

U.S. DEPARTMENT of Labor,

Immigration Service.

No. 12016-126

Angel Island, Cal.
March 26, 1914.

This is a hearing in the case of
HAR DAYAL who has been arrested under and
authority of Department warrant No.
53572/92 dated February 10, 1914,
charging him with being in the United States
in violation of law. Examining Inspector:

: Examining Inspector -
: F. H. Ainsworth.
: Stenographer -
: L. E. Di nkla
: Examination in
: English.

Angel Island California, 26 March, 1914

Usual oath administered by examining Inspector.

- Q. Do you recognise the Christian oath? A. I recognise the purpose of it. I am not a Christian.
- Q. Do you recognise the obligation of the oath to tell the truth?
A. Yes, certainly.
- Q. What is your name? A. Har Dayal.
- Q. What is the family name? A. Dayal is the second name - Har the first name.
- Q. What I mean by that is - do you follow the custom of a son being named for his father? A. No.
- Q. Therefore this name Har Dayal is a name arbitrarily given you by your parents? A. Yes, and my brother has a different name.
- Q. How old are you? A. About 30.
- Q. Where were you born? A. In Delhi, India.
- Q. What is your occupation? A. I am a journalist and author.
- Q. Are you a citizen of Great Britain? A. No, I am not.
- Q. Of what country are you a citizen? A. I am not a citizen of any country, I am sorry to say.
- Q. You were born in India? A. Yes.
- Q. Have you expatriated yourself from the British Government?
A. No, not formally.
- Q. But you do not regard yourself as a citizen of Great Britain?
A. No, not at all, nor a subject.
- Q. How long is it since you left India? A. I left India the second time in August 1908.
- Q. You were then about 24 years of age? A. Yes.
- Q. What education have you received? A. I was educated at St. Stephens College, Delhi, India, and at College at Lahore, India; took degree of Master of Arts at the Punjaub University India, and proceeded to a course of study at the University of Oxford, England. After that I carried on research work in Paris and Harvard.
- Q. Did you receive a degree from Oxford? A. No. I took a course of study for two and a half years, but already had the Master's degree.
- Q. Then your Degree of Master of Arts from the Punjaub University was simply supplemented by a post/graduate course at Oxford? A. Yes.
- Q. Did you receive any degree from Harvard? A. No, just carried on research work in the library. I was allowed to have access to the library.
- Q. Do you designate your stay at Harvard as a post-graduate course in any sense? A. No just research work, through the kindness of the professors.
- Q. When you were in Oxford taking a post-graduate course, what special course did you take up? A. History, economics and political science.
- Q. Did I understand you to say that your stay in France was between your stay in Oxford and your arrival in Harvard, United States?
A. Yes sir.
- Q. What income or revenue have you had to permit you to pursue these studies during the time you have been studying? A. At Oxford I was awarded a Government of India Scholarship which is offered to the best student of the university during the year, but I resigned that scholarship before the expiration of the time on account of a difference with the Government of England.
- Q. My understanding is, in that respect, that by your proficiency

as a scholar in the Punjab University you were awarded an Oxford scholarship; that you went to Oxford in pursuit of a post-graduate course under that scholarship; but before its conclusion you resigned. A. Before the term for which the scholarship was intended elapsed.

Q. Therefore your two years was only a portion of that term?

A. Yes, I held the scholarship for about one and half years, but I have never been dependent on any such help for my studies or travel. I have property at home.

Q. Have you an independent income or means? A. Yes.

Q. You are not required to tell me; but I ask you if you have any objection to stating the amount of income or means? What are you worth? A. I receive my expenses from my family who are all lawyers. Three brothers all lawyers. Also I receive money from my writings - books. I write for English and vernacular magazines in India and for magazines in America.

Q. How long have you been in receipt of an income from your own efforts - writings? A. Ever since I left the University at Oxford.

Q. And before that time your income was derived from your family and the scholarship. A. And now, too, from my family in part. Of course that is entirely irrelevant perhaps, but I sometimes write without remuneration.

Q. I now show to you a pamphlet entitled "Mother Earth" and ask you if you are acquainted with the publisher, Sam Goldman, and the Editor, Alexander Berkman, whose names appear on the title page?

A. I have heard Emma Goldman's lectures in San Francisco; but am not personally acquainted with her.

Q. Do you know Alexander Berkman? A. No, I have never seen him.

Examiner's note.

This publication referred to is entitled "Mother Earth" dated June, 1913, Vol. VIII, No. 4. Reference is made to this circular at this time for the reason that the examiner was present at the lecture given in Jefferson Square Hall, Sunday July 13, 1913 at 3.00 p.m. This lecture was given by Miss Goldman and during her remarks, but aside from the principle topic of the lecture, she stated that she was an anarchist-communist and that she was

opposed to all forms of Government. At that lecture the examiner obtained this publication referred to "Mother Earth", and also a program of Emma Goldman's lectures constituting a course in what she entitles "Dynamics of the Modern Drama" or in other words, a lecture course upon modern drama. At this lecture the examiner saw Mr. Har Dayal, but he apparently took no part in this proceeding although he was greeted by and greeted several persons there.

Q. I now ask you, Mr. Har Dayal, whether you gave a speech or lecture in Jefferson Square Hall, Friday evening, October 31, 1913? Or whether you remember that particular date? A. What was the subject of the lecture - I can recall better?

Q. I would say from my own recollection that the topic of the lecture was opposition to at least modern forms of government, and in order that your memory may be refreshed I will show you a transcript of some notes taken at that lecture by two Stenographers of this Service. A. The, of course, I must have lectured. I have given many in this City.

Q. I now hand you a report containing extracts from this speech as taken down by two stenographers from this Service, and ask you whether you did in fact give this lecture and give expression to the sentiments therein contained, and I ask you to look this over at your leisure and give an answer made upon proper reflection and understanding. A. Yes, this is a lecture I gave. I remember. (After reading extracts) This is a very good report and pleases me very much.

Q. This address, as I understand, was given extemporaneously and not from notes? A. Just had the topics. I would not say that anything written here is incorrectly reported because I do not remember. At the same time I would not say that everything reported there is correctly reported, because I do not remember, but the major portion of the lecture is correct, on the whole.

I would not vouch for the literal accuracy of every sentence and phrase because I do not remember.

Q. I notice here a phrase, "I am proud to call myself a disciple of the Russian Revolutionary Movement." A. The word "disciple" has so many meanings. I am a student of it, have derived inspiration from it. I am personally many leaders of the Russian Revolution.

Q. Are you a sympathizer of the propaganda and actions of the Russian Revolutionists? A. Not in general, but I hold that particular revolutions of their's during the last fifty years were justified essentially and necessary for civilization.

Q. Among those acts do you think the destruction of one of the czars is of the character you refer to above? A. On the whole, I think yes, though there is no hard and fast rule in judging historical phenomena. On the whole, I think yes, as a student of history.

Q. Do you believe that other acts of a branch of the Revolutionary Party in which dynamite or other force was used, and human life taken, as justifiable? A. I could not give an opinion without considering the circumstance of each case to decide whether the movement for liberty was helped or hindered by that particular act.

Q. Then I will ask you whether you believe that a people dissatisfied with a form Government under which they live, and being able to find no means of changing it other than by force, are justified in using force even to the extent ~~XX~~ of the Russian Revolutionary methods. Is that your understanding of the Russian Revolutionary Movement?

A. In the Russian Revolutionary movement there are hardly any persuasive methods being used as far as my study of history goes. They are nearly all extremists. The Russian Government is a despotic government.

Q. Nothing or how far do you believe the Russian

Q. Government is a despotic government. How far do you sympathise or how far do you believe the Russian Revolutionary Party is justified in going to overthrow the present form of Government? A. I think they are justified in taking all measures which in the circumstances of the case should further the happiness of the Russian people.

Q. I notice in this report a statement in which you state the British Empire is sucking the life blood of millions of people in Ireland, India and Egypt. Is that your attitude regarding that particular government?

A. Certainly.

Q. There have been some extreme acts in India, the country in which you were born, resulting in the death of some officials of the British Government there, and I ask you do you approve of those acts?

A. No, because I believe that is not the right method of carrying on revolution in India, and these acts, in the present condition of the country, retard, rather than promote the growth of the Nationalist Party.

Q. I take it after hearing your view concerning the

Q. Your objection, as I take it after hearing your view concerning the Russian Government, is based upon what you judge to be the inexpediency of the revolutionary movement in India. A. Certainly. That is to say, the interests of the people for the future. The interests of nature at large. For that reason I have carried on a literary propaganda because I hold that at present the Nationalist movement in India is in a stage of infancy and should devote all its energy to propaganda.

Q. That is - essentially - you are of the opinion that before a revolution can be successfully accomplished in India against the British Government, a considerable education of the population must take place? A. Certainly, through books, newspapers and and circulars.

Q. How is the revolutionary movement in India, as far as you know it, designated? A. It is called the Nationalist Party of Canada, or the Extremist Party of India, or the Swaraj Party of India, a Sanskrit word meaning "Independence".

Q. In India there are many different races and some different religions, and I presume different political beliefs. In the movement you are talking about, are the members drawn from a particular class or all classes?

A. I think all classes except a small class of Hindu Christians.

Q. They do not participate? A. Yes, very few.

Q. They do not participate? A. Yes. Very few.
Q. How about the Parsees? A. They take a prominent part in the movement. Some of the most prominent members are Parsees.

Q. movement. Some of the most prominent members are Bengalese? A. Very active. How about those known as Bengalese? A. Very active.

- Q. The Moratos? A. They are also in evidence pretty well.
- Q. Then, from what I have just said, do I understand from you that the movement is well defined and of considerable portion about Bombay, Calcutta, Mysori and Delhi? A. Yes.
- Q. What about the Northwestern portion of India which is known as the Northwestern Provinces - Punjaub? The Sikhs and those people closely allied to the Afghans? A. There is a Sikh movement in Punjaub among the Sikhs but the Afghans do not regard themselves as Hindus and hold aloof.
- Q. What about the Mohammedan population of India? Are they in accord with the Hindu in this political phase to the extent that they will work with them and forego their difference of religion? A. At first the Mohammedans were not inclined to unite with the Hindus, but during the last two years a strong movement for co-operation with the Hindus for the attainment of national independence has arisen, chiefly owing to the resentment of the Mohammedans against England for her policy in the Balkan War.
- Q. In India there are many designations which we term castes. My understanding is that the highest caste is the Brahmin, the next being the warrior, the next being the mercantile caste, and the last being, I presume, you would call it the farming or agricultural caste. I understand those to be the four sub-divisions of caste, with many sub-division of each sub-division.
- A. Yes.
- Q. Are you a member of any one caste? A. I am a member of the Kayastha caste. It is a literary caste.
- Q. Of which of the four sub-divisions is that a branch? A. It is allied to the Brahmin.
- Q. Then your family are Brahmins? A. We use the word caste. Each sub-division refers the name of the sub-division and not the caste, therefore we are called Kayasthas.
- Q. Is your family a member of that caste? A. Yes.
- Q. These different castes - are they now laying aside some differences that they held regarding associating together in this movement? A. Yes, the fusion of various castes in the Nationalist movement is very remarkable.
- Q. Then, am I right in inferring that the Nationalist movement expects to gain strength by breaking down the caste prejudice and thereby uniting the population? A. Yes. The abolition of the caste system is one of the many principles of the Nationalist Party.
- Q. Do educated Hindus adhere to a belief in the desirability of caste? A. No, very few.
- Q. Are there any representatives of the Nationalist Party, as described by you, in the Council of the Governor General? A. No.
- Q. The Council is appointed by election, I understand it? A. Yes, a part is elected.
- Q. Aside from the Governor-General's Council, there is a lower body whose members are returned by some sort of selected process? How do you designate that body? A. Provincial Council.
- Q. Then there is no representative of the Nationalist Party in the Legislative branch of the Government in India? A. Not at all and it is not possible, because all members of the Nationalist Party are persecuted.
- Q. Do any members of the Nationalist Party hold appointed offices? A. No.
- Q. I notice in this report of your speech on October 31st, a general criticism of the present Governmental institutions, particularly, I think, the judicial branch of the Government, and the executive branch, rather than the legislative branch. Are you at variance with most of the present forms of Government in those particulars - that is, the administration of the judicial and the administration of the executive branches of the Government? A. I am a critic, but I should not say I am entirely at variance

but I certainly think that the social organization of what is called government is very liable to be perverted from its proper objects, when there is a great difference of economic conditions in a community, because in a community where there is a small class of very rich people, they generally manage to control these institutions.

Q. Your criticisms here might be taken in two lights - one that they call for a correction of the abuses in the present system; the other, that they call for the substitution of an entirely different system. What is your attitude in that respect? A. I believe that in some countries social civilization will take place to the greatest advantage of all by persuasive abolition of institutions where there are means and methods of accomplishing that end, but I hold that in other countries social progress will be accompanied at first by upheavals called revolutions.

Q. Then, if I understand your position correctly in that respect, you believe in applying different remedies to different situations, and that in some countries it might require what is known as direct action in the way of, perhaps dynamite, bombs or the killing of officials because no other method is available, and in other countries the desired end may be obtained by education and persuasion? A. Yes. I hold at the same time, that the use of the method described as direct action should be very sparing as most terrorists are foolish and impulsive. I also hold that very little is gained by such individual acts, and that to achieve results there must be mass movements or revolution of the whole community. I always deprecate such individual acts almost anywhere because for one such beneficial act there are ninety-nine injurious and retrogressive attempts, but I do not judge those who act according to the light of their conscience in these matters. I, myself, do not encourage or participate in any such individual acts, though I do preach and educate the people for a national revolution.

Q. My question was somewhat prompted by this statement in the report of your speech of October 31st; "They have no free press; no free assembly, and even after these few baubles have been secured the people will find there is no easy way to freedom, but I have to point out that in Russia we have a regular history of terrorism which terminated in the execution of a monster czar. I don't think any liberty loving man regretted that event. I don't think the world is poorer because Alexander breathed no more." That might be fairly construed as a statement in sympathy with the activities of the Russian Revolutionary Party which, in a measure, resulted in the death of Alexander.

A. As a student of history I think that that one particular act resulted in more good than evil to the human race. As to other acts, each must be judged on individual merits.

Q. I find a statement in this report reading like this: "We find all the great labor leaders of America cowards. x x x That they are cold-blooded. x x x They talk and talk and talk, leaving their leaders to perish." Were you correctly reported and is that your view in that particular respect? A. I will not say that the report is incorrect or correct, because I do not remember, but I hold that the American Federation of Labor did not do its duty in that case (being the case of those accused of transporting dynamite in violation of law, recently tried in Indianapolis) nor the American nation. I am one of those who believe that no person should be heavily punished for the social phenomena in which we are all involved. I believe that if these labor leaders were tried, the officials of the steel trust which is maintaining horrible conditions in its factories, should have been indicted first for destroying the lives and health and manhood of American citizens. This being so, I believe that understanding and charity and corrective measures are better than repressing measures directed against a few individuals who may be abnormal or violent. When I say that the American Federation of Labor acted in a cowardly spirit, I mean they should have called meetings and strikes, and started a great agitation representing the attitude

that I have just outlined, and securing ~~XXXXXX~~ corrective rather than repressing measures, and the release of these leaders who, after all, are victims of the social system which envelops us all. I had nothing to do with legislation or the laws of the American Government. I advance these views from my personal standpoint as a social speaker.

- Q. Do you hold these views because you think those men on trial were innocent, or do you hold them because you think that if those men committed the acts ascribed to them, the social and governmental conditions justified it? A. I would not put it in that way. I do not think that there is any justification in the highest sense for any violence or want of love. I say that if even those people were guilty we should realize the laws of charity and the law of love which will certainly confer greater social benefit than mere punishment inflicted on any individuals.
- Q. I notice here, which is possibly parenthetical, this statement; "In this country if you go to the University students they are all busy preparing to be engineers or something else or some kind of parasites x x x". Do you regard those performing useful occupations in society, parasites? A. No.
- Q. Then is the quotation correct as I read it? A. I would not say it is incorrect.
- Q. How do explain the statement that seems to be conveyed in this paragraph, that those preparing to be engineers, or something else, are parasites? A. Because the engineer has a useful occupation, and this cannot be said of all occupations for which prepare our young men; The salaries offered to engineers are so much higher than the wages of working men, and I hold that the law of love ~~which will certainly confer greater~~ teaches us that we should live like brothers and sisters, sharing equally the progress of the earth.
- Q. I notice a statement here, which I will not quote, but states in effect that the Russian Revolution has awakened India and that you are busy translating books of the Russian Revolution from English and French into your own language. Is that a fact? A. Yes.
- Q. Are you engaged in literary work which is published in India in native dialect or language? A. Yes.
- Q. To sum up your views as expressed in this statement, and as amplified by your statements, you, in the first place, believe that much of the present form of Government could be improved upon? A. Certainly.
- Q. You believe that in some countries a change can be accomplished by educational and argumentative methods? A. Yes certainly.
- Q. In other countries that method or course cannot be pursued and that more violent acts are necessary and when necessary justifiable? A. I shall make myself clear. I hold that in backward countries where the government is despotic, education and propaganda of ideas must go on for a long time, and then through spontaneous or long prepared revolution new institutions should be established. As to individual acts of violence, I have already said that on the whole they do more harm than good, though each case must be judged on its merits, and I will not go out of my way to censure anyone who sacrifices his life for his ideal, because I am not called upon to judge others. I derive inspiration of self-denial from all lives of sacrifice. Personally, I do not in any way say or do anything to encourage or approve of such acts because my greater work of education would be hindered, and impulsive young men would be led astray and throw away their lives in such futile individual acts of violence. I always utilize the energies of these young men for literary and oral propaganda, coupled with moral exhortation among the ignorant, as I am now doing in California.
- Q. Returning to this speech of October 31st, don't you think that the statement, "I don't think that the world is poorer because Alexander breathed no more; I do not think any liberty-loving regarded that event, --" addressed to a mixed audience of possible enthusiasts and others, could be interpreted as approving that act at that particular time? Yes, retrospectively, yes, and passing judgement upon it which I did not do at that time, but I remember that the audience was chiefly

composed of Russians for whom Russian incidents were of interest.

Q. Do you think that a lecture like the one referred to would so sit in the ~~KKK~~ minds of enthusiastical and impulsive men and women, whereby they would seek to emulate the destroyer of Alexander by destroying some other ruler or objectionable person, and then be able to have some man in future say of them as you said of the destroyer of Alexander, that as a historical fact must be commended?

A. I did not think so at that time, in fact I did not think of this side of the matter at all. I think the conclusion of my teachings is found at the end of my lecture, namely, courage and self-denial in the service of the people. In conclusion I do not wish anyone to imitate such individual act.

Q. That is true. But do you agree with me that such construction might be placed upon it, as I placed upon it, without being strained? A. I think that it may bear such remote construction, although the incident having happened thirty years ago and now being a matter of history, could not be taken as belonging to some present agitation which excites the passions of a more ordinate multitude.

Q. In other words, you make the distinction between exhortation which excites an audience and the present comparison by presenting direct or violent acts. You make the distinction between that condition and a statement applauding some historical fact as having had beneficial result? A. Also I have that habit because I have the benefit of knowing history.

Q. I have here a translation of a newspaper which is entitled or has as a motto-

"Oh people of India, arise and take up your swords."

The title of the article is "Mutiny" being apparently some discussion upon the great Indian Mutiny of 1857. A. No, the translation of the motto is incorrect. It should be translated thus: "Oh manly young men of India take up arms soon."

Q. Do you recognise this translation as being the translation from a paper printed in some Hindu language? I hand you that and ask you if you recognise that as being a proper translation of a paper or article printed in some language in Hindustani? A. I see that this is an attempt at translating articles from the weekly paper that I edit; but I do not vouch for its accuracy. I think if I were allowed to translate the articles I could do it better.

Q. No doubt your very excellent education would probably result in a better translation, although I do not say so as a criticism of this translator- I do not know who it is. May I ask you this- in regard to this translation- if you feel inclined I should be glad to incorporate in the record your translation of this article? A. I should be glad to do so.

Q. You say you recognise this as an attempted translation of an article which appeared in a paper which you publish. In what language was that article printed? A. Urdu and Gurmukhi.

Q. Do you publish that paper in San Francisco. A. Yes.

Q. At what address? A. 1324 Valencia Street.

Q. Is it a daily or weekly paper? A. Weekly.

Q. How many copies have you published and distributed on a weekly average during last year? A. The paper was started in one language on the 1st November 1913 and in the other language in December. At first we published only a few copies, but since January we have been publishing about 2000 copies of each language weekly.

Q. Where is that circulated? A. Among Hindus in the United States, Canada, China, Philippines, Straits Settlements, Japan, Egypt, East Africa, India and other places.

Q. What is your circulation in the United States. A. I could not give the exact figures.

Q. Approximately. A. I think we mail about one thousand of both for our registered subscribers, or a few more.

Q. Are there a number of Hindus now studying in various Universities in California and the United States. A. Yes.

- Q. Have you any knowledge whether these students are interested in the Nationalist movement in India? A. Some are.
- Q. Would you say that a large number or a small number are? A. A large number.
- Q. Is it not a fact that the conditions under which they are educated here tend to break down their caste and religious ~~conditions~~ objections to each other and act as a medium of unification? A. Certainly.
- Q. Therefore, am I justified, in your opinion, in concluding that those who are being educated here not only receive the benefits of education as such, but are also in a position to be respected members of the Nationalist Party in India if they so elect. A. Certainly, and they also imbibe the free spirit of American Society and are therefore, morally benefited.
- Q. In that connection, I am going to read over some names of Hindu students in the United States and ask you if you happen to remember them, know them, and whether they are subscribers to your paper? A. I am not at liberty to say whether they have Nationalist tendencies or not, because they nearly all return to India and as all Nationalists are subject to persecution I do not wish to mention it. If the purpose of this inquiry even about my knowing these students is for the information of the American Government, I will answer, but if for the purpose of transmitting to the British Government, I will not answer.
- Q. I will say to you, Har Dayal, in this respect, I have no knowledge that this information will be furnished to the British Government. A. I only state that. (List of names is read by examining inspector). What connection have these questions with the charge of the warrant?
- Q. These questions are asked you in order to ascertain whether there is evidence for the conclusion that you are using this City or Country as a base from which to spread your propaganda of education among Hindus advocating the over-throw of the British Government in India? A. Yes, that is why I am here. If I cannot do it here, I will go to some other country. I have been doing this work for ten years from France and Italy. I have no intention of staying permanently in this country because my work will lead me to Europe next year.
- Q. I have here another translation of a paper headed "Mutiny" a weekly Urdu - Gurmukhi newspaper hostile to British rule, dated San Francisco December 23rd, 1913, and show it to you and ask you if it is a translation more or less perfect, of the newspaper you publish or edit? A. I insist on furnishing my own translation, because I know my language very well and have a tolerably good knowledge of the English language, and foreigners cannot really translate from Oriental languages. This is a much better translation.
- Q. In reference to these two translations which I have referred to you, I wish to ask you whether you are the author of each of these articles? A. Yes.
- Q. Of both articles? A. Almost all the articles in the papers are written by me, only a few notes being written by a few friends.
- Q. Then, as far as the paper goes, you are the editor of the paper, author of most of the articles, and publisher also. A. Yes, all but publisher.
- Q. Is the paper published as an individual enterprise or partnership, or corporation? A. The paper is really published by the Hindu Association of the Pacific Coast.
- Q. Is that Association the one that has its headquarters in Stockton? A. Oh, no. This Association was organized last year with the object of educating the Hindus in the ideas of the Nationalist Party. A Political organization.
- Q. Political organization? A. And educational.
- Q. Regarding these students in the Universities, is it a fact that the Nationalist Party in India favors and forwards as far as it is in their power, the coming to America of young men for the purpose of educating them in the belief that they will be useful to the party? A. Yes, there is a general sentiment all over India that the Hindu students should go to America

rather than to England as between the two English speaking countries.

Q. Some, however, may go to other countries not English speaking?

A. Yes, but as most Hindu students learn English in India, most all go to England or America. Few go to other countries but must be specially gifted. It is the general sentiment that they should come to America to study rather than England.

Q. Are students in India denied or refused the right to study problems in English universities which tend to question the desirability of British rule in India? A. Yes, certainly. A very strict watch is kept over them, almost a kind of espionage. There is a coach at each university who is supposed to look after them and one reason why I resigned my Government scholarship was because I criticised the administration of Government in India.

Q. If I have my dates correctly, the time you were at Oxford must have been somewhere near the time a returning government official from India was assassinated by a Hindu student in London? No, I was at Oxford from 1905 to 1908, the beginning of 1908, then I went back to India for six months, and left India August of 1908. I resided for some time in England but left for Switzerland in the Spring of 1909 on account of my health. The murder of Sir Curzon Wilely occurred in July 1909 and I heard of it in Switzerland.

Q. What is the name of the man alleged to have thrown the bomb?

A. He did not use a bomb, he used a revolver. Madan Lal Dhingra.

Q. Was he a member of the Nationalist party? A. He was a nationalist, though, as there was no system of organization in England at that time, there was no regularly organized party.

Q. Did you know this man? A. Yes, I knew him.

Q. Was he a man of considerable attainments from the point of view of education? A. No.

Q. How would you describe him as an individual. Was he what might be termed a fanatical enthusiast or was he a cold-blooded thinker who perpetrated this action after reflecting and coming to the conclusion that this might be a benefit to his race?

A. I will give you my estimate, and you can take it for what it is worth. He was a morbid, melancholy and indolent man very susceptible to personal influence and very unbalanced, very vain, and unwilling to exert himself for a successful career. That is my idea of him.

Q. Your statement brings me right back to your speech of October 21st in Jefferson Hall, and I simply refer to it for the purpose of asking you if a speech of that sort being heard by a man of the characteristics you describe who had either before or afterward his attention centred upon some individual, would not be apt to excite him to commit some act of that sort?

A. At the time of delivering that speech I did not think of that aspect of the matter, because my lecture was analytic and a descriptive study of the Russian movement in all its phases, and no one can deny that terrorism has been one of the prominent features for good or evil in the Russian movement. In all my lectures in America, I look upon myself more as a thinker and philosopher, if I may be so vain as to use that word, than as an agitator, participating in any temporary social movement, I always lecture from the academic and educational standpoint to the white people in this country, because being a foreigner I cannot directly influence social movements. As regards India, I consider myself an organizer of a movement.

Q. I want to further ask you in this connection, is it not a logical deduction that where you address an audience composed of all classes of people some of whom may be your fellow countrymen here as students, and in that address put some attention to the history of the Russian revolutionary movement, describing some of the more conspicuous acts, and approving of them in the light of subsequent events, then going from that point to a description of conditions in India, thereby building up an analogy of conditions of the present date that those fellow workers who may be present would be inspired or prevailed upon to perpetrate similar acts in behalf of those who they believe to be oppressed in India., that you have referred to in

Examining Inspector continues.

Russia? A. My policy in writing my articles has always been to deduce the lesson of self-sacrifice from any acts of terrorism that may be mentioned. On several occasions I distinctly state in my article that their example is not to be imitated because I know that the electrical effect of the sacrifice of life for a cause is a great moral asset. It diffuses a general atmosphere of enthusiasm and I direct that enthusiasm which has already been created by such acts into the channel of propaganda for my organisation. I believe that martyrs whether they merely suffer death or suffer it after inflicting death on others raise the moral level of the community from their example, but never make it a basis of exhortation for similar acts. At the same time I recognise that where there is a great movement of discontent, some persons will inevitably commit those individual acts somewhere because no leader or organisation can control a vast movement of unrest. As no such act has ever followed preaching by word or through my articles, I at present think that this method of moral elevation is not objectionable, though I am extremely cautious whenever I refer to any terrorists in our paper, we always give all such news without comment like ordinary newspapers because I understand that the commission of any such acts in this country or in India by persons belonging to the organisation or associated with me, would be a severe blow to my work. As a matter of fact, I have to control rather than to incite in such matters, as for instance, when detectives sent by the English Government are discovered by Hindu working men or students in their midst. The hot-headed young men want at least to beat them. Some say they should be killed and so on. In all such cases I have to exercise a restraining influence on them. I published a note in our paper on this subject showing that the life of a detective was despicable but we should only despise and shun them instead of even thinking of beating them. I rarely or seldom mention individual acts of terrorism in my speeches or articles because most of them have had very little social significance. I mentioned the destruction of Czar Alexander the II., in my lecture on Russia because that event was a turning point in the Russian movement. If I had merely wanted to excite the passions of the people, I should have related dozens of minor deeds perpetrated in Russia on various officials, but I did not do so. The assassination of Czar Alexander II. stands by itself as a historical event. Being a very minor portion of a long lecture and being placed at a distance from the conclusion, I do not think that it had any effect towards excitement to similar deeds, and at the end I preached courage and self-denial for the educational propaganda. I hold that the effect of a lecture cannot be judged from a written report but the actual consequences, because a written report leaves out all the personal influences. This lecture was delivered to an American audience and not to a Hindu audience at all. In fact, I think there might have been one Hindu there, or none at all. My attitude toward the British Empire and my line of work must be judged by my speeches and writings on the Government of India and it unfair to piece together phrases and clauses in order to deduce that a certain effect was introduced.

Q. I will ask you in conclusion whether you believe or advocate the over-throw by force or violence of the Government of the United States? A. No.

Q. Of all Governments? A. No.

Q. Of all forms of law? A. No.

Q. Of in the assassination of public officials? A. That depends on the circumstances of that country. In a general way I say that where public officials are controlled by the people assassination must always be condemned. Where public officials are not controlled by the people but are

Alien continues.

conscientious and beneficent, assassination must be condemned, but if in a despotic government a situation might arise in which the best intellect of the nation would justify the removal of a public official by the act of a private individual because the subordinate authorities shelter him in his tyrannical policy, then in that case I think that intelligent men of the nation would agree with the opinion of the best intellect of the nation concerned. Even in such cases random individual blows are futile; and very rarely, say once or twice in a crisis, an occasion may arise which justifies the assassination of any public official in the eyes of intelligent people. I, personally, would not encourage or participate in any such proceeding, because my work is different and higher, but I cannot conscientiously go on records as a student of history and contemporary politics condemning the assassination of public officials in all lands, in all ages, under all circumstances whatsoever. I think that doctrine would be mischievous and retrogressive. As a general rule, I believe that tyrannical government should be overthrown by mass uprisings; but this does not mean that I must condemn the assassination of public officials in all lands, in all ages, and under all circumstances, as a principle.

Arraignment:

I will now advise you, Mr. Dayal, that you have been arrested under authority contained in a warrant issued by the Acting Secretary of Labor February 10th, 1914, No. 53572.92, charging "that the said Alien is a member of the excluded classes in that he was an anarchist or person who believed in or advocated the overthrow by force or violence of the Government of the United States or all Governments or forms of law or the assassination of public officials, at the time of his entry to the United States". You are entitled to examine the record upon which this warrant was issued, and any subsequent evidence that may be produced to sustain the charge and to show cause why you should not be deported.

- Q. Do you wish to employ counsel? A. Yes.
 Q. Have you employed counsel? A. Yes, attorney-at-law Charles Ferlazzo.
 Q. The hearing will be continued at some date in the near future.

Statement by MR. DAYAL

I will further say that at the time of my entry to the United States I had not taught much on conclusions of government in general. My two chief interests were Buddhism and its efficiency, and the Nationalist movement in India. As time passed my interest in Buddhism has waned and the modern labor movement has taken its place, while the Nationalist movement in India retains the same hold on my affection. I resent the insinuation that I was an anarchist, etc., at the time of my entry into the United States, in any sense of the word, though some of my present views on the future ideal of the human race and the perfect form of society may be described as philosophical anarchism by many people, in fact Dr. Barrows of the University of California wrote in a letter of introduction to the Hon. Mr. Jenks, that I studied and appreciated the principle of scientific anarchism, but anarchism in that sense is very different from the definition as expounded in the class relating to the excluded classes. I will never enter a country by denying my convictions. As I did not come to the United States with the object of making money, I could have no motive in lowering my personal dignity by telling a lie to the Government officials.

- Stop here
 Q. Did you recently go to Washington in company with Tara Singh of Iowa? A. No, I did not go in his company. I met him in Washington.
 Q. Did you appear before the House Committee regarding Hindu legislation? A. Yes.
 Q. What is Mr. Gos' full name? A. Budhiendra.

- Q. Did you know he is reported by the papers to have made a statement that it is the purpose of some of the Hindus in the United States to over-throw the British Government?
- A. He did not say that. He said if the British Colonies kept up the principle of exclusion.
- Q. During your arrest and your detention at the immigration station, have you any cause to complain regarding your treatment of the conduct of the proceedings?
- A. N, none at all.

I hereby certify to the correctness of the foregoing transcript.

Signed. L. E. Dinklage.
Stenographer.