Montagu has decided, with the approval of the Premier, in view of the historic importance of the opening meeting, to depute the Maharajah of Bikanir and Sir P. Sinha to be representatives of India on this occasion.

London, Jan. 18.—Reuter's correspondent at Bombay, telegraphing on Jan. 8, reports that following the influenza epi-

demic, Bombay is now suffering severely from a cholera epidemic, the spread of which can largely be attributed to influenza patients from famine-stricken districts.

Deaths in Bombay for the week ended Jan. 4, totalled 1,900, of which 750 were due to cholera, while the preceding week there were 1,700 deaths, of which 550 were due to cholera.

Latest figures, however, show a considerable improvement.

London, Jan. 13.—The "Daily Telegraph" states that Sir P. Sinha, the new Under Secretary for India, will be created a Peer to enable him to represent the interests of India in the House of Lords.

The Six Nations Indians of Canada at a mass meeting have decided to send an appeal to the Governor-General for the immediate lifting of the ban on Indians who failed to register under the National Registration Act. Unregistered Indians, it is declared have been refused supplies at all the stores on the Reserve.

The Government of India are considering a long distance telephone scheme, and also a proposal to establish an aerial postal service in India.

The Indian Government is considering making a systematic survey of water-power resources for the generation of electrical energy, with the object of rapid industrial development after the war.

Delhi is suffering severely from influenza, and the Conference of Ruling Princes has been indefinitely postponed. Influenza is also rife at Simla. The Government is considering delaying the transfer of departments to Delhi, as travelling is undesirable.

PEERAGE FOR SIR P. SINHA.

London, Jan. 20.—The conferment of a peerage upon Sir P. Sinha, Under Secretary for India, is officially announced.

Tongaat Andhra Dharma Patasalah.

Mr. A. Moonsamy Naidoo one of the trustees of the above Patasalah has passed away in the Influenza Epidemic.

A general meeting was held on the 5th inst in which Mr. A. Jeewon has been appointed trustee in his place. Proposed by Mr. Cassim; seconded by Mr. Kondayah Naidoo and supported by Mr. R. Chengayah.

Yours truly
A. R. Rajoo, Secretary.

A U M. The Dharma Vir.

PUBLISHED WEEKLY IN ENGLISH AND HINDI.

VOL 3.

Springfield, Durban, Friday 31 January 1919.

No. 48

MESSAGE OF INDIA TO THE WORLD.

(By Historicus).

Continued from 17th January 1919

The Kshatriya class too, shows unparalleled instances of the strength of spiritual and moral ideas. Here the king is taught that he is the servant of the people, that he is on the throne to guard and protect his subjects, that the relation between the king and his subjects is that of parent and his children, and that the ultimate goal of a king's life is not the extension of territory or commerce but the service of God and humanity. Here it is that the kings at the throne leave off territories, kingdoms, lands and try to raise themselves by adopting the life of a Brahman. Bhatrihari gives up his throne and becomes wandering Fakir (a religious teacher). Buddha renounces all prospects of becoming a great king and becomes the great teacher. Asoka dedicates his princes to the great religion which he has professed and kings whose mention is made in the Upanishads are eminently spiritual people. Yudhisthar and his brothers seek salvation in their after life in leading lives of penance. It is here in this country that princes do not fight over their right, but the guiding principle of their lives is duty. Every one of us is acquainted with the story of Rama. Rama goes to the forests at the bidding of his step-mother. He does not stop to question the propriety of her order. He does not assert his right to be the king after his father's death. He pleads no constitutional law or custom in his favour, but is glad to relinquish his throne for Bharat. Bharat is called from his maternal uncle's home. He is told, that Rama has been sent to the jungles and that he is to take up the duties of the king. Bharat is astonished to hear the story of Rama's banishment. With men and armies he repairs to the jungles and seeks Rama. The brothers meet affectionately. Bharat tells Rama to come back, swears that he will not rule. What a scene in the history of the political India! Here is the imperial crown of Ayodhya, and here are the two princes—Rama

and Bharat each of whom could easily assume sovereignty. Rama refuses to go back as he considers it his duty to carry out the command of his father. Bharat refuses to accept the crown as it belonged to the eldest born to rule. They care not for the kingdom, they care not for the crown of Ayodhya and its great riches. Each seeks to do that which the highest rules of religion and morality dictate. Who will point out to me an instance of this kind from the history of other countries?

Here it is that the princes swear to give up the idea of marriage, the idea of ruling over a mighty Empire, in order to fulfill the wishes of their father. Bhisham takes a vow of eternal celibacy in order to make his father happy. Wonderful people are these, these mighty and great sons of Bharat varsh, whose aim in life is to do that which they consider their duty, who do not squabble over their rights. Kshatriyas princes and nobles in this land seek to find out the moral laws and to live by it. It is not the two higher classes that supply men of this kind. Men out of the other lower classes have contributed their quota to enrich the moral and religious history. India has been proud to raise aloft her sons and to follow and worship them—low born though they were—whenever they have given her something to live by. Valmiki, Jabala Rishi, in more recent times Kabir and others, have claimed the allegiance of the people.

Look then at the literature of this country. Her great treasures are in Sanskrit. Her books written centuries ago, when Europe was still groping in darkness, are the wonder of the world. Here the best men, the best writers and thinkers speak of God and His power, soul and its attributes, Human happiness and salvation. The ancient Indians were great in all departments of literature; but their philosophy, their religious discourses, their talks on subjects, of soul, matter and God form the best portion of the Sanskrit literature. We are informed that thou-

sands of Sanskrit works and books were burnt in the days Moslem conquest of India. But whatever works are extant, testify to great genius of the writers and they exceed each other when they are talking about spiritual subjects.

No doubt in India there have been great and worthy men all round, but the greatest peculiarity of India is a succession of a long rolls of eminent men in the religious history of India. In times of trouble, in times of ignorance and darkness, men have arisen here, who have by their teachings, by their lives sought to win India back to her great ideals. Buddha and his disciples, Shankaracharya, Ramanuja, Nanak and the 9 Gurus who succeeded him, Kabir and others, the saints of Maharashtra, in modern time, Ram Mohan, Vivekanand, Ram Krishna, Ram Tirath, and Dayanand, are the great names with whom everybody is familiar. The kingdom of God is here not for the rich, not for the powerful, not for the popes and prelates, who live in ermine and gold, but for the poor, for the weak, for the self-sacrificing who live and die for humanity, who teach truth and live and die by it. And Europe dares to teach us spirituality and comes to us and sells us these truths, asks us to enter the kingdom of heaven, while it itself fights and quarrels over the glittering things of 'this poor earth!'

(To be Continued).

To help those who have been crippled or maimed in the war, the Maharajah of Alwar has given the Viceroy half a lakh of rupees.

It is stated that the Shereif Feisal, son of the King of the Hedjaz, will make a tour of the French front before proceeding to England.

THE DHARMA VIR.

Friday, 31 January 1919

LEAGUE OF NATIONS

In opening the discussion on the League of Nations at the Peace Conference, President Wilson made an epoch-making speech. America entered the war in the interests of mankind and the speech of the President is quite in keeping with the noble objects with which his country set out for war. The entire mankind, especially those who are unfortunately in a helpless situation in the presence of overwhelming might, and who form the overwhelming majority of the world's human population, have, ever since America's entry into the war, looked upon the president as the champion of justice and right. The oppressed hoped for deliverance from tyranny, barbarism and arrogance through the good offices of America's representative. Those hopes and expectations have now been strengthened by the memorable speech of President Wilson though his principle of Self-Determination for all nations, great and small, has yet to materialize. "We have assembled here," said the President, "for the purpose of doing very much more than making the present settlements that are necessary. We are assembled, under very peculiar conditions of world opinion. I may say, without straining the point, that we are not representatives of Governments, but representatives of peoples. *It will not suffice to satisfy governmental circles anywhere. It is necessary that we should satisfy the opinion of mankind.*" From this extract, we are able to say, that notwithstanding all attempts made by drawing red herrings across his trial ever since he landed in Europe, the President has not swerved an inch from his well set out purpose. In consonance with his laudable object he emphatically said "It will not suffice to satisfy governmental circles anywhere. It is necessary that we should satisfy the opinion of mankind." What is the opinion of mankind? Is it simply that Germany shall be destroyed while the principle that instigated her to disturb the peace of the world shall still remain abroad as proudly and as majestically as hitherto backed by brutal force? No! The opinion of mankind is not that Germany shall be throttled but that the vicious principles that instigated her as well as many other nations shall be effaced for evermore! The President very clearly expresses the opinion of mankind when he says: "We would not dare compromise on any matter, as the champions of this thing—the peace of the world, this attitude of

justice, this principle that we are masters of no people, but are here to see that every people in the world shall choose its own master and govern its own destinies, not as we wish, but as it wishes. We are here to see, in short, that the very foundations of this war are swept away—those foundations were the private choice of small coteries of civil rulers and military staffs. Those foundations were the aggression of great powers upon small. *Those foundations were the holding together of empires of unwilling subjects by duress of arms.* Those foundations were the powers of small bodies of men to work their will, and use mankind as pawns in the game. *And nothing less than the emancipation of the world from these things will accomplish peace.*" The principle of Self-determination for all peoples has been very clearly and forcibly expressed in these words and the whole speech bristles with the earnestness of the American people to behold it fully accomplished. The noble president has announced himself to be a crusader in this pious cause before the Peace Conference in the same manner as the Americans were on the battle field. Success will surely crown his noble effort especially when the President has indicated the seriousness with which his country is resolved to attain its laudable ambition. The long suffering world will pray for the success of his mission and no nation will pray more devoutly than Indians.

Employers & Indian Medical Fees.

IMPORTANT JUDGMENTS

Question of the Colonial Born

Continued from 17th January 1919

THE ANSWER

to that would seem to be that though there has been continuous legislation on this subject since 1850, in none of the Acts prior to the one with which we are concerned, viz., Act 25, 1891, was there any provision in favour of descendants, whereas if there had been such solicitude as suggested it surely would have borne fruit at an earlier date.

I come to the conclusion, therefore, on the first point that the appellant was not liable in respect of Colonial-born Indians in his employ.

It remains then to consider his liability in regard to the "free Indians" who were in his service. Now there is no definition in the Act of that expression, but it unquestionably means Indian immigrants who had received certificates of discharge under Section 106 of the Act; that is to say, those who had completed

their term of service under indenture, or whose indenture had been duly cancelled. Such persons released from obligation to perform further service under indenture, and are therefore descended as free Indians. Now Section 49 of the Act requires every employer of Indian immigrants, free of indenture, to send in quarterly to the Protector a return in the form of Schedule E. The Schedule is headed "Medical," and purports to be a return of "mute statute both indentured and free." As, then, a return has to be made of free as well as indentured Indians for the purposes set forth in Section 48, it follows that the liability which is imposed upon employers under Section 50 in respect of Indians in their service would extend to free as well as to indentured Indians, seeing that, as has been already pointed out, the obligation under Section 50 is in substitution of that under Section 48. This was not contended by Mr. Mackeurtan, but he contended on behalf of the appellant that the return to be made under Section 49 was one of Indians under indenture only, and that by the word "free" in that section is meant one who had received a certificate of discharge under Section 106, and who had thereafter entered into a further indenture of service in accordance with the provisions of Section 107, or in other words that in Section 49 "free" means "re-indentured." That certainly does not appear to be the

ORDINARY MEANING

of the expression. For, prima facie, it should say that a free Indian is one who is no longer indentured, so that if, after he has been released from one indenture, he chooses to enter into another for a further term, he would cease ipso facto to be free, and would again become an indentured Indian. There are many sections in the Act in which Indian immigrants are treated as divided into the two classes, free and indentured, and I should have thought that the classes were mutually exclusive. Indeed, in some instances, e. g., in Section 62 and 63, the division is into free Indians and those "under indenture," and certainly, if we are to give the words their ordinary meaning, it would be necessary to hold that the latter class include those who had re-indentured themselves. Mr. Mackeurtan's contention on this part of the case is based mainly upon the provisions of Section 109 of the Act, which provides that "on the expiration of the first five years after his introduction into this Colony, every Indian immigrant who shall have served under contract of service as provided in this law shall be at liberty to hire or dispose of his services as any other labourer not being an Indian immigrant. And the provisions of the Masters and Servants Ordinance 2 of 1856 shall extend and apply to such Indians and their employers."

It follows from this section that the relations between the appellant and the free Indians in his employ, seeing that they had not re-indentured themselves, are regulated by the Masters and Servants Ordinance, it is said in Chapter 1, Section 12, as amended by Section 1, Act 3 of 1891, requires a master to provide medical care and attendance for a servant suffering from sickness or accident; that being so, the argument runs, it could never have been intended that a master should be liable in respect of medical care both under Section 50 of Law 25, 1891, and under the Masters and Servants Ordinance, and the only way to avoid such a conclusion is by confining the meaning of the expression "free Indians" to those who are not subject to that Ordinance, that is to say to those who had re-indentured themselves. Now there are two answers to that contention, in the first place, it is not correct to say that provision is made in the

MASTERS AND SERVANTS

Ordinance for the supply of medical care and attendance by masters to servants. All that Section 12 accents is that during the incapacity of a servant caused by sickness or accident he shall not be entitled to receive his wages, but that his master shall be bound to provide him, if he reside on the premises, with proper and sufficient food for a period of two months. Then Section 1 of the amending Act of 191 provides further that on such a servant as received into a hospital for the treatment of any sickness or accident, the master shall be bound to pay the hospital for the food supplied to such servant at a certain rate. There is no overlapping, therefore, in respect of medical care of the provisions of Section 50 of Law 25, 1891, and the Masters and Servants Ordinance, so that there is no reason why the liability imposed upon an employer by Section 50 should not attach to him in respect of those of his Indian employees who are subject to that Ordinance. Part even if there had been such an overlapping, I should have felt it a more reasonable solution of the difficulty which had so arisen to hold that the provisions of Section 50, imposing in clear terms a liability for medical care and attendance upon employers in respect of free Indians in their services should override any provision on the same subject in the Masters and Servants Ordinance, than to give to the expression "free Indians" the very artificial meaning which is contended that, it should receive in this connection. Had the Legislature intended Section 50 to make employers liable only in respect of indentured or re-indentured Indians, I am satisfied that they would have used those words, and so have made their meaning perfectly clear. I come to the conclusion, therefore, that we must give the words.

"FREE" INDIANS"

their plain and ordinary meaning, viz., Indians who had been under indenture, but who had been released therefrom and had not entered into any further indenture of service. Then if that be the right construction to place upon the words, follows that the appellant was liable in respect of the free Indians in his employ during the months of April, May and June. Of those there were three in April, three in May, and seven in June, thirteen in all for the three months, so that his liability, at the rate of 9d. for each of them, amounted to 9s. 9d. The Magistrate therefore, should have given judgment for that amount, and not for £1 16s. 9d. The appeal, therefore, should in my opinion be allowed to that extent, and judgment of the Magistrate would be changed into one for the plaintiff for 9s. 9d. As regards costs, the order made by the Magistrate will stand, but as the appellant has succeeded upon the more important of the two questions which were raised in the case, the respondent must pay the costs both in this Court and in the Provincial Council.

The other judges concurred with the exception of the Hon. Justice Maasdorp.

Malvern Indian Relief Committee.

Already acknowledged £56. 1s. 0;
(B. List) Nakador £1. 10s. K. V. Patel £1. 10s. G. H. Mainkhan & Emamally £1. 1s. A. H. Moosa £1. 1s. A. M. Padayachee £1. 1s. Parsee Rustonjee £1. 1s. T. M. Friday (Malvern) £1. 1s. V. P. Moodley £1. 1s. A. M. Chetty ('Vausedale' Escombe) £1. 1s. S. H. Kharwa £1. 1s. A. A. Mohamed £1. 1s. R. K. Patel £1. 1s. M. S. Timol £1. 1s. Khanissa Bros £1. 1s. Amod Jeeva £1. 1s. A. D. Motola £1. 1s. Kentish Tavern £1. 1s. Charily £1. 1s. A. M. Amra £1. 1s. Rajoo Bros. £1. 1s. G. Mungor £1. 1s. J. Mahraj £1. 1s. Total £79. 12s. 0.

Higher Education

The Editor, "Dharma Vir"

Sir—Will you be kind enough to permit me to inform Indian parents and guardians through your columns that the Higher Education classes will be re-opened in the Higher Grade Indian School, Carlisle Street, on 3rd February, 1919. I hope all the scholars will attend that day to further prosecute their studies.

I am etc,

K. R. Nayanah

Hon. Sec. D. D. I. E. A.

New Grill Room.

A new billiard and grill room is soon to be opened in Queen Street, Durban, by Messrs Jack Moodley and S. Huri and the catering, we are informed, will be first class.

S. A. INDIAN CONGRESS

Opened by Mr. Merriman.

Capetown, Jan. 26 (Renter).—Mr. Merriman this afternoon opened the South African Indian Congress convened by the Cape British Indian Council, and in the course of a speech said: "We in South Africa too little remembered that we owed to Asia every religion that had lasted in the world. On the whole British sovereignty in India had worked with success, and a development which could hardly have been expected in that part of world. He hoped it would continue. At present great questions were arising in India. He was not so sure that democracy was such a perfect form of government as some thought. He hoped from the bottom of his heart that the new start we are making in India would be a great success, but in a great country like India with one part quite different from another, the position was not as simple as in a small country. We should have to think very carefully and very long before we hoped or prayed for the departure of the British flag from India." (Cheers.)

In conclusion, Mr. Merriman observed; "I hope one result of this conference will not be to carry us further apart and sow angry feeling, but to bring us closer together, that we may recollect that here in South Africa we who live under the British flag and the right which that flag is supposed to cover, should all be in the words of your prophet, 'One brother.'" (Cheers.)