

# THE SEARCHLIGHT

VOL 35 NO. 2

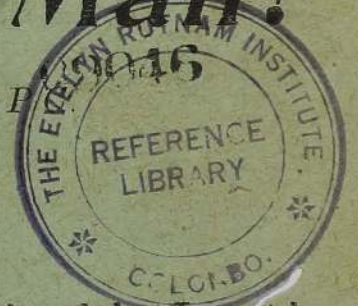
COLOMBO

JANUARY 20th, 1956

## Is it Right to Hang a Man?

By the late Rt. Hon. The EARL OF BIRKENHEAD, B.C.

(NO. 1)



THERE is an opinion, held by responsible people, that it is no longer right to retain the death penalty as a form of criminal punishment. Probably it is impossible to convince them that this opinion is erroneous, but there is a danger that they may by their insistence impose that opinion upon the community if nothing is said on the other side.

It is to those who have an open mind, and are therefore ready to consider carefully the arguments on both sides, that these observations are addressed. I do not desire to preach to the converted or to per-

suade those who are convinced that I must be wrong.

The standard arguments have been used over and over again, and I have no intention to indulge in vain repetition; but it is essential when suggesting a grave matter for consideration, to state in general terms the nature and scope of the questions to which those matters are relevant.

### IN THE LIGHT OF TODAY

THE opinion I have mentioned is meant to apply to a civilised community in the state of development in which our country is at the present time. Arguments based upon past experience are, therefore, likely to be brushed aside.

It would not, I conceive, assist a present day reader much if I were, for example, to examine, the thesis, which has been seriously advanced, that many of the troubles which disturbed the peace of the later Roman Republic were due to the fact that, owing to accidental causes, there was no Court which

(Continued on page 18)

## WILL MR. DUDLEY SENANAYAKE BE GOVERNOR GENERAL?

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Jan. 20 1956.

## The Call of the Hustings

**P**ARLIAMENT is to be dissolved on the 23rd February, a little over a month from now and four days after the UNP Conference at Kelaniya when the hotly debated and disputed State Language Question had been decided. The decision, as everybody expects, will be that Sinhalese only shall be the State language of Ceylon with no parity for Tamil. That will be a momentous decision arrived at on a memorable day for the country. For on that day, the 20th February 1956 the Sinhalese and Tamil communities will have parted company and remain divided for ever, unless some formula acceptable to either communities, is forthcoming and which will enable a just and amicable understanding to be arrived at. If no such arrangement is reached the centuries old friendship between the Sinhalese and Tamils will be severed—an event that is bound to create lasting enmity and antagonism. Thus the good work of the late D. S. Senanayake, the 'father of the nation' will be destroyed. For it must be remembered that it was the late D. S. Senanayake who successfully laboured to bring the various communities together and formed the United National Party of Ceylon in the hope of standing as a single nation. That hope and objective will be defeated by the Government Party's decision.

Now with the impending dissolution of Parliament, the political trumpets sound the Alert and the various parties have started planning their campaign leaving the nomination of candidates until after the Parliament had been dissolved, when only the country will know how many of the present members



The late D. S. Senanayake

will seek re-election and how many will not. Until then it will be premature to comment or speculate on what will happen or not happen. For the present however I shall confine myself to known facts as have been announced on authoritative information.

## WHAT PRECIPITATED THE DISSOLUTION ?

This is a pertinent question. Normally the life of Parliament is expected to end somewhere in or before 1957. But the Government, who has not had a successful term of office had to consent to a Dissolution of Parliament and go to the country to ask for a fresh mandate. It is as plain as a pike-staff that the present government is a weak government with many shortcomings. It has attempted many things but achieved only a very few and these few have brought no relief to the people. Trouble and jumble have characterised its brief career. The chief features of its administration have been squandermania, excessive taxation, tall-talk and great show resulting in misadministration of public affairs. Efficiency all round has been at a low ebb. Health, Housing, Education and Unemployment, with the spectre of poverty alarming, has given rise to universal dissatisfaction bordering almost on discontent. Admittedly most of these troubles are inherited. Mr. Dudley Senanayake's government having been a failure, his sudden overthrow increased the difficulties of Sir John Kotelawala's government.

## THE INDIAN PROBLEM

This also is a matter that had baffled the Ceylon Government right from the start and the present Government has been making confusion worse confounded. Ceylon is not so much worried over the Indian labourer as the Indian trader who is proving to be a decided menace to the country since he enjoys unrestricted facilities to carry on business and thereby able to defeat Ceylonese. Unless ways and means are found to enable the Ceylonese to displace the Indians in business and thus overcome the menace, the former will continue to thrive in this country to the great detriment of her people. Here the truth needs must be told. The people have lost all faith in Government on this matter.

## LANGUAGE AND RELIGION

As I have said earlier, the present Government is weak. I should have emphasised that it had several weak points. The weakest of these is its proneness to yield to popular sentiment especially on the score of Language and Religion with which it should not

have trifled. This was precisely where it made the greatest blunder. Of course, everyone in Parliament exploited this common weakness on the part of the majority of the people of this country and thus secured their election. They had therefore to play up and continue to play up to those sentiments which they themselves encouraged and thus got support. It was the M.P.'s themselves who made a terrible fuss of the Bhikkus and placed themselves under obligation and danced to their tunes. Naturally the Bhikkus, the 'political Bhikkus' as the Prime Minister called them, taking umbrage at the deference shown them, have assumed an attitude that amounts to defiance. If the Government now finds it difficult to control the priesthood they have to thank themselves for it. If they had realised that Religion and Politics should be kept apart, they would not be in the present quandary with the priesthood inflaming the masses to revolt.

Here's quite an apposite observation from a writer in the Press about the Sangha:—

"Whatever the excuses put forward" for their actions it is obvious from press reports that at least a section of the Sangha has re-



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alised that the surest and easiest path to power lies not along the path taken by Lord Buddha but by either leading the mob to force an issue or better still by ousting those in Parliament, who stand even for a semblance of fairplay.

Thus they will soon be not merely king makers but kings. When this day dawns self-annihilation will be the quickest path for the Minorities to Nirvana!"

It is evident that this placating, pandering and kowtowing to the priesthood, enabled them to have a firm hold and impose their will on Government. This is proved by the manner Sinhalese only as the State Language was imposed on the country violating Chapter 29 of the Constitution which provides a safeguard for the minorities. Thus a mortal blow having been administered to the solidarity of the people of Ceylon as a whole, the immediate result of which is the severance of the Tamil Members, from the Government Party and from their respective ministerial positions they held in the Government and their consequent determination to set up a separate state of Tamil speaking peoples.

That the Government has been blowing hot and cold towards the minorities right along in fear of the Bhikkus, is a clear indication

of its inherent weakness as I have already indicated. Having played false by the country, proved untrue to its declared policy and principles and unfaithful to the minorities who had helped to build the U.N.P. and strengthened the Government, it has most blatantly belied nay betrayed the ideals for which it stood. With this betrayal of Ceylon's present unity, which the grant, of Independence had hastened, sad disillusionment has come over the minorities. What is going to be the popular reaction of the non-Buddhists to such barefaced unfaithfulness to the minorities the result of the forthcoming Election will only reveal.

## Fundamental Rights for the Minorities

THE Minister of Posts and Broadcasting, Mr. S. Natesan, submitted to the Resolutions Committee of the U.N.P. the resolution of the Tamil M.Ps. of the Government Party urging the Government to incorporate in the Constitution a Statement of Fundamental Rights. (*This resolution was rejected*)

Here is the text of the resolution:—

The U.N.P. is of opinion that the Constitution of Ceylon should be amended with a view to incorporating therein the following chapter of fundamental rights:—

(1) All inhabitants of Ceylon shall be entitled to full and complete protection of life, liberty and security of person, without distinction of birth, nationality, language, race or religion.

(2) All inhabitants of Ceylon shall be entitled to the free exercise, whether public or private of any creed, religion, or belief whose practices are not inconsistent with public morals or public order.

### ASSOCIATION

(3) All inhabitants of Ceylon have the right to freedom of peaceful assembly and association, and in particular, persons belonging to any religious, linguistic or racial minority shall be entitled to use the right of association for the purpose of furthering their interests as regards their language, culture, religion, ethnical character or social relations.

(Continued on page 17)

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## An Industrialist Recognised

**F**OLLOWING in the footsteps of his brother Mr. A. G. Hinni Appuhamy in the sphere of trade and commerce and social service, Mr. A. G. Wickremapala has carved out a niche for himself among his numerous friends and admirers.

Time was when the three brothers ventured out on the hard road of business without capital and with no one to harken unto their cry for help in their business undertakings. Starting in a humble way and with



*Mr A G. Wickremapala J.P.*

the determination to make good some day, and believing with confidence that "all good things come to those that wait" persevered. And the patient waiting and hoping, brought success to their enterprises the Maliban Hotels Ltd., and the Maliban Biscuit Manufacture Co., Ltd. The manner these two businesses are conducted today, speaks volumes, for the three brothers who have weathered the storm and surmounted all their difficulties.

Mr. A. G. Wickremapala has merited success and deserved the recognition of Government which had come to him. He has been appointed as a Justice of the Peace for the

District of Colombo, an honour conferred upon him by the authorities for pioneering business enterprises and successfully working them. His high integrity as a businessman and honourable conduct have earned for him a great reputation as a good and loyal citizen of this country. When such a person's worth is recognised by the Government the honour bestowed on him is shared by his brothers as well who are associated with him in business.

Mr. Wickremapala has already been sworn in as Justice of Peace. There is every reason to hope that he will perform the duties expected of him in a worthy manner and with a high sense of public responsibility. In the cause of religion too he has shown that he is a true hearted and exemplary Buddhist and a patriotic son of the soil.

We wish Mr. A. G. Wickremapala greater success and accordingly say: **Well done thou good and faithful servant!**

C.A.L.G.

## Prime Minister Appeals for Tolerance

**T**HREE millions of the five million rupees allocated for the Buddha Jayanti celebrations this year, represents the contributions made by Christians, Hindu, Muslims and those of other religions.

At the most the Buddhist contribution is about two million rupees. Non-Buddhists have contributed generously to a cause which they believe is a good one. We Buddhists must therefore honour and respect our non-Buddhist brethren" said the Prime Minister Sir John Kotelawala, when he declared open a new school building (donated by Mr. Sirisoma Ranasinghe) at Sinharamulla, Kelaniya last Sunday evening. (15th Jan.)

Sir John who was making a plea for religious and communal tolerance especially during the Buddha Jayanti year said that it was a matter of deep regret to him that there were a number of people in the country today in high position who were intent on pursuing petty personal jealousies with intent to undermine the unity and strength of the nation.

"We must remember." "that we can live as good Buddhists and work for the uplift of our religion, not by frightening or imposing our power on those of other faiths, but by working in amity with them."

## Preview of Red Policy in 1956

THE speeches delivered to the Supreme Soviet by Messrs Khrushchev and Bulganin add up to a most revealing preview of Moscow's foreign policy in 1956.

Soviet tactics, it is clear, will continue to be guided by the precepts of Joseph Stalin, despite the indications in mid 1955 that the USSR might be willing to relax its campaign of expansionism. Stalin's dictum of 1923—that Moscow must ultimately 'inflammé' the areas of Asia and Africa to assure the success of its plans for global domination—stands out sharply in a between the lines reading of the Khrushchev-Bulganin addresses,

On their just concluded tour of Asia, Khrushchev and Bulganin missed few chances to stir up international animosity. Their speeches in Moscow are a continuation of that effort and a signal to Communist Agents to step up their attempts to promote discord in Asia and Africa.

SOVIET foreign policy for the coming year may, therefore, be expected to concentrate upon the exploitation of situations in which non-communist nations appear divided by disputes of long standing.

Moscow has found many troubled waters in which to fish, and Khrushchev and Bulganin have not hesitated to point them out. There are, for example, the potentially explosive controversy between Israel and the Arab States; the dispute between India and Portugal over Portuguese areas in South Asia, the question of Kashmir, from the standpoint of India and Pakistan, and the controversy between Afghanistan and Pakistan, with reference to Pushtunistan.

The Soviet leaders, to quote a statement made by Secretary of States Dulles even before the Moscow speeches by Khrushchev and Bulganin, seem to be adopting the policy of stirring up such controversies by inciting hatred and by offering to help one side against the other with arms, economic aid or political support.

"Apparently"—again quoting Mr. Dulles "the Soviet rulers hope in this way to stimulate Free World nations to a conflict from which the Soviet Union could hope to profit."

The danger inherent in Moscow's stepped-up campaign in Asia and Africa—or against Asia and Africa, if you will, is not discounted or minimized by Washington, but foreign affairs experts here do not believe the campaign can be ultimately successful.

The reasons, as set forth by Mr. Dulles, are these:

"The political leaders of the countries of the Middle East and South Asia are men of experience. Most of them have won notable political successes for their own countries. They know that their countries have long been targets of Soviet policy...also, most of the peoples concerned, while they are human and subject to emotions, have a religious faith which emphasizes the supremacy of love over hate."

Certainly, it is difficult to imagine that the statements by Khrushchev and Bulganin professing Soviet dislike for colonialism will ever be accepted by those in Asia and Africa familiar with the record of the USSR. The Soviet Union, with its statellites east of the Elbe, is the greatest colonial power in the world today.

In this respect, it should be noted that Khrushchev has served notice that Moscow has no intention whatever of relaxing its grip

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on its European colonies. The Communist Party Chief has bitterly denounced Christmas messages by President Eisenhower and other U.S. officials expressing the hope that the people of Eastern Europe will one day be free again.

In replying to Khrushchev's attack, Mr. Eisenhower's press secretary, James Hagerty, noted that the President and Mr. Dulles reportedly had been accused by Khrushchev of departing from the "Spirit of Geneva" by voicing hopes for freedom for the European satellites. But Mr. Hagerty pointed out, the goal of the United States has always been "to achieve liberty and justice for the oppressed peoples of the world."

This statement is in effect assurance to men and women everywhere that while the Soviet Union steps up its efforts to subvert new lands and foment discord, the United States will continue to work for liberty and justice in all countries and in all areas.

PAUL L. FORD

## Estimate of 1955 Milk Production

ACCORDING to a survey made by the United States Department of Agriculture, milk production during 1955 in 22 countries is expected to show a decline of almost 4,000,000,000 pounds, a drop of

slightly more than one per cent. Adverse weather conditions in most of Europe will result in an abrupt check to the increased production of milk registered in the principal dairy countries during last several years.

Drought reduced the production of practically every country in Europe. Only Greece is expected to show an increase over 1954. In the Western Hemisphere, long dry spells seriously cut Cuba's production, and Argentina's output was decreased by the recent harsh winter.

The most significant increase is in Australia, where production is at five per cent above 1954. Other increases are being registered by New Zealand and Mexico, with production up approximately two per cent, and by the United States and Canada, both of which countries are making slight gains.

Other factors which will bear on the crop situation will include congressional action, programs of allotments and quotas to accompany price support programs, possibly adapting the "soil bank" idea to many acres now used to grow surplus crops and leadership towards new farming programs, probably largely through planning by the U.S. Department of Agriculture. The allotment and quota systems are expected to be applied more rigidly, but surpluses are expected despite the limitations because new and improved seeds, fertilizers and methods have been turning out larger production to offset the limitations. Average weather in 1956, not as favorable as 1955's, might allow production to fall below this year's per acre yields, which averaged the highest on record.

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Jan. 20th 1956

## THOUGHT FOR THE WEEK

### TWO WAYS TO WRECKAGE

"The wrath of the stupid has laid waste the world quite as often as has the craft of the bright."—Rev. John J. Wright, U.S. Clergyman and educational authority.

## Paddy, Patriotism & High Wages

THE interest displayed by the members of Parliament in regard to their duties and the efficient administration of the affairs of the country, is amply demonstrated by their habitual absence from meetings and the frequent declaration heard "No Quorum"! The situation of late has become so chronic that the Leader of the House was obliged to refer to the laxity on the part of the members when he stated thus: "I think this fact does not add to the reputation of the House!". This observation was promptly retorted by a member remarking "the Ministers are as much to blame!". And so we think too.

Turning to more important matters there is the Indian and Pakistan Citizen ship Act which is likely to have serious repercussions on the Tea and Rubber industries. It is puerile to pin our faith on local labour to supplant Indian labour. To begin with Ceylon hasn't a sufficiency of labour. Apart from that, for several years to come, until the experiment that is being tried out on estates with Sinhalese labour, is pronounced a success and the planting industries can be made to depend on them, Government must see that, at least, there is an adequate supply of labour forthcoming.

India has already banned immigration to Ceylon. This action on the part of India's government cannot be looked upon with equanimity since the tea and rubber, the former more than the latter, requires for its economic and smooth working cheap Indian labour. For our Government to say that they are not perturbed by the action of the Indian Government, and that they (the Ministers) are concerned in protecting the interests of Ceylon is not calculated to promote confidence in its ability to run the government wisely and well. In ordinary parlance Government action amounts to cutting the nose to spite the face!

Ceylon owes her present position to the two planting industries. Her prosperity is entwined with them and anything effecting these industries must necessarily effect and disturb Ceylon's economy. Besides that with the Government's campaign of intensification of the paddy drive, what little labour that is available may be at any time diverted from estate to paddy cultivation and thus trouble is bound to arise and tea and rubber estates will suffer.

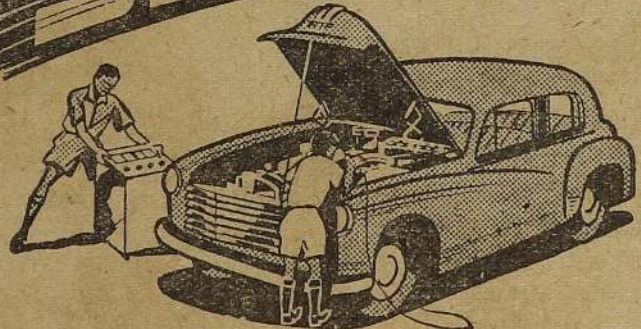
Assuming we had a sufficiency of paddy would we be better off? The country would by then have lost the revenue now regularly derived from the importation of rice. The withdrawal of Sinhalese labour from estates will also hit the tea and rubber estates hard. Java, Burma, India and Japan will then be able to secure the Australian, American, European and African markets for tea, mainly owing to the price factor. Because with expensive labour—and Sinhalese labour will not be satisfied with the present wages, tea and rubber will not be in a position to compete with other producing countries. In consequence thousands and thousands of people who depend on these two products for work will have to look elsewhere for a living.

Could paddy afford to provide work for those outside the villages, or those who do not happen to be accustomed to village life and circumstances? So that with the Revenue losing on account Customs Duties on imported rice and the ever increasing wages on tea and rubber estates coupled with the withdrawal of that patronage now enjoyed from foreign countries, Ceylon's two main products which will not be then going in such quantities, what would be the effect on Revenue? Will it be able to bear the strain put on it by the demand for the payment of increased salaries and wages and the maintenance of the essential social

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services not to speak of improvement and development works?

The situation that will confront the country with such circumstances arising will not be an encouraging one. Certainly not a happy one. It does not require much imagination to visualise what would be the result of killing the goose that laid the golden eggs! Let the Ministers therefore be forewarned. On Coconuts and Paddy alone Ceylon cannot hope to be a self-respecting and prosperous nation. To be self-contained in food is a good thing. We may have enough to eat, but will we have enough to develop this country with as we have been developing in the past with the help of the profits of tea and rubber. But for the sake of more paddy let us not on any account overlook the prime necessity of safeguarding the Tea and the Rubber industries which have made Ceylon what she is today. The main object of Government should be to see to get as much money from outside into Ceylon and try to keep on getting and make good use of it. Then we shall all have work and be smiling, contented and happy.

## Nirvana by Compulsion

ONE of the chief characteristic teachings of Buddhism is the annihilation of worldly desires that hinder a person treading the "Middle Path" or walking along the Buddhist way of life. People who conquer desire, it is taught, accumulate merit which hastens their arrival at the goal-Nirvana. In order to conquer desire there

must be the temptation, and merit is acquired only when one overcomes the temptation and annihilates desire.

Do our nobodies who are trying to be somebodies and move nonsensical resolutions at Urban Councils and those who spout on platforms and the fanatical politicians out to catch the votes of the ignorant masses, honestly think that by banning the slaughter of cattle and compulsorily closing taverns and liquor bars they will do Buddhists any good. Isn't it laughable that the educated as well those who cannot see beyond the nose should make religion a matter of such levity.

## Parity for Poya Days and Sundays

IT is reported that a deputation from the All Ceylon Union of Buddhist Monks will shortly meet the Prime Minister to request that all Poya Days be treated like Sundays, in the alternative to recognise the two principal Poya Days of each month. It is further stated that it would not cost the Government any extra expense to make poya days non-working days. As it is, the public cannot get their letters answered for months. Imagine, then, the position when 48 or even 24 non working days are added to the present list of *dies non*

Isn't it laughable to ask for parity when on Poya Days the rich, influential and educated Buddhists are not to be seen coming out of the Temples after *sil* while you see all classes stepping out of the Churches in their hundreds after divine service

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# MUSINGS

By  
T. W. Hockly

## THE LANGUAGE SPOKEN BY THE BUDDHA

IT would be interesting to know what language was spoken by the Buddha. As his original home and birth place was at Kapilavastu, in Uttar Pradesh in India, he probably spoke in Hindi or a language allied to Hindi.

It is quite certain that he never spoke in Sinhalese. It is known that the language spoken by the Christ was Aramaic, the language of Aram, Syria, the Northern branch of the Semitic family but not a pure Hebrew language.

MAJOR J. W. OLDFIELD, C.M.G.,  
O.B.E., M.C.

IT is with the greatest regret and sorrow I record the passing of Major J. W. Oldfield at a Nursing Home in Colombo on the 1st December 1955 after a brief illness. He has done well by this country and has always placed "Service before Self." He will be greatly regretted by all who knew him. He died at the age of 69 after having given 48 years of his life to Sri Lanka. A very gallant gentleman May the earth rest lightly on him and may he rest in Peace.

### SINHALESE

STRANGE to say I have never met a single European foreigner in Ceylon who appeared ever to have made any attempt to learn to speak Sinhalese. They just seem not to trouble to do this although some whom I have met were good linguists, Why is this? It is just because the people of Ceylon have always aired their English when speaking to them. I have sometimes addressed a Police Constable in good Sinhalese but he has almost invariably replied to me in English.

I have sometimes twitted them and asked them if they cannot speak Sinhalese. Much the same applies to office peons *et hoc genus omne* "The fault lies not in our stars but in ourselves dear Brutus." Were these foreigners to sojourn in North India they would perforce have to learn Hindi if they wanted to make themselves understood.

The North Indian's idea is "why should I speak English to you? You must speak to me in my own language."

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### SWABASHA

IT seems curious that whilst our Politicians and Educationists are striving to ram Swabasha down the throat of the "Common man." The Common man himself is using every effort to learn English and thereby improve his position if possible. At the same time our Politicians, V.I.P.'s and men of wealth and position, are sending their children, both boys and girls to England to schools there to be taught in English and later to sit for and obtain their Degree at an English University. The reason is very obvious. English for the plums of office. Swabasha for the deluded mob.

### JA-ELA BRIDGE

I went across the Ja-Ela Bridge recently. The congestion was awful and I had to wait some time before the road was clear. The Bridge of course is far too narrow for the present traffic and should have been widened long ago. We have been told for many years now that the Government intended to widen it but of course nothing happened. The Government once more have declared their intention of widening it at an early date but I shall believe that when I see it materialise. If the P.W.D. has anything to do with it, it will take years to complete. Next please!

## CAPITAL PUNISHMENT

**T**HERE are I think three matters which call for consideration and alteration in this connection. In the first place a condemned man should never be told the date of his execution. In France this is never done. It allows the prisoner to live in hope until the very end. In the second place in the case of rejection by the Appeal Court or even the Privy Council, the execution should take place as soon after as possible. At present a prisoner is often kept waiting for over a month, sometimes for longer. Too awful! In Britain the period is usually three clear weeks and even this is too long to wait.

Thirdly, and this to have some deterrent effect, every execution that takes place should be given full publicity in the Press—English, Sinhalese and Tamils. The name of the condemned, the date when the execution took place and a short detail of the crime itself. At present such details are seldom if ever published. This often gives rise to the idea among the masses that condemned men are

never executed and that they are just spirited away to prison somewhere.

Let the masses know that justice for a crime has been carried out and not hide it under a veil of secrecy. In Britain such details are invariably published in the Press immediately after an execution takes place.

## CERAMICS

**SEE** that two dinner Services for 1500 each have been ordered for H. E. the Governor General and the Prime Minister. The order for these has been placed for Royal Crown Derby and the services are to be pure white. But what about our own Ceramic Factory? I understand they are now making pure white China. Could our Ceylon Ceramic Factory not have met this order and supplied something really Swadeshi? Why place the order abroad? When I was last in India about ten years ago, I was dining with a wealthy friend at a dinner party he gave. He had a very fine dinner service and I asked him where he got it. He told me he had purchased it from the State Ceramic Factory at Gwalior. After my

(Continued on page 13)

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## Was Roosevelt a Communist at heart?

**T**HERE is no doubt that our present troubles and difficulties with Russia stem from the utterly mad and insane policy of President Roosevelt. When World War II was over all the Allies agreed to disarm and acted accordingly, Russia alone refused to disarm and kept her Armed Forces intact. Instead of enforcing disarmament on Russia when the Allies were in a position to do so, Roosevelt weakly allowed the Russians to retain their Armed Forces. As regards Appeasement what appeasement was given to Hitler was as a mere nothing to the Appeasement granted to Stalin. In the hope of winning over Stalin, Roosevelt gave him every mortal thing he asked for including the important and vital ports of Dairen and Port Arthur, Stalin just took every thing and then laughed at Roosevelt.

Then again at the Conference at Yalta at which Stalin, Roosevelt and Churchill attended, Roosevelt and Stalin held private talks together to which Churchill was not invited. Then again the war continued for six years when it could have been ended in four. Churchill was all for an armistice at the end of four years but Roosevelt insisted on unconditional surrender, an unheard of condition in any previous war. The Germans who are a proud race naturally resisted these terms until they could resist no longer and eventually had to agree to these terms which was like giving the Allies a blank cheque. Again as regards the trial and execution of prominent German Generals at Nuremberg, this was a very bad precedent as it meant that in any future war, Generals of the losing side were liable to be tried and executed. After all the German Generals had to obey orders unquestionably from the ruling authority. Refusal to do so would have meant their being treated as traitors and shot for disobedience. Roosevelt during his period of office increased public expenditure to fantastic figures more so in fact than all the previous Presidents together. Taxation was increased enormously and Britain in particular thereby was brought to the brink of bankruptcy and ruin. But Roosevelt just did not care. His worst and most fatal mistake was allowing the Russians to enter East Germany and occupy Berlin.

This at a time when the Allies could easily have prevented a single Russian soldier enter-

ing East Germany. But Roosevelt was evidently imbued with a love for the Russians and Communism and welcomed the Russian Army into East Germany and even to Berlin. Had this not been done there would have been no East and West Germany and the Germans would have remained an United Nation and been taken into the fold of the Allies. This would have made an impregnable barrier against Russian conquest and aggrandisement and made Europe safe against Russia. But now it is a very difficult problem indeed and the safety of the Allies has been greatly weakened. We should have had no Russian problem and Europe would have been safeguarded adequately. A most hideous error in statesmanship for which we shall have to pay a price.

There is no doubt in my mind that although Roosevelt may or may not have been a Communist at heart but undoubtedly Russia commanded all her sympathy and support

A friend of mine who visited the U.S.A. recently told me on his return that as a whole the eyes of the Americans have been opened and they do not now regard Roosevelt as the great and wonderful man he was boosted to be. A pity that this realisation did not come earlier when much harm and evil at present distracting the world to-day might have been prevented and the world itself have been a far happier place for people to live in. R. is Roosevelt and R. is for Red Ruin. I personally do not agree with 'De Mortuis nil nisi bonum.' I rather agree with the words of Mark Antony. "The evil that men do lives after them."

T. W. H.

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(Continued from page 11).

return here on more than one occasion, I urged the then Minister of Industries to visit the Factory at Gwalior and see for himself the goods they were turning out and their methods. I pointed out that Gwalior was only a few hours distant by air but somehow he steadily refused to listen to my suggestion. Presumably he thought "Can any good come out of Nazareth?—or India."

### PROHIBITION

A well-known writer Douglas Reed thus refers to Prohibition: "Prohibition is vain and appears wrong. Regulation of quantity by taxation and of quality by supervision might be an answer."

### GOA—ALGERIA

LITTLE Goa bathed by the Arabian Sea embedded in the Indian peninsula, and far away from the west, has become the object of bloc jealousies and rivalries.

Dr. Paulo da Cunha, the Portuguese Foreign Minister, whilst not denying that Goa is geographically in India but claims that Goa is an integral part of Portugal and that Portugal has held it for the past four hundred years through right of conquest. But India does not and cannot see it that way. But in the same way one may well ask "What about Algeria?" France has held Algeria for a much shorter period than four hundred years and now regards Algeria as a department of which she has absolutely no right whatever to do. Algeria by right belongs to the Algerians and they have every right to claim it as theirs. Thus much more so than little Goa have the Algerians to claim it as theirs and not an integral part of France both geographically and racially. Yet France seems determined to hang on to Algeria despite all opposition. What applies to Goa applies even more forcibly to Algeria.

### GOODWILL

CHRISTMAS and the Season of Goodwill is past and now we enter the New Year of Buddha Jayanthi. As regards the question of Goodwill in the Protestant authorised translation of the Bible it states "Peace on earth Goodwill towards men." But in the Catholic Douay translation, it gives the correct translation "Peace on earth to men of Goodwill." It is to be noted that Peace is only for men of Goodwill. This to my mind is

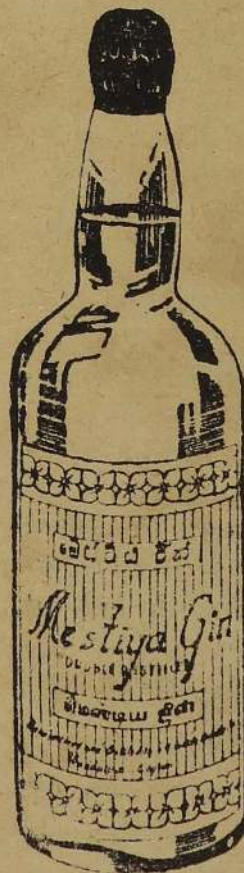
much more reasonable and sensible. God's Peace is only for men of Goodwill.

### POST CARDS

YEAR after, year I have noticed there is always a shortage of Post Cards in Post Offices at Christmas and New Year time. But why should this be? Surely the Postal authorities should have learnt by this that there is always an extra demand for post cards during Christmas and New Year and have arranged to meet this demand. But this shortage is perennial. It would point to lack of foresight on the part of the Postal authorities. But I suppose it is a case of the usual *laissez faire* and carelessness so peculiar to Sri Lanka. Shall we ever improve?

### WHOM THE QUEEN DELIGHTETH TO HONOUR

SINCEREST congratulations to Sir John on the well-deserved honour a Companion of Honour bestowed on him by Her Majesty the Queen. "Sic iter ad astra" vivat et floreat.



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## WORDS OF WISDOM

THE Editor of a local newsprint tenders the advice to the Government and our politicians as a New Year's message 'Leave well done.' This sage advice could not I think be bettered. Our Politicians appear to have so many various schemes and ideas and whims and seem to wish to interfere and meddle in everything. The idea at base is to 'paint the lily' and gain the votes of the masses for the forthcoming elections as they are Power hungry. Far better it would it be as advised to "Leave well alone and cease to stir up hatred and intolerance, when the people themselves wish Peace and to be allowed to pursue the even tenor of their way Goodwill and Tolerance is what is very badly needed in this country if we are to progress

## VIOLENT CRIME

ALTHOUGH the Ceylon murder rate is alarmingly high at present there is a radical difference between the incidence of murder here when compared with that of Chicago. Murder in Chicago is organised, a far more sinister thing than murder in Ceylon. In Ceylon murder is casual and not organised here as in Chicago it would be a far more dreadful matter and the difficulties of the Police Force in dealing with it would be increased enormously, so at least let us be thankful for some thing.

## A MISNOMER

I have seen Ceylon described by people who should know better as comparable with Switzerland. This is sheer nonsense and hyperbole. Where are the glittering pinnacles of ice and the snow capped peaks. Where, too, are the lovely lakes and Pine Forests?

There is only one country in Asia worthy of being called "La Susse en Asie" and that is the Vale of Kashmir. Ceylon may be called with justice a Tropical Paradise with her sea girt palm shores rolling downs and hills but never an Asiatic Switzerland as she can lay no claim to be this. To those who desire to see beautiful and awe inspiring Alpine scenery I say go to Kashmir and see that lovely land. Well may it be said of Kashmir. "If there be a Paradise upon earth, it is here, it is here, it is here"

## SOLITARY CONFINEMENT

SEE it suggested that solitary confinement should be an alternative to Capital Punishment. No greater mental torture can be conceived than solitary confinement. Life may be spared but just imagine being shut up in a cell for years with no communication whatever with one's fellow men. Even prison warders are prohibited from speaking with a prisoner. He is just given his food like a caged animal. How long can sanity last under such conditions? A thousand times better to face the gallows and a quick death than this fiendish punishment. Do the advocates of solitary confinement realise what this form of punishment means? It is altogether too dreadful to contemplate and is absolutely inhumane.

## A COLONIAL RELIC

THERE is one Colonial Relic which I think calls for change. I refer to the names of former Governors affixed on Railway Locomotives. This was at the time a convention of sheer flummery. In all the years I was in India I never once saw the name of a Viceroy on any locomotive. Why not replace the present names and if names are still desired then affix the names of Ceylon Kings and heroes—e.g. Dutugemunu, Prakrama Bahu &c.? This I

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am sure would make far more appeal to the people and also be propaganda for the Railway.

I made this suggestion sometime ago but of course no notice was taken of it. I now appeal to the General Manager of C.G.Ry to implement this change and without delay. The General Manager is a patriotic man and I think would appreciate this suggestion. It will be all the better if this change of nomenclature were made during Buddha Jayanthi.

#### THOUGHT FOR THE DAY

"IT is not possible to tax nations into prosperity."

## WHAT THEY SAID ON THE GINTOTA COURSE

THAT the Galle Gymkhana Club held a successful Race Meet.

THAT its popular Secretary and his Staff deserve the congratulations of the racing public.

THAT the introduction of pre-race Dope Tests were a great success.

THAT let's hope the Ceylon Turf Club will follow the G.G.C.

THAT this is the only way to have clean racing in Ceylon.

THAT the manner in which Bell of Enterprise won the J. E. Perera's Cup indicated that he was another champion in the making.

THAT comparing his victory in the J.E. Perera Cup his second start in the Deniyaya Stakes was a sore disappointment.

THAT how did this highly fancied property of Mr S. A. C. Shums fail to touch board and save place money?

THAT was it due to the bad horsemanship of Jockey Somapala or what?

THAT Bell of Enterprise never raised a gallop at any stage of the race.

THAT he ran like a coot.

THAT why was was Bell of Enterprise sold and for what reasons?

THAT it is alleged that a handsome figure was paid for the animal.

THAT it is strongly alleged that Jockey Somapala was in league with certain Bookmakers.

THAT the suspension of Jockey Somapala was a step in the right direction.

THAT he should have been severely reprimanded for at least a year.

THAT it is alleged that he reaped a rich harvest over the Bell of Enterprise-Suriya-Hilal Zagharit episode.

THAT is it true that Jockey Somapala and Trainer R. Selavaratnam was questioned by the owner as to the failure of Suriya?

THAT what had they to say?

THAT a public fancy in Suriya was sacrificed for the benefit of a certain Bookmaker.

That Trainer Samarawira tried a fast one on Mihyar through the medium of Hilal Zagharit.

THAT this pony was deliberately pulled for the benefit of an unknown devil in the workshop.

THAT on the 4th day of the meet how did Hilal Zagharit register a fluent win?

THAT horsemen of the type of Raffaele and Somapala should be ostracized from the Ceylon Turf.

THAT Raffaele and Somapala are labelled as 'Kill Roy's Nos. I & II.



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# Fundamental Rights for the Minorities

(Continued from page 3)

(4) All Ceylon nationals shall be entitled without discrimination to equal protection of the law, and shall enjoy the same civil and political rights without distinction as to race, language or religion.

Differences of race, language or religion shall not prejudice any Ceylon national in matters relating to the enjoyment of civil or political rights including admission to public employment function and honours or the exercise of professions and industries

## LANGUAGE

(5) No restriction shall be imposed on the free use by any Ceylon national of any language in private intercourse, in commerce, in religion, in the Press or in publications of any kind or at public meetings.

Adequate facilities shall be given to all Ceylon nationals to use their own language orally or in writing before the Courts or in transacting their business with public departments or administrative bodies whether local or central or in performing their functions as members of local bodies or of the Houses of Parliament.

Any section of citizens having a distinct language or culture of its own shall have the right to conserve the same.

## SECURITY

(6) Ceylon nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Ceylon nationals.

In particular they shall have an equal right to establish, manage and control charitable religious and social institutions, schools, and other educational establishments with the right to use their own language and to exercise their religion freely therein.

(7) In the public educational system in towns and districts in which a considerable proportion of Ceylon nationals belonging to a linguistic minority are resident, adequate facilities shall be provided for ensuring that education shall be given to the children of such

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nationals where there is a considerable problem through the medium of their own language.

## PUBLIC FUNDS

(8) In towns and districts portion of Ceylon nationals belonging to racial, religious or linguistic minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, Municipal or other budget, for educational, religious or charitable purposes.

(9) Rights of ownership shall be safeguarded. No person's goods or property shall be expropriated except for the public benefit and in the circumstances and in the manner prescribed by law and on condition that just compensation is paid.

(10) Every inhabitant of Ceylon has the right to an effective remedy by the courts of law acts violating the fundamental rights granted by the Constitution of Ceylon.

(11) There shall be no amendment of any provision in this chapter unless it is passed by three-fourths of the total number of members in the House of Representatives.

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## Is it Right to Hang a Man?

(Continued from cover page)

would lawfully inflict a death sentence. We all know that circumstance did not prevent wholesale executions, which, however, it is suggested might have been avoided if a few timely death sentences could have been inflicted by the courts of law. I therefore pass by the lessons of former days.

It is also necessary to set on one side, though not to omit, that the authority of Scripture can be invoked to support the contention that there are cases in which the death penalty should be sufficient for some, but it is certain that it is not unknown to the opponents of hanging and has been disregarded by them for reasons which they no doubt consider adequate.

I therefore approach the problem as it exists in this country at the present day. I assume that it will be admitted that life in a civilised community necessarily implies that each person in that community must obey the rules of conduct imposed by it, and that the community is entitled to enforce obedience to those rules by all appropriate methods. It follows that to abolish the death penalty involves the principle that natural justice itself prevents the community from ever declaring a life to be forfeit.

### UNCONSCIOUS PACIFISM.

I SHOULD welcome some light on the doubt whether that principle can be reconciled with another principle, which all reasonably minded people admit, viz, that the State can call upon its citizens to defend it. I know that it may be suggested that this is irrelevant but is it really so?

If a State at war calls upon a body of troops to undertake a military expedition, it knows that hereby it is bringing about the death of many of them. It is true that it is known how many, or who, they are: but it is certain that there must be some.

It appears to me that in sending such an expedition whether by way of attacking another nation or of resisting an invasion; the State, in order to preserve its existence, is forfeiting the life of a number of its citizens, and by no means the least worthy of them.

I think it incontrovertible that a country can call upon its men to die in order that the

community may live. It does not matter whether the principle underlying the objection to the death penalty is not really the expression of unconscious pacifism.

### THE OBJECT OF PUNISHMENT

YET, it may be objected, such a sacrifice is for the life of the community. The death penalty is a punishment for an offence against its laws. Is there, then, no crime which is aimed against the life of the community?

What, then, are we to say of a foreign spy who is seeking to discover and betray our secrets to the enemy? What as to that viler person, the traitor, who seeks to subvert the laws and constitution of our country, who lends his aid to the enemy which is attacking our lives and liberty. If it is lawful to resist the enemy and kill him in open manly conflict, is it not also right to trample out the life of the worm who is a canker in our midst?

What is the object of punishment? I take it that primarily the object is to inflict upon the offender punishment for his misdeeds, and also, if it be possible, to cause him (or others similarly disposed) to reform. It must also not be forgotten that it acts as a deterrent to others, and further by punishing an offender after a due examination into his guilt, it prevents both the community and individuals from taking the law into their own hands to exact retribution. We have no desire to introduce lynch law into this country.

I am unmoved by the argument that the death penalty does *not deter murderers*. In the sense that no punishment has ever been an effective deterrent to a man who has committed a crime, it is a mere platitude. If punishment were an effective deterrent in all cases, there would be no crime.

A criminal is a man who has not been deterred, whether he be a pickpocket, a burglar, a bigamist, or a murderer. In his case the deterrent has failed. But to argue from the exceptions that hanging is no deterrent to a man who may be tempted to commit murder is to advance a very grave error of reasoning. We should require to know all the cases in which that temptation has arisen and has been resisted, and in what number or proportion of cases the death penalty has operated to aid resistance to temptation.

I am certain that in the case of dangerous crimes, such as burglary and housebreaking, the fact, the detection, and capture will in the worst, lead to imprisonment; but that the

## As pure as . . . BEER

Many readers will be pulled up short by that unexpected comparison: as pure as . . . beer. Yet it is the simple fact that there is no article of food or drink produced with the same care and in the same purity as the beer of to-day.

### *How purity is ensured*

By analysing samples before purchase the brewers see to it that both the barley, from which the malt is made, and the hops, are of the choicest quality; and that any brewing sugar used is sugar in its most health-giving form. The whole process of brewing is under the close supervision of the Excise authorities. At frequent intervals tests are taken by the brewer of the beer in the making, and when the brew is completed an exhaustive test of the final beer is applied. Samples of the beer as sold are taken continually by the inspectors of the local authority.

Are such elaborate and official precautions taken with any other article of food or with any other beverage?

### *Downright Wholesome*

The result is that beer is brewed to-day of a soundness and a character that would have been impossible a hundred or even fifty years ago. For these elaborate safeguards have served not only to improve the materials, to secure their purity, and to ensure that nothing that is not pure is ever used; but also to improve immeasurably the whole technique of brewing.

Consider the excellence and the beneficence of beer's ingredients: malt, made from the finest barley, for digestion; hops for appetite; sugar for energy; yeast for vitality. Was there ever anything so downright wholesome as this mild, luxurious, and heartening beverage—beer?

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avoidance of capture by a murderer will cause his life to be forfeit, has operated, and does operate upon the minds of the criminals who spend their lives in such pursuits, and that thereby householders have gained a security which would not otherwise be theirs.

What would be the result if a burglar could say, "I am caught and bound to incur a long sentence. I can get away if I kill, and thereby I only risk a longer period?" He may—we do not know—conclude that the risk of longer even life-long, imprisonment is worth the sacrifice of another's life if thereby perchance he may avoid punishment altogether. He does not have the fear of the rope in his mind and a life sentence would, after all, relieve him of the problem of raising a livelihood.

It is not enough to say that such a man does not reason in such an emergency, indeed has no time to do so. He acts upon the impulse of the moment, but the impulse is not uninfluenced by his state of mind. Such men do think and reflect before they commit crimes and they know the punishment for burglary and for murder with a more personal knowledge than we do.

### THE FOUR GREAT CRIMES

LET us leave on one side the case of the foreign enemy and the foreign spy, and the soldier who dies in our defence, and consider the problem as one merely of criminal law. Let us concede, which is the fact, the death penalty is a most serious one which should not and must not be inflicted save to correct the gravest crimes. Then, examining those cases and investigating instances where persons have been guilty of such crimes, we shall see the problem in a concrete form.

There are four crimes for which the penalty is death: Treason; Arson, in arsenals and dockyards; Piracy with violence, and Murder. There are, I believe, no others. We must remember that it is not sufficient to dispute the justice of the death penalty in the case of any particular crime; it may well be that with regard to the offence the need for such a punishment has ceased though the penalty is retained but that will not show that the penalty is improper in other cases. It must be that there is no crime so enormous that the offender must die.

# From Woodlands to Queen's House

MR. DUDLEY SENANAYAKE TIPPED FOR THE GOVERNOR-GENERAL

It is quite on the cards that His Excellency Sir Oliver Goonetilleke will be going to the UNO as Ceylon's Representative displacing Sir Sujatha Gunawardene who is presently officiating as Ceylon's High Commissioner in the U.S.A as well as Ceylon's Representative at the UNO.

## DUDLEY SENANAYAKE FOR QUEEN'S HOUSE

In view of the forthcoming Buddha Jayanthi Year, which commences at Wesak in May next, a number of representative Buddhist leaders, we understand, met this week to request the Prime Minister that he should recommend that Her Majesty the Queen be graciously pleased to appoint Mr. Dudley Senanayake as her representative in Ceylon.

Further, since it is insisted that the Governor General of Ceylon should be a Buddhist—and this is what the Buddhists have been clamouring for sometime now—it is believed their wishes will be complied with. It is also suggested that the opening of the Buddha Jayanthi is the most appropriate occasion to mark the first Buddhist Governor-General's appointment.

## SIR NICHOLAS WILLING TO STAND DOWN

An influential section, it is stated, wanted Sir. Nicholas Attygalle, the Vice Chancellor of the Ceylon University, as Governor General and an equally numerous section desired Mr. Dudley Senanayake. Sir Nicholas, it is believed, prefers to stand down to enable the retiring M. P. for Dedigama to be selected, provided he agrees to accept the appointment. It is urged that Mr Senanayake's decision to retire from public life will not preclude him from accepting the Queen's House appointment.

## STATE RELIGION QUESTION

A respected Nayaka Thero present at the above meeting, while agreeing to the wishes of the majority, it appears, pointed out that since the Prime Minister at Matara definitely announced to have Sinhalese as the State Language, he should accede to the wishes of the Buddhist by going a step further and agreeing to recognise Buddhism as the State Religion of Ceylon which, he pointed out, was of greater importance to the country than Sinhalese as the State Language. The matter, however, was not pursued.

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## Bihar tells Planning Commission 'no prohibition'

**P**ATNA — Bihar has rejected proposals of the Prohibition Enquiry Committee of the Planning Commission. The State Cabinet decided this week that the introduction of prohibition was not possible in view of the possible heavy loss of revenue.

Although Bihar has been opposed to total prohibition since the very beginning, the final opinion of the State Government was given only this week after it considered the circular of the Planning Commission and the accompanying report of the Prohibition Committee.

The Government, however, has suggested that it would have no objection to prohibition by phases if the Union Government came forward to make up the estimated loss. It has, however, indicated that it would be unwise to experiment this programme at this moment because various welfare schemes were more important than a *doubtful reform*. At the same time the Government has clearly indicated that it would be inadvisable to implement prohibition *even partially*.

Bihar collects roughly about Rs. 3 crores from excise revenue. (a crore is equal to 100 lakhs. Therefore 3 crores mean 300 lakhs or 30 million rupees)

**Shri Krishna Ballabha Sahaya**, Revenue Minister noted for his straightforward views and practical wisdom ultimately carried his Cabinet colleagues in his decision to postpone the prohibition *indefinitely in Bihar*.

## Conflicting views on prohibition in Orissa

**P**UTTAK: Prohibition is the talk of the town. Three Ministers have aired their opinions already and the President of the Pradesh Congress Committee has thrown in his two-annas worth of wisdom

Chief Minister Nabakrishna Chaudhury stuck to his old views on the subject: That it was impossible to dry up Orissa completely in the next five years

The Chief Minister's reasons were based on the doubtful practicability of prohibition and the damage it would do to Orissa's revenue.

The Minister for Home, Health and Law, Mr. Satyapriya Nahanty is all for prohibition. at a recent meeting of the Government em-

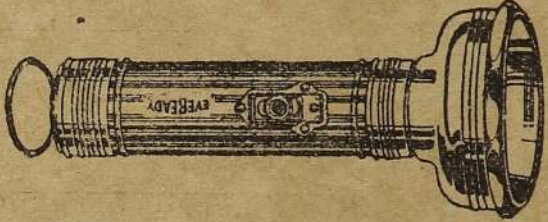
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ployees he 'sold' the prohibition idea to an audience of yes-men and frightened clerks. He was addressing them as ministers usually do.

Revenue Minister Sadasiv Tripathy harped on the same theme and reminded his audience that enforcement would entail employment of more people. This, his listeners thought was a new avenue for job-hunters.

But the final bombshell was dropped by Biswanath Das, Orissa's Congress boss, who expressed his doubt about the success of prohibition.

—The Current

## THE BILL OF RIGHTS Protects life and work in America

**T**HE first ten amendments to the Constitution of the United States are commonly referred to as the Bill of Rights. They represent the fundamental rights of the American people written into the law, and are guaranteed by enforcement in Courts of law.

This is slightly different from the position in Ceylon. As in England, Ceylon has no declaration of fundamental rights written into the constitution. All constitutional, political and civil rights are found in the common law and have been created by judicial decisions.

The first eight amendments set out substantive and procedural personal rights. Amendments 9 and 10 are general rules of interpretation of the relation between the State or the relation between the State and Federal Governments. All powers were not delegated by the Constitution to the United States, are reserved to the State or the people.

The Bill of Rights was practically a part of the original instrument, being ratified in 1791. The U.S. Constitution was "done in Convention by the Unanimous Consent of the States" on 17 September 1787, and signed by deputies from twelve states headed by George Washington, President.

### BILL OF RIGHTS

Article in addition to, and Amendment of, the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, Pursuant to the Fifth Article of the Original Constitution.

#### [ARTICLE I]

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

#### [ARTICLE II]

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

#### [ARTICLE III]

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

#### [ARTICLE IV]

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

#### [ARTICLE V]

No person shall be held to answer for a capital, or otherwise infamous crime, unless

on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger, nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law, nor shall private property be taken for public use, without just compensation.

#### [ARTICLE VI]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favour, and to have the Assistance of Counsel for his defence.

#### [ARTICLE VII]

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re examined in any Court of the United States, than according to the rules of the common law.

#### [ARTICLE VIII]

Excessive bail shall not be required, nor cruel and unusual punishments inflicted.

#### [ARTICLE IX]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

#### [ARTICLE X]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

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**HE SHRUGGED...**

when he learned that some of the order machines would require replacement parts after many seasons of use.



**STILL CHEERFUL...**

he searched for "bargain" spares and found them. They looked just as good as genuine parts.



**HE HELD HIS BREATH...**

when some of the spurlous spares had to be hammered, filed and coaxed into place.



**HE EXHALED...**

a searing blast when the substitute spares began to fail and rendered several of his machines idle.



**HOPEFULLY...**

he came to us. We replaced the misfits with Genuine Caterpillar Parts and put the machines in good working order.



**NOW...**

his smile is greater than ever. His machines are again working faithfully and economically. He knows how to keep them working.

**CATERPILLAR\***

*\*Both Cat and Caterpillar are registered trade marks*

**United Tractor & Equipment Ltd.**

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