

THE DHARMA VIR



1918

THE D H A R M A V I R
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Weekly Newspaper published in English and Hindi : Springfield, Durban .

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Swami Bhawani Dayal was possibly the editor of this newspaper wherein he attempted to unite all Indian, especially Hindu citizens in a common purpose.

High on his priorities remained general articles of a cultural nature on India, such as the Aryan Civilization and Culture & the Vedic Religion ,

News of events in India were prominently featured, such as the Indian National Congress, a National Education policy for India, the Message of India to the World , the Indian Independence Movement, Home Rule, Hasan Imam , &c.

News of the World included news from the United Kingdom , to Japan and to Fiji , the Vedic movement in Nairobi , the Afghan War , World War I and the Treaty of Versailles , Riots in India (1919) , the Rowlatt Bills and the Black Cobra Bills .

When it came to local matters Bhawani Dayal campaigned vigorously for an improvement in local conditions for local Indians, especially in matters such as education , the demand for the franchise &. but above all, expressed strong condemnation of the church's strong influence to the detriment of Hinduism . Some local events which were covered were : the Spanish influenza, Gen. Smuts visiting Durban (1919) and the Asiatic Amendment Bill of 1919 .

In this selection only the English portion of the newspaper has been reproduced . Generally speaking, only three pages were given to English coverage, while the final page included advertisements in both languages : thus :

English	Hindi	Adverts	
3	4	1	= 8 pages
3	8	1	= 12 pages
3	12	1	= 16 pages .

ACCESSION NO : 1288 .

CGH.

Donor : Mr D.Bhandu
267 Bombay Rd
P M B

A U M. The Dharma Viree

PUBLISHED WEEKLY IN ENGLISH AND HINDI.

VOL 2.

Springfield, Durban, Friday 11 January 1918.

No. 43

SOUTH AFRICAN HINDI SAHITYA SAMMELAN

The second South African Hindi Sahitya Sammelan assembled in the Vedic Ashram, P. M. Burg on X'mas Day. A special pandal was erected for the occasion which was very tastefully decorated. At the entrance an arch was erected on which were written the words "Aum", "Vande Materam" Second South African Hindi Sahitya Sammelan". The President was received at the station by the volunteers and others and was conducted in procession from Retief Street to the Conference Pandal headed by the volunteers and school children singing special songs.

On the platform were seated the President, Messrs D. K. Soni (chairman, Reception committee), Bhawani Dayal (secretary) T. Naidoo and others.

The proceedings commenced punctually at eight by the performance of the Havan ceremony by Messrs P. R. Singh, P. B. Singh and P. Amar Singh. Thereafter songs were sung by the pupils of the Maritzburg Hindi National School.

At the conclusion of the singing Mr. R. G. Bhalla garlanded the chairman of the Reception committee on behalf of the Clare Estate Veda Dharma Sabha, and at the request of the chairman, Mr. Meharchand Prabdayal read the welcome address which was punctuated with rounds of applause.

Mr. Hardev Singh, was then formally proposed president of the Conference and carried amid acclamation. Before the Presidential Address was read Mr. D. K. Soni garlanded Mr. Hardev Singh.

After the presidential address the correspondence including messages of congratulations received from various quarters was read.

The following resolutions were then passed one by one:—

(1) "That this second session of the S. A. Hindi Sahitya Sammelan in Pietermaritzburg assembled" appeals to all Indians and Indian institutions to give effect to their patriotic fervour by rendering Hindi the *Lingua Franca* of India

and their medium of communication, in order to realize the ambition of having one national language for the whole of our motherland."

(2) "This meeting appeals to the Union Government to include Indian vernaculars in the curriculum of Government and Government aided schools in the country."

(3) "This meeting feeling, as it does, the necessity for importing teachers of Hindi from India, respectfully appeals to the Government to facilitate the entry of such teachers into the Union of South Africa."

(4) "This meeting, realizing, as it does, the urgent necessity for a Hindi Library authorises the officers to forthwith devise ways and means for the establishment of such a library."

(5) "This meeting requests all Indians to do their best endeavours in establishing Hindi Schools wherever possible."

(6) "This meeting is of the opinion that Government circulars of whatever description affecting Indians ought to be published in Hindi in order to bring their contents to the notice of the Indian community."

(7) "This meeting hereby thanks the president and all other officers and individuals who had laboured to make the Sammelan a success."

(8) "That this Conference hereby loyally prays Almighty for the success of the British Arms in the present war."

(9) "This meeting authorises the president to forward the resolutions passed in this meeting to their proper quarters."

The following societies were represented at the Conference:—

Weenen Nagri Pracharini Sabha, Ladysmith Nagri Pracharini Sabha, Howick Nagri Pracharini Sabha, Glenco Junction Indian School Committee, Sutherlands Veda Dharma Sabha Springfield Ramayan Sabha, Clare Estate Ramayan Sabha, Clare Estate Hindi Arya Ashram, Durban Hindi Pracharini

Sabha, Clare Estate Veda Dharma Sabha, P. M. Burg Veda Dharma Sabha, Raicopjes Vidya Pracharini Sabha, P. M. Burg Hindi National School, Sutherlands Yuva Veda Dharma Sabha, Raicopjes Natal Indian Patriotic Union, Camps Drift Tamil Protective Association, P. M. Burg Hindu Young Men's Association, Springfield Nagri Pracharini Sabha, Edendale Veda Dharma Sabha Umsinduzi Nagri Pathshala, P. M. Burg Arya Youth Progressive Association, P. M. Burg Sivnayakani Bhajana, Jacobs Nagri Pracharini Sabha, P. M. Burg S. Sivabhajana, Durban Arya Yuva Sabha,

A sumptuous luncheon was provided for the guests between the hours of 12 m. and 2, p. m.

The following officials were elected for the ensuing year:— President, Hardev Singh, Vice-Presidents Messrs. Meharchand, Prabdayal, Mandraj Singh, and Rughunath Singh, Treasurer, Mr. Ranchod Jivan, Secretary, Mr. Bhayani Dayal, Assistant secretaries Messrs. S. D. Gerion, and Parbhoo Makanji.

Special songs were sung by Messrs. Lalbahadur Nahnoo, Ramsarup, Hira Varma, Bharat Singh, Bahadur Singh, Makan Singh, and others.

Congratulations were received from the following:—

Johannesburg Patidar Society, Pretoria Vedic League, P. M. Burg Aryan Benevolent Society, Durban Bombay Presidency Hindu Association, Durban Kathiavar Arya Mandal, Ladysmith Hindu Tirukootam, Tongaat Indian Committee, Hattingspruit Hindi Pracharini Sabha, Tongaat Hindu Samarase Bothai Association, Overport Hall Sabha

Mr. A. H. West, Editor, "Indian Opinion" Phoenix, Mr. Devi Dayal Germiston, Mr. Ramal Singh, Germiston Mr. Fakir Kalar, Cape Town, Mr. Naiker, Cape Town, Mr. Ghuwaja, Cape Town, Mr. Beel Singh Durban, Mr. B. A. Magbraj, Durban, Mr. G. D. Lalla, Sydenham.

All those who are responsible

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Mr. A. H. West, Editor, "Indian Opinion" Phoenix, Mr. Devi Daya Germiston, Mr. Ramlal Singh, Germiston Mr. Fakir Kalan, Cape Town, Mr. Naiker, Cape Town, Mr. Ghivala, Capetown, Mr. Beek Singh, Durban, M. E. A. Maghraj, Durban, Mr. G. J. Lalla, Sydenham.

All those who are responsible

for the success of the Conference deserve especial thanks, foremost among them being, Messrs. Parbhoo Makanji, R. N. Moodley, Gaya Singh, Padam Singh and others.

The Address of Welcome and the Presidential Address will be published later.

THE DHARMA VIR.

Friday, 11 January 1918.

SATURDAY'S MEETING

An important mass meeting of the Indian community is to be held next Saturday afternoon in the Victoria Bazaar, when important matters are to be brought forward for the consideration of the community. Of all the questions to be discussed at that meeting the question of the Natal Indian Congress stands on a prominence by itself. Nothing is more detrimental to our communal existence in this country than the absence of a representative organization which should be ever watchful and vigilant over our interests. The political horizon is beclouded and calamity threatens us from every quarter. The Local Government Ordinance and the undelated portions of the New Railway Regulations demand our urgent attention at the present juncture. The full strength of our communal energy would be required to secure redress in these matters as well as those restrictive measures that are surely in store for us. We hope every Indian would make it his duty to attend next Saturday's meeting in face of the especial importance attaching to it.

New Railway Regulations.

Strong Protests

Durban Meeting.

A mass meeting of the Indians of Durban and District was held in the Victoria Street Picture Palace on Satur-

day afternoon for the purpose of protesting against the new Union Railway Regulations.

The audience was a thoroughly representative one, among those present being the following: Messrs. Dawad Mahomed, R. B. Chetty, M. A. Jeewa, M. C. Coovadia, Parsee Rustomji, E. M. Paruk, G. H. Miankhan, M. C. Angliā, L. Panday, V. Lawrence, L. Gabriel P. Sanghayee, R. Bhugwan, C. V. Pillai, P. S. Aiyar, M. S. Randeree, Abdul Hack, Abdool Razack, B. Sigamoney, T. M. Naicker, J. M. Francis, S. R. Pather, M. L. Sultan, J. Royeppen, Lugenberthy, Rajcoomar, Hansraj, J. B. Metha, Emainally, H. I. Joshi, Jack Moodley, A. G. Randeree, B. M. Singh, and R. K. Naidoo.

Mr. Dawad Mahomed, was called upon to preside and at the outset of the proceedings he moved a resolution of condolence with the relatives of the late Palium Frank, of the Indian Bearer Company. As a mark of respect the entire audience stood while the resolution was read.

After the presidential address the following resolutions were passed unanimously:—

"That this mass meeting of British Indians emphatically protests against the new Railway Regulations at present assented to by the Governor-General, as being an act calculated to reduce the Indian community within this Union to the category of the raw Natives of this land.

"This meeting further protests that the Regulations depriving the Indian community of the use of the mail and fast express railway services of the Union are an act of wanton injustice and degradation to the local Indian community, and through them, to the whole of the Indian nation within the Indian Empire.

"This meeting firmly believes that the extraordinary demand of the regulations are a well calculated attack upon the very existence of the Indian people in this land, as also upon their self-respect, honour and dignity.

"Further, this meeting respectfully requests the Government to give effect

forthwith to its repeated assurances of goodwill towards the Indian community by removing the insulting and degrading provisions, and by substituting therefore such rules and regulations which would produce conditions satisfactory to European subjects using the railways, while respecting and preserving the honour and dignity of His Majesty's Indian subjects in South Africa."

Messrs. P. S. Aiyar, Joseph Royeppen, B. A., M. Thungavelu, B. L. E. Sigamoney, also spoke supporting the Resolution.

Johannesburg's Protest

Johannesburg, Dec. 27 (Reuter).—At a mass meeting of British Indians held this afternoon, a resolution was passed emphatically protesting against Section 19 of the General Railway Regulations gazetted on Dec. 14.

The clause prohibits all Indians from travelling by mail or any other fast trains, and insists upon them waiting for trains at certain portions of the platform; further, railway guards are given the right to ask Indians for their passes, and those who do not produce passes can be put off at the next stop.

The resolution affirmed that the clause imposed racial and class restrictions of a most drastic and unnecessary character, and proceeded: "It is a gross abuse of the liberty of the subject, a gross violation of the first principles of liberty and justice for which the British flag has ever stood as a contradiction of the principles for which Great Britain and her Allies are bleeding, and lastly, it is a deliberate insult to his Majesty's loyal Indian Subjects who, when the fate of nations and of civilisation hung in the balance, when every additional man counted, when we had veritably a thin khaki line with very little but our loyalty and patriotism and sense of duty to carry us through, did not waver; further, that his Excellency the Governor-General be respectfully and humbly requested to withhold his sanction to

the operation of the objectionable section mentioned above, as it would not only create a feeling of greatest resentment in South Africa, but also throughout India, and that copies of this resolution be forwarded to his Excellency the Governor-General, the leading political bodies in India and England."

Maritzburg Protest.

There was a large gathering of Indians on 30th December at the Hindoo Young Men's Association Hall to voice their protest against the restrictions imposed on Indians travelling on the South African Railways. Mr. R. N. Moodley was appointed to the chair, and in thanking the gathering for placing him there, said he looked to them to do their duty.

The meeting was convened for the purpose of protesting against the general railway regulations gazetted on December 14th. Section 19 of the new regulations which vitally affects the Indian community, i. e.:

Sub-section (a). The administration may, where practicable, set apart any portion of a train for passengers of particular races or different classes of persons or natives. No passenger for whom a portion of a train is so reserved may travel or remain in any other portion, and the administration may refuse to carry him in any other portion of the train. A portion of a train so set apart shall be legibly marked "Reserved".

The accompanying sub-sections up to "j" also seriously affects the Indian community.

The Chairman explained at great length the undue hardships which the regulation imposed on the Indians in the Union in regard to railway travelling. He said, inter alia, that among a host of oppressive laws and regulations, the Government was on the first of January, 1918, bringing into force a most obnoxious regulation in regard to Railway travelling, which, if not protested against, would seriously affect the meagre privileges now existing. Without this new

regulation, they were already undergoing great inconvenience.

He would relate to them what he had experienced personally. On several occasions he was compelled to travel in a second-class compartment when in possession of a first-class ticket. As they were all aware, a railway compartment only held six passengers, but when it was a question of Indians travelling the conductor did not hesitate to put in as many as a dozen in one compartment, to the great inconvenience of the passengers. The Indian was compelled to be content with the conductor's version that "the train was full up".

"Now I come", said the speaker, "to the question, which is a very serious one, and which is deliberately intended to take away what little we possess in regard to railway travelling. You must have noticed the supplement to the 'Union Gazette' of the 14th December 1918. The regulation dealing with this question has been framed and sanctioned by the Governor-General in terms of Section 4 of Act 22 of 1916., which empowers the making of regulations with respect to accommodation and convenience of passengers, and the manner in which they shall travel. I am now going to deal with sub-section (a) of the said regulation which deprives an Indian of the right to travel by the royal mail train or any fast passenger trains, or any other trains specially excepted from time to time, either in the official tariff book or by public poster.

"Is this tolerable? It is a serious encroachment upon our rights as British Indians. If we had important business to attend, such as illness, funeral, etc. one would have to undergo untold inconvenience which is next to robbery. The railway administration is not a private concern. No private concern would dare do such abominable things. Notwithstanding the great inconvenience we had to bear while travelling by mail and fast trains, we are now openly told that we cannot travel by these trains. You would imagine how much unnecessary delay

would be caused if you had to travel to distant places like Johannesburg by slow trains, more specially when your presence is urgently required. This meeting has been convened for the purpose of lodging our strenuous protest against this obnoxious and unwarranted regulation which not only affects Maritzburg and District, but affects all the Indians in the Union. I earnestly ask you to take up the matter seriously and pass such resolution as you think fit".

Mr. B. M. Ally (pro tem secretary) said that the Government when framing those regulations did not for one moment think that they were oppressive and humiliating. The very meagre privileges they enjoyed as British subjects were now being taken from them. The British flag is known to protect its subjects and to mete out justice.

Mr. Hardev Singh, of Sutherland, followed by saying that owing to the Indians not being represented in Parliament, the Government did all in its power to humiliate the subjects of the King by making oppressive laws and regulations, which brought untold misery to the subjects of the King.

Mr. Parbhoo Makanji contended that the Indians were loyal subjects of the King. The share taken in this world-wide war by our Indian brethren in India in defending the Empire was to uphold justice, and the very existence of the Empire.

Messrs. B. M. Patel, D. K. Soni, Ally Jooma, A. K. Osman, Osman Miha, Padam Singh, S. S. Pather, Cassim Jooma, S. Mahomed of Creighton, C. D. Paruk Umlass Road, and J. G. Ransore, secretary, A. P. O. and several other prominent Indians, strongly protested against the new regulations being operated upon, the former describing them as class-legislation.

Mr. Amod-Bayat then formally moved the following:—

"This mass meeting of British Indians of Pietermaritzburg and District views with greatest alarm the obnoxious provisions in the new Railway Regulations as affecting their status and civilisation.

Regulation 19 on the whole is distinctly a class legislation, which the community, with submission, feel, is intended to degrade and humiliate them and deprive them of self-respect and honour. The meeting strongly condemns the spirit of racial hatred and feeling which permeate the regulation complained of, and is astonished that no opportunity has been allowed to voice their feelings before approval. This meeting requests that you will convey to His Excellency the Governor-General its earnest prayer to him to suspend operation of the regulation complained of."

Mr. Charlie Nulliah in seconding the resolution, said that by this regulation it would mean that no Indian would be allowed to travel by fast trains, which was a gross injustice to any civilised nation. Sub-section G 2 said that a passenger who intended to travel in a first or second-class compartment must be dressed in clean European clothes. Now, for instance, the wife of a passenger who would no doubt be in her national dress, but under this section she would not be served with a first or second-class ticket. I ask that this resolution be carried unanimously calling upon the Government to suspend operation in order to allow us to voice our feelings.

Mr. Roshen Khan, in supporting the resolution, said that the Union Government was imposing undue hardships upon the Indians of the Union by making oppressive laws and regulations. "We have tolerated enough" (explained the speaker) "but this regulation is intolerable and humiliating. The resolution was unanimously carried, and the meeting authorised the Chairman to forward a copy of this resolution to the National Congress now sitting in India, also to the Indian and Imperial Governments.

Finally the meeting authorised the Chairman to see that the resolution was forwarded to the proper quarters. The meeting terminated at 12 o'clock, with a vote of thanks to the chair.

Minister Deletes Portion in Dispute.

Capetown, Jan. 8. (Reuter).—Reuter learns officially that Mr. Burton, since his return to Capetown yesterday, has carefully considered the representations which have been made with reference to Section 19 of the Railway Regulations, dealing with coloured persons, &c.

These provisions came into force at the beginning of the year. The matter has been a most difficult and complicated one, and, after reviewing the position exhaustively, the Minister this afternoon gave instruction for the deletion of sub-Section (e) to (g) in Section 19 of the regulation in question.

NOTICE.

A mass meeting of the Indian community will be held at Rawats Bioscope, Victoria St. on Saturday the 12th inst, at 3. P. M. sharp in order to consider the revised new Railway Regulations and other grievances appertaining to the Indian community and also to consider as to what steps to be taken regarding the affair of the Natal Indian Congress All Indians are earnestly requested to attend.

HÉLD OVER

The revised rules of the Maha Sabha, reports of the Indian Deputation re Higher Education, Reception to Mr. T. A. Chettiar and other matters have been held over for want of space.

INDIAN NATIONAL CONGRESS

London, January 2nd, — Reuter's Calcutta correspondent states that 4,000 delegates are attending the Indian National Congress, at which Sir Rabindranath Tagore read a specially composed ode.

The well known theosophist, Mrs. Annie Besant, who was unanimously elected to preside over the Congress which

now includes members of the Moslem League, in the course of her remarks advocated immediate Imperial legislation guaranteeing complete self-government for India on Australian lines with a preliminary stage, not lasting longer than a decade, in which the Imperial Government would hold the veto, and the electorate hold the power of the purse, together with a substantial majority in the Supreme and Legislative Councils, also half of all Executive Councillorships.

Indians And The Town Hall

The Judgment on Exceptions.

In the Supreme Court this morning Judgment was delivered by the Judge-President in the case in which S. R. Naidoo, of Maritzburg, brought an action against the Corporation of Maritzburg, in which the plaintiff claims an order declaring (1) that the defendants when letting the Town Hall, are not entitled to impose as general condition of such letting that none but Europeans shall be admitted to the Town Hall; (2), that the plaintiff is entitled to admission to the said hall at such entertainments subject only to such restrictions as may be imposed by the hirers thereof.

The plaintiff, in his declaration, inter alia, sets forth that on or about February 4, 1902, the defendants framed a tariff of charges for the letting of the Town Hall, and at the same time settled conditions upon which the hall should be let, one of which conditions was that only Europeans may be admitted to the main hall when entertainments are given. The effect of such condition was to prohibit persons hiring the main hall of the aforesaid building for admitting members of any other race than the Europeans. The plaintiff also avers that he was refused admission to the Town Hall by the

सब नाम ओंकार हमारा,

हैं सब जगसे न्यारा ॥ टेक ॥

हुत दिनोसे ईश भुलाकर,

भ्रमत रहे सब प्राणी !

सब धर्मका लेश नहीं है,

छाई अगुण अपारा ॥ १ ॥

खलित मत प्रकटे बहुतायत,

ब्राह्मण बने प्रमादी ।

जीव मारके यज्ञ रचावे,

धरणी सहे न भारा ॥ २ ॥

ऐसि अनर्थ विकल भई धरणी,

प्रभुसे ध्यान लगाई ।

ऐस कृपासे प्रकटे दयानन्द,

अमित ओज आगारा ॥ ३ ॥

छोटे बयसे वेदोंको पढ,

किन्ह भ्रमण चहुओरा ।

कर उपदेश पखण्ड मिटाया,

सत्य धर्म परचारा ॥ ४ ॥

देश देशान्तर द्विपद्वीपान्तर,

मैं ओंकारा उच्चार ।

हिन्दीकी यश छाव रही है,

नक्षत्रिकी कृपा अपारा ॥ ५ ॥

जिनके बचन बसे उर अन्तर,

हो गई सुमति घनेरी ।

ताको फल सम्मेलन देखो,

यश गावे संसारा ॥ ६ ॥

सम्मेलनके द्वारा भैयों,

माताकी गुण गाओ ।

बतिही दीन-हीन है हिंदी,

कर दो अब निस्तारा ॥ ७ ॥

बिनीती यही करो ईश्वरसे,

शिवनारायण पांडे ।

वर्ष वर्ष अब होय सम्मेलन,

उन्नति राह निहारा ॥ ८ ॥

Williamson Company by reason of the said clause in the letting contract and that the defendants had ever since refused to delete or in any way amend the objectionable condition which was still in force. The plaintiff further avers that in consequence of the said condition his rights as a burgess have been infringed, and that the condition is ultra vires of the powers of the Town Council, and is bad on the ground of unreasonableness, inasmuch as it is partial and unequal in its operation as between the different classes of the community. Wherefore the plaintiff claims the deletion of such condition from the letting contract, and the right to enter any portion of the Town Hall at entertainments, subject only to the restrictions imposed by the hirers thereof such further relief as may be deemed meet in the premises, and costs of suit.

The defendants took exception to the plaintiff's declaration as being, inter alia, bad in law and insufficient to sustain the action in that it averred a right in the plaintiff to admission to the Town Hall, and an infringement thereof; whereas (a) no such right existed in law when the hall was hired for entertainments or at all; or alternatively the declaration did not aver sufficient facts to establish such a right; (b) If such right did exist? could only be in the plaintiff in his corporate, and not in his individual capacity.

In delivering judgment on the exceptions the judged president (the Hon J. C. Dove Wilson) after reviewing at great length the points raised by the respective parties, said that the case as stated raised an important question as to which their Lordships had little or no direct authority to guide them, but they thought it fell within the principle that discrimination as to class, colour or race by a municipality was unreasonable and ultra vires unless expressly sanctioned. If the accident of their birth or colour was no bar to persons becoming burgesses of the City it was prima facie no bar to their

sharing equally with other burgesses the advantage which that position conferred, including such advantage as might be derived from the letting of the Town Hall. Could the defendants be heard to say that the advantages of the Town Hall in so far as it fulfilled the function of providing a place of entertainments was to be confined in all cases to those burgesses who entertained particular views in politics or religion? Could they say that it was to be confined entirely to non-Europeans? Surely any section of the burgesses or any member of that section was entitled to expect that their own representatives, dealing with the corporate property for the general advantage should not, without reasonable cause exclude them from any particular advantage in which the other burgesses were intended to participate? The plaintiff recognised that though there might be no duty to do so, the defendants might let the hall for entertainments: he recognised that the hirer had the right, in the absence of any special stipulation which might be warranted in the circumstances to admit or exclude whom he pleased; he conceded that circumstances might arise in which it might be permissible for the defendant to attach to a contract for the letting of the hall a stipulation that a section of the burgesses and the public must be excluded therefrom; but he said that the defendants the representatives of the burgesses as a whole were not entitled to insert such a condition as that aforesaid. In so saying their Lordships thought that a prima facie case had been stated, which must be answered. They therefore did not think that the first exception, on the ground that no cause of action was shown, could be allowed. As regards the second branch of the plaintiff's claim on the plaintiff's own admission, it went too far, and leave would be given to amend.

The exceptions were therefore disallowed. "We would only add," continued his Lordship, "that the considerations governing admission to the hall seem equally applicable to the question of segregation in, or relegation to, any particular portion of it."

Costs would be costs in the cause.

Mr. Mackeurtan asked leave to appeal, should such be considered necessary.

The Judge-President said that a very important point had been raised for the first time, and leave would be granted.

Mr. H. H. Janion appeared for the plaintiff.

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पता—हिन्दी केसरी, आर्ट प्रेस, बनारस यू० पी० इन्डिया।

दी सयाजी रेस्टोरेंट।

धर्मवीरके प्रेमी ध्यान दें।

यह भोजनालय बहुत समयसे महान प्रसिद्धि पा चुका है। शहरमें काम करनेवाले तथा बाहर के हिन्दी तथा आर्य भाईयोंके भोजनके लिये उत्तम प्रबन्ध किया गया है। हमारे दुकानके पोखन्दरके घी का बना हुआ मिठाई दक्षिण अफ्रीकामें प्रसिद्ध है। विशेषकर मनसतियोंका बना हुआ पाक अत्यन्त ही बलवत् है। स्वच्छता और पवित्रताका बहुत ध्यान रखा जाता है और समस्त पदार्थ उचित मादसे दिए जाते हैं।

के० जीवन, १८६ गेस्ट्रीट दरबन

THE PHARMA VIL

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No. 45

MASS MEETING AT P. M. BURG.

A mass meeting of Indians took place at Maritzburg on Sunday last at the H. Y. M. A. Hall to protest against the Railway Regulations. Mr. R. N. Moodley presided, and said:—

GENTLEMEN, You will recollect that we held a Mass Meeting here on the 30th ultimo to enter our protest against the obnoxious regulations contained in the new Railway Regulations. I am pleased to inform you that as a result of representations made to the Minister of Railways, he has deemed fit to delete subsections (e) to (g) of section 19. Whilst gratefully acknowledging the good intention of the Minister in deleting these sections, we are dissatisfied with some of the remaining sections which are equally humiliating and offensive and raise colour distinction. We have therefore assembled to-day to again enter our emphatic protest against certain sections of the Regulations.

The administration is empowered by section 19 (a) to set apart, where practicable, any portion of a train for passengers of particular races or different classes of persons or Natives, and no passenger for whom a portion of a train is so reserved may travel or remain in any other portion, and the Administration may refuse to carry him in any other portion of a train, and a portion of a train so set apart shall be legibly marked "RESERVED". Gentlemen, we respectfully urge the Government to delete this section, which, being ingeniously worded, has all the favours and stings of the now deleted section (e), for there is nothing uncommon between them except that they are differently worded. Section (a) is a prototype of (e); for you will observe that according to (a) the Administration may set apart any portion of a train for passengers of particular races or different classes of persons. The right to set apart implies discretionary power, and again the right to set apart any portion of a train gives the right to refuse to carry "different classes

of persons" in Royal Mail trains or fast trains, because in the words of the section no passenger for whom a portion of a train is so reserved may travel or remain in any other portion. Now according to my reading of the section the Administration has a right to say that they will not, because of impracticability, set apart a portion of a fast or mail train, for coloured passengers. I ask you what security is there for the coloured travelling public that their rights to travel by mail or fast trains are preserved and protected. In my opinion section (a) and section (s), (the latter deleted) should be read together, and they constitute a double barrel-shot, the first shot having been expended, the second shot remains to serve the same purpose. The existing practice is where a compartment is marked "reserved" the Indians, at times much to their discomfort and inconvenience, travel in it. Our existing rights are assailed by this section, and we will be left, in the light of our past experiences, to the mercy of unscrupulous officials who, armed with legislative powers, may abuse it to our detriment.

We are told that this section does not affect Indians only, but other races as well. These critics of ours do not understand the legislative and administrative differences. To legislate is one thing, and to administrative it, specially where discretionary powers are given in this land of colour prejudice, is another. The Licensing Acts and Immigration Regulation Act and Disenfranchisement Act of 1896, for instance, are all general laws made generally for all classes, and we know to our cost against whom these laws are aimed at. We have our misgivings about masked laws. It is those who have suffered with us the humiliation, the antipathy of race feeling, and the loss and time involved in testing the validity or legality of these masked laws will understand with what feeling of distress we view these "discretionary" laws. If in the

past the administrative officers had used their powers impartially instead of mis-using same, and if they had been tolerant instead of being harsh, and if they had learnt to respect our susceptibilities instead of disregarding them, the Asiatic question would not have forced itself to the forefront at the present time.

No we come to subsection (b) which gives any stationmaster, ticket examiner or guard the power to remove or order the removal of a passenger from one compartment to another without assigning reasons. Commenting on this section the "Natal Advertiser" says, "For a piece of sheer prussianism it defies improvement. Is, Sir William Hoy thinks that the free British people are going to submit to such arbitrary dictation from subordinate officials, he is very much mistaken. The clause gives unrestricted authority to train officials to order passengers about as they think fit without being required to offer the slightest explanation of their actions. Sir William Hoy, as he sits in his managerial chair and signs these peremptory mandates, must be firmly under the impression that he is dealing with a rabble of serfs, and that white people of this country will meekly submit to bullying and herding by a handful of Railway officials. He is vastly mistaken. The people simply will not tolerate it. It may be argued that it is unlikely that any official will avail himself to the fullest extent of the arbitrary powers conferred in this appalling clause, but the point to be remembered is that the General Manager of Railways has placed a power in the hands of his subordinates, which it is possible may be misused. For that reason this clause must go, and Hoy after it." Is it to be wondered that such strong objection to this clause is taken? How much more will Indians be terrified at the power given in this clause?

As regards section (c) which gives power to the Railways to refuse to issue

a first or second class ticket to any passenger, who may, in the opinion of an official, not be dressed in a decent or cleanly condition.

Much as we live to see this cleanliness enforced, one is apt to ask by what standard a person is to be judged that he is decently dressed, and who is to judge it? An Indian wearing a turban or a fez or his national costume may, "in the opinion of an official", not be decently dressed. The power given is arbitrary and may be abused by unscrupulous officials, and what is more, there is no check on officials by way of judging what is decent or indecent dress. A stationmaster should have power to check officials using this authority.

Section (d) is one to which we take strong objection. We refuse to be treated as helots within the Empire. What we resent is legislative segregation. A person purchasing a first class ticket, or a second class, or a third class should have the comforts, the privileges and the rights, same as that enjoyed by other passengers in possession of similar tickets. We issue a challenge to the Administration to give an instance of Indians disrespecting the feelings of their European brethren, having regard to the prevailing colour prejudice. Why should there be an enforced penning of particular class of passengers much in the same way of penning animals? A strong voice must be raised to urge the Minister to amend the section so as to give effect to our objection.

It is inconceivable to explain why section (j) which enjoins coloured persons to see that all legal formalities, whether in regard to Pass Laws or otherwise are duly complied with, finds a place in the regulations dealing with Railways. Is the Administration acting in concert with the Police? To show the operation of this clause I have an instance, where an Indian, named Subraj, presumably a passenger, was arrested on the platform at Ladysmith for being without a pass and tried and sentenced to 7 days hard labour during last week. We must insist upon the deletion of this clause also.

Section 234 (b) gives the familiar "discretionary powers to the Railways to serve or to serve refreshments to coloured persons. We strongly object to this unjustifiable section.

Gentlemen, in conclusion I earnestly request you all to give your serious consideration to the resolutions which will be submitted to you. We believe serious encroachments have been made upon our existing rights, and a clear evidence is before us that the assurance given by the Botha Government to our late beloved leader, the Hon. Mr. Gokhale and Mr. M. K. Gandhi that existing rights and

privileges enjoyed by Indians will not be disturbed, is today being treated as a scrap of paper.

Resolutions.

(1) "This Mass Meeting of Indians, assembled at Maritzburg, whilst gratefully acknowledging the Government's earnestness in meeting the representations made on behalf of the Indian community by deleting sections (e) to (g), wishes to most emphatically protest against the remaining subsections (a), (d), (b) & (j), as being arbitrary unjust and autocratic, and aiming at differentiating between colour, and breathing an air of class inferiority, and respectfully requests the Minister to delete section (a) to delete words 'without assigning reasons' in section (b) to delete 'all persons of particular classes of persons' to 'persons travelling by different classes' in (d), and to delete (j).

Mr. Amod Bayat in proposing the resolution said, "During my stay of 35 years residence in Natal, I have never been able to place my hands upon more tyrannous, humiliating, and insulting piece of legislation than the sections which I have just referred to in my resolution and to which we strongly but respectfully object. Subsections a, b, d, and j, in their present form are unacceptable to the Indian community. They give unlimited powers and discretion, and there is no guarantee that we as a community will receive a fair and equitable treatment under these regulations. Moreover, existing privileges are taken away from us, and in their places wide powers of discretion are given. We have numerous examples of how such discretionary powers are used against us, and I feel bold to say that the Railways are the chief offending party in this respect. Subsection (j) we bitterly resent as it enforces us to carry passes or permits, if any, like dogs round our necks.

Mr. Hoosen Mohamed in seconding the resolution said that next to the Draft Municipal Ordinance, which attempted to rob them of their Municipal Franchise, nothing had produced so much discontent and indignation as these unjustifiable sections to which allusion was made in the resolution. "If 'No taxation without representation' is a sound political doctrine, then" he said "No legislation without representation" equally applies. Voiceless in the Parliament and helpless outside they became easy targets to the cannon of the arbitrary and harsh laws. He would like to refer them to section (d) which gave powers to the Railways to set apart any Railway premises or stopping place for the exclusive use of particular races or different classes of persons, was this section intended to set apart places for different classes

of persons such as Englishmen, Welsh, Irish, or Russian Jew? If not, what then was the ulterior motive of this section? A first class coloured passenger was to be differentially treated to other passengers, although he paid for his ticket. If this was not inequality of treatment, I didn't know what was. He heartily seconded the resolution.

Messrs. B. M. Ally and S. R. Naidoo supported the resolution, which was unanimously carried.

(2) "This Meeting further resolves that the discretionary power given in section 234 (a) to officials in regard to the serving of refreshments to coloureds is unjust and unwarranted, and is deemed to be giving undue authority which may be used arbitrarily to the detriment of coloured and long journey passengers, whose legitimate comfort and convenience are entirely at the mercy of officials armed with such discretionary powers, and earnestly requests that the Minister may amend said section to provide refreshments to non-Europeans as well."

Mr. Jamal Jooma in moving the resolution said that he did not know what sins the community had committed to be forced to accept the dictates of a steward in the supply of refreshments.

The discretionary powers given in the section are unlimited and unjustifiable.

The Railways had not shewn any reasons why the community should be differentially treated from other members of the community.

In seconding Mr. Pardhoo Mankanjee said that he was unable to express how he felt the effect of this section, which gave arbitrary powers to stewards whether they were to be supplied with refreshments or not whilst travelling in trains. A coloured passenger from Cape to Durban would be entirely at the mercy of the steward who had the discretion to serve and if he was capricious, the passenger would have to put up with inconveniences and hardships and perhaps starve. He respectfully urged that it should be obligatory to provide refreshments to coloured passengers.

In support of the resolution, Messrs. B. M. Patel, V. C. Naidoo and S. S. Pather spoke in severe terms condemning the discretionary powers in this iniquitous section.

(8) "That this Meeting of Indians of Pietermaritzburg, although recognising the necessity of resuscitating the now defunct Natal Indian Congress, is of opinion that the Indians of Durban should consult the Indians of other centres in Natal with a view to affording them their due share of representation in the steps taken to reform that body.

Mr. C. D. Paruk in moving the resolution said that it was highly desirable that in view of coming events to

organise themselves, thus aiming at the solidarity of all sections. The Natal Indian Congress was the first political body formed in Natal. Owing to several causes it had become dormant, and steps are now being taken by the Durban Indians to resuscitate that body. It was nothing but proper that Indians in other centres should have a say in its formation and they asked that the Durban Indians take steps to afford other centres due representation.

Mr. Padam Singh seconded. The resolution was put to the meeting and passed unanimously.

The meeting terminated at 12-30 p.m. with a vote of thanks to the chair.

NATAL INDIAN CONGRESS

The appointment of a bulky committee by the great Mass Meeting of Indians in Durban, on January 12, to go into the question of the resuscitation of the Natal Indian Congress ought to be welcomed by every true Indian throughout Natal. The work before the Committee is of a very delicate and brittle nature requiring a very considered and careful handling. Ever since our entry into the journalistic arena we have been incessantly agitating for the resuscitation of the Congress and therefore it affords us genuine pleasure to behold our countrymen taking the first step towards the realization of this objective. Through the absence of a representative body the political morality of our people has been of a nature most repulsive to our best notions and feelings. It was not seldom that one beheld the pernicious scene of Indians, both of capability and incapability, deputing themselves, without obtaining the authority of the community, as its representatives on various occasions. Such a state of affairs, needless to mention, will in the long run lead to the decay of our communal integrity and to the total loss of public spirit in us. We trust, therefore, that with a view to avoid these evils the Committee appointed will handle this question in a statesmanlike manner. As far as we are aware both parties to the interdict against the Natal Indian Congress are at one with the community in its desire for the return to the old state of affairs so far as unity and a central organization is concerned. If this harmony is destroyed the Committee will stand deservedly blamed before the communal tribunal. Not the least of the work the Committee will have to do is to frame a new constitution for the Congress acceptable to the Natal Indian community. Such

a constitution should be as democratic as possible permitting representatives from every county in the Province. We are informed that the Colonial Born Indians on the Committee did not, at its first meeting, create a very favourable impression on the Home Born Indians. We hope this is only a passing phase and that the following meetings will create a different impression, more so, because the question of the Colonial Born representation in the Congress will be the thorniest problem to solve. We sincerely hope that the principles of sacrifice, compromise, mutual forbearance and mutual goodwill will be the guiding dicties at the deliberations.

The South African Hindu Maha Sabha

By M. R. M.

It is matter for congratulation that the Maha Sabha has been revived.

The new Officials appear to have been chosen with discrimination, and it is to be hoped that they will fulfil expectations.

The Maha Sabha is a vital necessity to us if our community is to progress with the times. There is no organisation at present to speak with authority on behalf of Hindus, on the other hand the numerous little Societies and Associations that exist are more or less independent of one another, and their energies are consequently wasted to a great extent.

The first and foremost subject that the re-constituted Sabha must devote its attention to is social and religious reform. Our religion contains all the elements of a pure and noble faith, but in the course of centuries certain practices and usages have crept into it which appear irksome and obnoxious to the minds of the younger generation at least of these days. I allude especially to the ceremonies attached to marriages and deaths. However much they may have suited our forefathers with their ample leisure in our Homeland, they are becoming somewhat wearisome in these modern days. The time has come when elaborate ceremonials, which tend to waste the substance of our people, must give way to simpler modes.

Of the defects in our social life, it must be apparent even to the most casual observer that there is a deplorable amount of discord in our community. Rivalries of the most childish nature are indulged in, and friendships lightly formed and lightly broken. Matters which concern the welfare of our

community receive but scant attention, while over trivial affairs,

"We cheek and take, exult and fret,
Our plans extend, our passions rise,
Till in our ardour we forget,
How worthless is the victor's prize."

A spirit of tolerance needs be cultivated, and we look to the Sabha to lead the way. In Education lies another field of labour of the highest usefulness. The Government of the country which manifests its hostility towards us in every possible manner and on every possible occasion, will never grant us satisfaction in educational matters. "God helps those who help themselves", and we should no longer depend on others, but take the responsibility on our own shoulders.

The question of establishing a College for the imparting of higher education in all its branches, should at once be taken in hand, and it is for the Sabha to formulate a comprehensive scheme in this connection.

The struggle for existence is becoming more and more keener, and the nation that neglects to provide the best education for its young, to fight the battle of life, will sooner or later go to the wall.

The financial side of the question should not prove a stumbling block for a community that numbers over a hundred thousand. A sufficient fund to establish and maintain a first class College fully equipped should easily be collected by means of say a shilling subscription per head for a few months. Even 20,000 persons only participated in such contributions, it would amount to £1,000 per month, to say nothing of donations which can reasonably be expected from those in affluent circumstances. Ample funds can be collected in this manner without inflicting hardship on a single person.

The suggestions made in this regard do not pretend to be the best solution of the problem, but I am merely illustrating the point that the difficulties in the way of collecting funds are not insuperable.

It is a question of organisation and earnest endeavour, and none but the Maha Sabha can tackle the question with any hope of success.

The late Mr. Gekhalé, in the course of one of his brilliant speeches in the Viceroy's Council, said that "he hoped to see the Lamp of Knowledge shine throughout the land".

May it be said in years to come that the SOUTH AFRICAN HINDU MAHA SABHA was the means of lighting the Lamp of Knowledge in this country to illumine the minds of our people.