

# The Jaffna Organ.

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## ORDER NISI.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 8005.

In the Matter of the estate of the late Muttukumar Ramalingam of Chunnakem Deceased

Kandar Aiyampillai of Chunnakem

Vs. Petitioner.

1. Ramalingam Sarvananda and
2. Ramalingam Sukanesundaram
3. Kadirkumar Vallipuram of Vannarponnai Respondents.

This matter of the Petition of the abovenamed Petitioner praying that the abovenamed 3rd Respondent be appointed guardian ad litem over the minors the abovenamed 1st and 2nd Respondents and that Letters of Administration to the estate of the abovenamed deceased be granted to the Petitioner coming on for disposal before D. H. Balfour Esquire, District Judge of Jaffna on the 9th day of November 1931 in the presence of Messrs Kumarasamy & Kanagasabnam, Proctors on the part of the Petitioner and on reading the affidavit and Petitioner of the Petitioner.

It is ordered that the abovenamed 3rd respondent be appointed guardian ad litem over the minors the abovenamed 1st and 2nd Respondents and that Letters of Administration to the estate of the abovenamed deceased be granted to the Petitioner as father-in-law of the said intestate, unless the above named Respondents appear before this Court on the 18th day of January 1932, show sufficient cause to the satisfaction of this Court to the contrary.

December 11, 1931.  
O. 815. 7 & 11.

Egd. D. H. Balfour,  
District Judge.

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## Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 7999.

In the matter of the estate of the Ambalavanar Marugesu of Tholpuram.

Deceased,  
Ambalavanar Vallillogam of Tholpuram  
Petitioner.

And

- Minor 1. Marugesu Sivasekramaniam of Tholpuram by his guardian ad litem
2. Visaladhipillai widow of Aramugam Kanagathipillai of Tholpuram

Respondents.

This matter of the petition of the abovenamed Petitioner coming on for disposal before D. H. Balfour Esquire, District Judge, on the 9th day of November 1931, in the presence of Mr. S. Kumarasamy, Proctor on the part of the Petitioner and the affidavit of the Petitioner dated the 9th day of November 1931, having been read, it is ordered that the 2nd Respondent be appointed Guardian ad litem over the 1st minor Respondent for the purposes of this testamentary action and it is declared that the Petitioner is the brother of the said intestate and is entitled to have Letters of Administration to the estate of the said intestate issued to him unless the Respondents or any other person shall, on or before the 11th day of January 1932 show sufficient cause to the satisfaction of this Court to the contrary.

November 27, 1931.  
O. 815. 4 & 7.

## NOTICE.

In order to avoid inconvenience and delay, our friends, who are good enough to send us advertisements, are kindly requested to see that the same are sent to us at least a day earlier than the date of publication.

Man...



# The Hindu Organ.



JAFNA, THURSDAY, JANUARY 7, 1932.

## LORD WILLINGDON'S MONSTER.

LORD WILLINGDON FRANKENSTEIN, THE representative in India, today, of insolent might of Great Britain, has succeeded in letting loose a monster. This monster is unsightly. It is ugly in the extreme and revolting. The multi-headed hydra is intended to swallow up the Indian National Congress and all self-respecting national activity in the motherland. Will this unprecedented campaign of repression, of which any civilized Government will be ashamed succeed or fail? All over the world today this question is being asked, and what is the answer? The answer is obvious. It lies recorded in the pages of history, not only of other countries but also of contemporary India under British rule. Lord Irwin, the more statesmanlike predecessor of Lord Willingdon tried the method for a time during the last non-co-operation movement and failed. He withdrew the mailed fist and sued for peace. The result was the Irwin-Gandhi settlement by which the saintly leader of the great sub-continent agreed temporarily to suspend the Civil Disobedience Movement in order to explore avenues of co-operation with the Government for regaining the freedom of his country. The Delhi settlement, made, of course, with the fullest support not only of the then existing Labour Government but also of Mr. Baldwin, the leader of the Conservative Party, then in opposition, was an honest confession on the part of the authorities of the futility of repression in the unique situation created in India by Mahatma Gandhi. Ever since Gandhiji returned after his heroic and successful fight for his people in South Africa he had come into conflict with the Indian authorities more than once and every time demonstrated the futility of repression. Satyagraha won all along the line. In S. Africa he was pitted against General Smuts, perhaps the brainiest statesman in the Empire today. He made heroes of the Indian settlers in S. Africa, most of whom were illiterate and half-starved estate labourers, and won for his countrymen the human rights they demanded. The S. African Government was taught by him that repression of every kind or description would be of no avail against the determined soul-force of a tyrannized people who, trusting in God, invite any suffering on themselves in vindication of the right they claim. Before Gandhiji took up political work in India several times the authorities, tried repression and failed. They defended the Partition of Bengal by recourse to the most rigid repression. Did they succeed? The people won and the Partition was annulled. The authorities however, succeeded in instilling in the minds of Young Bengal such a hatred for British rule that some of them organized and propagated the cult of violence. Face to face with these lessons the present Indian Government have launched on this campaign of repression. What is the reason? Perhaps they expected Mahatma Gandhi, when once in London, flattered by statesmen and scholars, to cultivate what is called "sweet reasonableness" and, prompted by an anxiety to be known as a "statesman" in the "far-flung Empire" of Great Britain, to betray the trust reposed in him by his people and whittle down the Congress demands. They know that there is not in India today a man or a body of men who can successfully oppose Gandhiji in the Indian National Congress. That being so why should not Mr. Gandhi, argued the imperial mind, take upon himself the duty of whittling down the popular demand. He is as a dictator to his own people. He could dictate, certainly, but always in the interests of his country's foreign masters. If, otherwise, he championed the peoples' rights then he would be imprisoned like a common

felon. What the Government of India is displaying today is the mailed fist of antediluvian autocracy. Before long, we are sure, the better sense of British statesmanship will prevail, and this shameful chapter closed. No prophetic powers are needed to state that so long as this monster of repression stalks the land the despised thing will keep on dogging the steps of the Viceroy and his Government. It cannot swallow up or break Satyagraha the divine weapon fashioned by Mahatma Gandhi for the salvation of his down-trodden people.

## SIR WILLIAM MANNING.

The death of Sir William Manning, former Governor of Ceylon, brings to mind some features of British policy in Ceylon. Sir William succeeded Sir John Anderson who came charged with the duty of appeasing the people of Ceylon who were smarting under the Martial Law atrocities of 1915. Sir John Anderson addressed himself to his task with grit and energy. He laid penalties on men who had done wrong in high places during the riots and successfully salvaged the all-too-easily-satisfied feelings of the vocal section of the people. He succeeded splendidly in preventing the incompetence, natural to alien rulers, as manifested during the riots of 1915, from being made full use of by the people of this country in demanding full share in its administration. People who ought to have known better forgot in their adulation of Sir John Anderson, their duty by the people. Sir William Manning came and heralded his administration by remitting some of the penalties laid by Sir John Anderson on those who had done wrong during the riots. The leaders of the Reform movement committed the perilous mistake of confusing their political work among the English-educated few and the town dwellers. They did not have the vision to extend their work among the masses in the villages; and what was the consequence? The leaders and their organization got shipwrecked on the rocks of personal jealousies and communal ambitions. The Reform movement came to the height of its power, though artificial, early in Sir William Manning's administration. Lacking the broad basis of an intense backing by the masses of the population the movement was easily torpedoed by the superior strategy of those in authority. Those who did duty as leaders of the majority community woefully lacked political vision and those who spoke for the minority communities displayed a shameful parochialism. Sir William and his advisers were not slow to take advantage of the situation. He befriended the "leaders" of the minority communities. Aided and abetted by the Governor these "leaders" launched on the suicidal policy of allying with the foreign rulers. The result was a so-called reform of the constitution, the acceptance of which is a standing disgrace to the people of this country. From this period dates the deplorable rift in the relations between the vocal sections of the Sinhalese and the Tamil communities. In the next reform of the constitution, during the last phase of Sir William's Governorship, he made some amends for his former error, although the communal jealousies he had encouraged still remained. This second instalment of reform provided for an elected Vice-President. It was certainly possessed of features, better in some respects than the present constitution. Sir William thus ended his Governorship. The canker of communal consciousness, however, which he impregnated into the political affairs of this country still remains. When the Donoughmore constitution was being discussed by the people all over Ceylon a man like Sir D. B. Jayatilake openly urged the Sinhalese people to accept the reform because it gave them an advantage over the Tamils. This anti-national mentality still clings in the minds of place seekers both among the Sinhalese and the Tamils. Young Ceylon, however, is determined not to allow their patriotism to be imperilled by such sordid motives. Their move to boycott the Donoughmore Constitution succeeded in North Ceylon because the people here are no longer ridden by feudal chiefs or by ambitious demagogues. If Ceylon is ever to come by her birthright of self rule, the one thing that must strenuously be cultivated is the communal. Communalism wherever it is found hiding itself must be caught and destroyed by the younger generation. Thus alone can they lay the foundations well and truly for rebuilding Ceylon—a nation?

## BY THE WAY.

The New Year has crept on to the stage before we had rung the curtain down on the Old. Before 1931 disappeared from the stage she did not even formally bow to us. This lack of courtesy, however, will not stand in our way of genuinely regretting the sudden departure of a friend who was with us every minute during a year. How often we get up meetings to extol the "sterling qualities" of the departing D. M. O., P. M., M. O. H., and a whole lot of other officers! In fact, it is difficult to move an officer in Government service without according him a send off. He will not budge a foot from his bungalow without getting a few of his friends to stand round him and dissemble their feelings. Of course, we know that almost all of these functions spring spontaneously from the pocket of never to be betrayed friends. In very rare instances, so rare that these do not trench on the general aptitude of the Ceylonese peoples to get up and enjoy social functions on the slightest provocation, the distinguished guest is called upon to foot the bill. There are some very lucky officers who can "pass on" to others the disagreeable task of paying for the lamesha. Still fewer are those whose travails of departure are felt in hamba's homesteads miles away from their office-room. This desire to be sent off threatens to overgrow the bounds of decency. No one can say that the desire to be spoken well of, leave alone good esteem, is immoral especially when an officer is packing for another station. Well, the duty of the Chief Minister is plain. A send off allowance might be appended to the travelling claim. This allowance might be commuted into an addition to the monthly salary. I ask the attention of our State Councilors to this proposal since the adoption of it is bound to result in general economy for the people at large. Instead of paying our subscriptions to the "Nees Mr." to provide the material basis for the marriage of the party, let us pay through the Treasury. This will be satisfactory to all concerned. If the present depression stands in the way of the immediate adoption of my humble suggestion by our grave councillors, I would invite the Function-Leagues in every district in Ceylon to meet in conference and concert measures to pool their resources and establish a common agency to cater at such functions at prices fixed by the Managing Board. A handful of speakers, a florist and a decent firm of purveyors should be able to satisfy the most fastidious among us. This latter suggestion has the advantage of offering lucrative careers to a few really capable men.

Mr. S. W. R. Dias Bandaranaike bears an aristocratic name. His father the "Maha" has met more crowned heads and plumed helmets than any other living Ceylonese. In fact Mr. Bandaranaike may be said to have been nurtured in the atmosphere of Kings' House. He became so familiar with the a richness in high altitudes that on his return from England he decided to espouse the cause of the humble poor. His Khaddar is a symbol of his faith in nationalism. Mr. Bandaranaike for some years held a high place in the estimation of the youths of the country. Wherever he was billed to address young men (and women) flocked in numbers to hear and applaud the ideas of this young apostle of nationalism. Individuals react to environments and Mr. Bandaranaike's ideas of national regeneration lost their flavour. He is today the President of the Sinhalese National Congress. It is a thousand pities that Mr. Bandaranaike should have lost his fervour and earnestness and had himself today the mouthpiece of whiskered opportunism. I trust that this, his speech at the Congress, is only a temporary lapse. He is certain to pull himself up and make handsome amends when the opportunity arrives. This will not be long coming. Mr. Bandaranaike was always regarded as an extremist in politics but now he seems to have swung on to the other side. It may be that he steps back to give a crushing clout to bureaucracy in the next round. Or may be, that the gentleman who professed woman-hating and "practised it for ninety nine days is caught on the hundredth day with his arms round the waist of the maid in the drawing room.

A few energetic young men have been returned to our U. D. C. One hopes that these will not maintain throughout their term the comfortable attitude of "wait and watch." This might be a safe policy to pursue during the last half year of their term of office. It brought warmth during those sultry days of the floods to see them weather the gale and floods and render assistance to the needy and the helpless. This is an earnest of what they are prepared to do for the citizens of this town. May we ask them to carefully watch

Continued up

## News & Notes.

Sir D. B. Jayatilake, Minister for Home Affairs, left for Manner on the 4th instant to visit the distressed area.

Pandit Jawaharlal Nehru was sentenced on the 4th instant to two years' rigorous imprisonment and fine of Rs. 500 in default, to three months further imprisonment under Section 13 of the Emergency Ordinance in U. P. The Pandit took his sentence laughing and said "Thank you".

The Central Council of the Ceylon Muslim League has decided to organise protest meetings of Muslims all over Ceylon through the League branches and its Directors with a view to give a mandate to the members of the State Council in the various constituencies to vote against the Income Tax Bill at its Third Reading on January 12th.

The Executive Committee of Labour, Industry and Commerce have important legislation under consideration. The draft of the Trade Union Registration Act will be brought up in the State Council shortly. The object of this Ordinance is to register all associations interested in labour, with a view to seeing that they are properly controlled and supervised and to ensure the proper utilisation of their funds.

"The Indian people is unperceptibly ignored by their rulers", says Rabindranath Tagore in a statement on Mahatma Gandhi's arrest. "Wherefore," he continues "Indians must prove to the world that they are more important than their rulers by grim determination without political insanity, which be suicidal, if manifested in a puerile emotionalism of self thwarting destructiveness. This is kind of catastrophe seldom coming to a people, bringing to focus all the scattered forces, so that we may prove ourselves morally superior to those so physically powerful".

## Death of Sir William Manning

Sir William Henry Manning, who was Governor of Ceylon from 1918 to 1925 died in England on Monday the 4th instant. He was 69 years of age.

Continued

the leakages and draining, if any, in the office? We might emulate the energy of councillors in other towns but we need not copy outright their operations without considering the special needs of our own city. It is the duty of our Councilors to nurse the civic sense in the people by meeting them as often as may be possible and exhorting them to co-operate with the efforts of the council. The best controlled council cannot do for the town a tythe of what the people themselves could do if only they realised their duty to their neighbours. The Law Courts could be set in motion to compel obedience but such obedience will be only half-hearted and to evade the penalties of the law. It were far better that people should be educated to render willing and enlightened co-operation to the schemes of the Council to ensure better health for the people. Most people seem to have lost sight of the educative side of the Council and to regard it as a taxing oppressive engine invented by the bureaucracy to scotch the faint gropings of the political soul of a subject race towards larger expression. Dictation from above on all and sundry matters will no doubt have the effect of reducing the Council to a puppet show. It is, therefore, up to every elected (and why not, nominated) member of the Council to thwart any attempt at official dictation which often descends in the language of persuasion and assert the independence of the Council.

I trust that the idea of opening a free Ayurveda Dispensary has now ceased to be a joke in Jaffna. I feel sure that ten years hence our city fathers will not laugh at the idea of conducting the proceedings of the U. D. C. in Tamil. They might not be in a mood to accept the suggestion now. Is it not time yet to appoint a committee to rename the roads in the city?

M. S. E.



# GOVT. OF INDIA'S DRIVE AGAINST CONGRESS.

## Virtual Martial Law Proclaimed.

### Rigid Repression.

#### Wholesale Arrest of Congress Leaders.

The campaign of rigid repression of Congress activities which the Government of India began with the promulgation of special Ordinances in the United Provinces and the North Western Frontier Provinces and the arrest of Pandit Jawaharlal Nehru and his colleagues of the Congress in the U.P. and of Kahn Bahib Abdul Gafar and his colleagues in the Frontier Province is being vigorously pursued all over India.

The Special Ordinance promulgated in Bengal for the avowed purpose of fighting the terrorist campaign of the anarchists is being used mainly to disable the Congress Organizations in that Province.

#### Gandhiji's Return and Arrest.

Mahatma Gandhi, who had just returned to India from London after attending the Round Table Conference, was surprised at the action of Government and asked Viceroy if the proceedings meant final breach of relations between Congress and Government. The Viceroy sent him curt replies. The Working Committee of Congress under Gandhiji's guidance passed a resolution tentatively inaugurating Civil Disobedience.

Gandhiji gave the Viceroy further opportunity. The interview he sought was refused and all chance of negotiation refused. This was followed by the arrest of Mahatma Gandhi, and the Congress President and the declaration of the Working Committee of Congress an unlawful body.

Four more Ordinances have been placed on the Statute Book by the Viceroy intended to empower all Provincial executives to deal with the situation as it may develop from time to time. The Ordinances give wide and extensive powers to the executive.

#### Mahatmaji's Crushing Rejoinder to Viceroy.

Bombay, Jan 4

Gandhiji was arrested under Bombay Regulation 25 of 1927.

The Congress President Sardar Vallabhbhai Patel was also arrested.

Gandhiji was taken in a motor car to the Yerawada Jail near Poona at 3.30 a.m. with Mr. Vallabhbhai Patel, Police Commissioner Wilson accompanied by Mr. Pettigara, Deputy Commissioner, and Inspector Desai came up to "Mount Benares" at 3.5 a.m. Mr. Davadas Gandhi, who was sleeping in the verandah, woke up and received the Police party at the entrance. Mr. Wilson told him that he wanted his father. Mr. Davadas took him up to the terrace, where Gandhiji was sleeping as also Mrs. Gandhi, Miss Bade, four other lady friends, Gandhiji's secretaries and Father Ewyn of the Christ Seva Sangh.

Gandhiji woke up when Mr. Davadas switched on the lights. The Commissioner served the warrant on Gandhiji. The Mahatma wore his spectacles and read the warrant silently, while the others stood surrounding him. Mrs. Gandhi peeped into the warrant from behind and observed: "Yerod Prison, that is the same as last year's."

The warrant ran as follows:— "Whereas, the Governor in Council for good and sufficient reasons has, under the powers vested in him by Regulation 25 of 1927, resolved that Mohandas Karamchand Gandhi shall be placed under restraint in the Yeroda Central Prison during the pleasure of the Government, you are hereby directed to secure the same. M. K. Gandhi and arrange to forward him, as soon as possible, to the Superintendent, Yeroda, Central Prison (Sd.) Maxwell, Acting Home Secretary, Bombay Government."

After reading the warrant, Gandhiji handed it back to Mr. Wilson. Then he wrote on a piece of paper: "I shall certainly be ready in a few minutes."

The police party then withdrew to a corner. The warrant read: This order was served on Gandhiji at 3.10 a.m. five minutes after the Police Commissioner, Mr. Wilson's arrival at Gandhiji's residence.

Gandhiji then went to the bath room and came back. Mrs. Gandhi brought him a basin. Miss Bade pushed to him a bottle of water. Gandhiji washed his teeth and face. Mrs. Gandhi brought down Gandhiji's juti which consisted of six packages, Gandhiji's bedding, basket containing dried fruits, a vessel, a wash basin, tooth brushes and other miscellaneous things and a carding box.

One of the bundles contained books. The following are some among the books that Gandhiji will read during day time and use as pillows at night: "Book of Jewish Thought," "Federal Laws," "Lectures on the East," "Effects of the Factory System," the East," "Effects of the Factory System," by Samuel Hoare, an autographed copy of "Wanderings and Excursions" by Mr. Ramsay MacDonald and the Gita.

Another bundle contained raw cotton for carding and spinning. Mrs. Gandhi banded the packages to Gandhiji.

Message to the nation. I whispered to Mira Ben to request Gandhiji to give a message. She conveyed the request to Gandhiji who wrote down a message to the people of India through Mr. Vallabhbhai, President of the Congress in Gujarat. Mr. Mahadev Desai translated it to me:— "Dear Vallabhbhai—Infants is God's mercy. Please tell the people never to swerve from truth and non-violence never to stoop to give their life and all to win Swaraj."

I conveyed to Mr. Mahadev the news of Mr. Vallabhbhai's arrest at his residence by Mr. Sharp, Deputy Commissioner. Gandhiji smiled when told that Mr. Vallabhbhai also would be taken to Yeroda.

Mrs. Gandhi appealed to Gandhiji in Gujarati to hold prayers, but it was only 3.25 and Gandhiji did not reply. Mr. Davadas who was sitting to the right of Gandhiji observed that Bapu would hold prayers in the car. Mrs. Gandhi insisted on singing Gandhiji's favourite "Vashnavas" song. Gandhiji consented, nodding his head. Mr. Mahadev Desai, Mira Ben, Mr. Parsylal, Mr. Davadas and other Ashram boys sang the song. Gandhiji remained in deep contemplation.

The singing over, Gandhiji's hosts put on his forehead kumthun and garlanded him with yarn prepared by herself on the takli.

The Leave Taking. Then to loud the very heartbreaking scene of leave-taking. Mrs. Gandhi, the hostess and other lady friends burst into tears. Gandhiji patted them on the back. Devoted friends of the Mahatma and Mr. Davadas touched Gandhiji's feet. When Panditji, the Ashram music master shed tears, Gandhiji stared at him raising his forefinger, by way of rebuking him for weeping. Mrs. Gandhi and the hostess embraced Gandhiji with eyes full of tears. Then came, Mira Ben. She knelt down embracing Gandhiji, and buried her face in Gandhiji's hands. She kissed fervently Gandhiji's palm, and then tore herself away from the scene.

Gandhiji then walked up to his tent, picked up some papers and expressed his readiness to the police party to go with them. Gandhiji came out of the house, accompanied by Mrs. Gandhi, his friends, his son and his secretary. The police car was waiting outside. A small gathering collected there and raised cries of "Bande Mataram" and "Gandhi ki jai".

Gandhiji patted Mr. Mahadev Desai, Mr. Parsylal and others on the back. When Father Ewyn approached him, Gandhiji patted him on the cheek. The Police Commissioner exclaimed: "Let the car go", and it proceeded.

Mr. Sharp, Deputy Commissioner, served the warrants of arrest on Mr. Vallabhbhai. The latter smiling said: "You are later than I expected." He immediately washing his face, came down with the jail kit and sat in the police car.

The police effected the arrest, so late because they had made preparations to effect the arrest at Borwill, a wayside station on the route to Ahmedabad, and found out only after the train arrived that Mr. Vallabhbhai was not in it.

#### Congress Councillors to Convert the North.

#### CONFERENCE OF VILLAGE COMMITTEES.

The "Hindu Organ" understands that Mr. E. T. Dwyer, Government Agent, has arranged a conference of the Village Committees of the Northern Provinces, and has invited some members of the State Council—Messrs. S. W. R. Dias, Bandaranaike, G. O. S. Corea and George E. de Silva—for the conference.

The Congress apologists of the Donoughmore Constitution are to avail themselves of the opportunity to persuade the Village Committees leaders to work towards the lifting of the boycott of the council in the North.

The Conference will be held on Sunday, the 10th instant, at the Parameshwara College, Tirunelveli.

It is understood the morning session of the Conference which commences at 10 a.m. will not be open to the public. At 2 p.m. there will be a public meeting presided over by Mr. Dwyer, at which the State Councillors from Colombo are expected to speak on "Current topics".

A Poona message states that Gandhiji reached Poona in sound health at 8.15 a.m. and was lodged in a special ward. —(Hindu)

#### Arrested Leaders.

Recent arrests include Mr. Nagindas Master (Vice President of the B.P.O.C.) Mr. V. J. Patel, Mr. K. F. Nariman, Mr. S. A. Brelvi, Editor of the "Bombay Chronicle", Mrs. Kamshadavi Chhatopadhyay, and Mrs. Arantika Gokhale.

Of the 40 arrested in Bombay nine are women, including Mrs. Perin Captain and Mrs. Munehi.

#### Four Ordinances Promulgated.

NEW DELHI, Jan 4

Four Ordinances have been promulgated to day by H. E. the Viceroy and Governor General for the purpose of meeting the situation created by the Civil Disobedience Movement.

The Emergency Powers Ordinance is intended to confer special powers on the Government and its officers to maintain law and order, and is practically on the lines of that promulgated for the North West Frontier Province, except that its scope is widened by including all acts prejudicial to public safety and peace, and that it rescinds the old Press Ordinance for the whole of India under the machinery of the Press Act. This Ordinance is being extended immediately by notification to Bombay and Bengal. Power under the Ordinance to control suspected persons covers not only the case of persons who act in a manner prejudicial to public safety or peace, but also covers acts in furtherance of a movement prejudicial to public safety or peace.

The Unlawful Investigation Ordinance is the same as applied to the United Provinces and the North West Frontier Province and would be extended immediately to Madras, Bombay, the Punjab, Bihar and Orissa and the Central Provinces.

The Unlawful Associations Ordinance is the same as applies to the North West Frontier Province and is being extended at once to Madras, Bombay, the United Provinces, Bihar and Orissa and Bengal.

It also gives power to the Government of India to declare any association unlawful, so that the order so passed may have effect throughout British India. This meant to cover the difficulty experienced on the last occasion of every local Government having to declare the Congress Working Committee unlawful.

The Prevention of Molestation and Boycotting Ordinance extends to the whole of British India, but before it is brought into force the Local Government concerned will have to notify it.

The Ordinance is on the lines of the old Ordinance except that it extends the definition of "molestation" to include peaceful picketing as an offence. —O. D. N.

#### GANDHI—WILLINGDON CORRESPONDENCE.

Mr. Gandhi has released for publication his telegraphic correspondence with His Excellency the Viceroy:

On 29th December, Mr. Gandhi wired to His Excellency the Viceroy as follows:—

"I was not prepared on landing yesterday, to find the Frontier and U. P. Ordinances, the shooting in the Frontier and the arrests of valued comrades in both the provinces on the top of the Bengal Ordinance, waiting for me. I do not know whether I am to regard these as an indication that friendly relations between us are closed or whether you expect me still to see you and receive guidance from you as to the course I am to pursue in advising the Congress, I would esteem a wire in reply—Gandhi, Bombay."

Viceroy's Reply.

Reply from the Private Secretary to His Excellency the Viceroy dated December 31:—

"His Excellency desires me to thank you for your telegram of the 29th instant in which you refer to the Bengal, U. P. and the N. W. F. Province Ordinances. In regard to Bengal, it has been and is necessary for the Government to take all possible measures to prevent disturbed associations of their officers and of private citizens.

His Excellency wishes me to say that he and his Government desire to have friendly relations

#### Jaffna Urban Council.

#### FIRST MEETING OF NEW COUNCIL.

The first meeting of the new Council will be held on Saturday the 9th instant at 9 a.m. at the Jaffna Kaohoberi.

The chief business of the meeting is the election of the Chairman and the Vice-Chairman.

There seems to be no contest for the Chairmanship, and Mr. R. R. Nalliah is most likely to be elected Chairman.

Mr. R. Subramaniam is understood to be the only applicant for the Vice-Chairmanship.

Of the two nominated seats one has already been filled by the nomination of Mr. S. R. Jaratnam, while the other remains vacant. If the other seat is not filled before Saturday, the Council will meet one short

with all political parties and with all sections of the public and in particular to secure the cooperation of all in the great work of constitutional reforms which they are determined to push forward with the minimum delay. Cooperation, however, must be mutual, and His Excellency and his Government cannot reconcile the activities of the Congress in the United Provinces and the N. W. Frontier Province with a spirit of frank cooperation, which the good of India demands.

As regards the United Provinces, you are doubtless aware that while the local Government was engaged in devising means to give all possible relief in the existing situation, the Provincial Congress Committee authorized a "No Rent" campaign which is now being vigorously pursued by the Congress organizations in that province. This action on the part of the Congress bodies has compelled the Government to take measures to prevent a general state of disorder and the spreading of class and communal hatred which the campaign, if continued unchecked, would inevitably involve.

In the N. W. F. Province, Abdul Gaffar Khan and the bodies he controlled have been continually engaged in activities against the Government and in fomenting racial hatred. He and his friends have persistently refused all overtures by the Chief Commissioner to secure their cooperation, and rejecting the declaration of the Prime Minister, have declared in favour of complete independence.

Khan Abdul Gaffar Khan delivered numerous speeches open to no other construction than as incitements to revolution, and his attempt to stir up trouble in the tribal areas. The Chief Commissioner, with the approval of His Excellency's Government, has shown the utmost forbearance and to the last moment continued his efforts to secure the assistance of Mr. Abdul Gaffar Khan in carrying into effect, with the least possible delay, the intentions of His Majesty's Government regarding constitutional reforms in the Province. The Government refrained from taking special measures until the activities of Mr. Abdul Gaffar Khan, his Associates and in particular the open and intensive preparation for early conflict with Government, created a situation of such grave menace to the peace of the Province and of the Tribal areas as to make it impossible for further delay of action.

His Excellency understands that Mr. Abdul Gaffar Khan was in August last made responsible for leading the Congress movement in the Province, and that the volunteer organizations he controlled were specifically recognized by the All-India Congress Committee as Congress organizations. His Excellency desires me to make it clear that his responsibilities for peace and order make it impossible for him to have any dealing with persons or organizations upon whom rests the responsibility for the activities above outlined.

You have yourself been absent from India on the business of the Round Table Conference; and in the light of the attitude which you have observed there, His Excellency is unwilling to believe that you have personally any share in the recent activities for or that you approve of the recent activities of the Congress in the United Provinces and in the North West Frontier Province. If this is so, he is willing to see you and to give you his views as to the way in which you can best exert your influence to maintain the spirit of the Round Table Conference which animated the proceedings of the Round Table Conference. But His Excellency feels bound to emphasize that he will not be prepared to discuss with you measures which the Government of India, with the full approval of His Majesty's Government, have found it necessary to adopt in Bengal, the United Provinces and the Tribal areas.

(Continued on Page 4 under caption: "Mahatma Gandhi Arrested")

#### Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.

Testamentary Jurisdiction No. 7087. In the matter of the estate of the late R. Subramaniamkrakkal of Nallur.

Yogambiyammah widow of Subramaniamkrakkal of Nallur Petitioner.

Respondents 1. S. Ramaswamy Aiyar 2. R. Sannugakrakkal of Nallur

This matter of the Petition of the above-named Petitioner coming on for disposal before D. H. Balfour, Esq., District Judge of Jaffna on 22-11-31 in the presence of Mr. O. T. Komarasamy, Proctor, for the Petitioner and the affidavits having been read,

It is ordered that the 2nd Respondent appointed guardian ad litem over the 1st Respondent and Letters of Administration be shown to the Petitioner unless sufficient cause be shown to the contrary on or before the 9th December 1931, the contrary on or before the 9th December 1931, District Judge.

November 27, 1931. Order Nisi extended for - 15-1-32, O. 817. 7 & 11.



## Mahatma Gandhi Arrested.

(Continued from page 3)  
North Western Frontier Province. These measures must, in any case, be kept in force until they have served the purpose for which they were imposed, namely the preservation of law and order essential to good Government.

On receipt of your reply His Excellency proposes to publish this correspondence.

(Sd) Mieville,  
Private Secretary."

### GANDHIJI'S REJOINER

The following is Gandhiji's rejoinder to His Excellency the Viceroy's reply:—

I thank His Excellency for his wire in reply to mine of December 29. It grieves me, for His Excellency has rejected, in a manner hardly befitting his high position, the advance made in the friendliest spirit. I had approached him, as a seeker wanting light on the questions in which I desired to understand the Government version of the very serious and extraordinary measures to which I made reference. Instead of appreciating my advance, His Excellency rejected it by asking me to repudiate my valued colleagues in advance, and telling me that, even if I become guilty of such dishonourable conduct and sought and interview, I could not even discuss these matters of vital importance to the nation.

In my opinion the constitutional issue dwindles into insignificance in the face of the Ordinances and acts which must, if not met with stubborn resistance, end in the utter demoralisation of the nation. I hope no self respecting Indian will run the risk of killing the national spirit for the doubtful contingency of securing a constitution, to work which no nation with stamina may be left.

#### Frontier Leader's Deportation.

Let me also point out that, as to the Frontier Province, your telegram contains a narration of facts which, on the face of them, furnish no warrant for the arrests of popular leaders, the passing of extra legal Ordinances, the making of life and property utterly insecure, and the shooting of unarmed peaceful crowds for daring to demonstrate against the arrests of their trusted leaders. If Khan Sahib Abdul Gaffar asserted the right of complete independence, it was a natural claim, and a claim made with impunity by the Congress at Lahore in 1929, and by me with energy put before the British Government in London. Moreover, let me remind the Viceroy that, despite the knowledge on the Government's part, that the Congress mandate contained such claims, I was invited to attend the London Conference as the Congress delegate.

Nor am I able to detect in the mere refusal to attend a Darbar an offence warranting summary imprisonment. If the Khan Sahib was fomenting racial hatred, it was undoubtedly regrettable. I have his own declaration to the contrary, made to me, but assuming that he did foment racial hatred, he was entitled to an open trial where he could defend himself against the accusation.

#### Situation in U. P.

Regarding the United Provinces, His Excellency is surely misinformed, because there was no "No-Rent" campaign authorised by the Congress, but whilst the negotiations were proceeding between the Government and the Congress representatives, the time for the collection of rents actually arrived and the rents began to be demanded. Congressmen were therefore obliged to advise the tenants to suspend payment pending the result of the negotiations. Mr. Sherwani had offered, on behalf of the Congress, to withdraw this advice if the authorities, on their own initiative, suspended the collection pending the negotiations. I venture to suggest that this is not a matter which cannot be summarily dismissed as your wire has done.

The controversy in the United Provinces is of longstanding and involves the well-being of millions of peasantry known to be economically ground down. Any Government zealous of the welfare of the masses in its charge would welcome the voluntary co-operation of a body like the Congress, which is admittedly exercising a great influence over the masses and whose one ambition is to serve them faithfully.

And let me add that I regard the withholding of the payment of taxes as an inalienable ancient natural right of people who have exhausted all other means of seeking freedom from an unbearable economic burden. I must repudiate the suggestion that the Congress has the slightest desire to promote disorder in any shape or form.

As to Bengal, the Congress is at one with the Government in condemning assassinations, and should heartily co-operate with the Government in the measures that may be found necessary to stamp out such crimes. But whilst the Congress would condemn, in unmeasured terms, methods of terrorism, it must resist within the limits of the prescribed creed of non violence, such measures of legalised Government terrorism, as are betrayed by the Bengal Ordinance and acts thereunder.

#### "Co-operation must be Mutual"

I heartily assent to the proposition laid down in your telegram that co-operation must be mutual. But your telegram leads me irresistibly to the conclusion that His Excellency demands co-operation from the Congress without returning any on behalf of the Government. I can read in no other way his peremptory refusal to discuss these matters which, as I have endeavoured to show, have at least two sides. The popular side, I have put as I understand it, but before committing myself to a definite judgement, I was anxious to understand the other side, that is, the Govern-

ment side, and then tender my advice to the Congress.

With reference to the last para of your telegram I may not repudiate moral liability for the actions of my colleagues, whether in the Frontier Province or the United Province. But I confess that I was quite ignorant of the detailed actions and activities of my colleagues whilst I was absent from India; and it was because it was necessary for me to advise and guide the Working Committee of the Congress and in order to complete my knowledge, I sought with an open mind and with the best of intentions an interview with His Excellency and deliberately asked for his guidance. I cannot conceal from His Excellency my opinion that the reply he has condescended to send, was hardly a return for my friendly and well meant approach.

If it is not yet too late, I would ask His Excellency to reconsider his decision, and see me as a friend, without imposing any conditions whatsoever as to the scope of the subject of discussion. In my part on promise that I would study with an open mind all the facts that he might put before me. I would unhesitatingly and willingly go to the respective provinces, and with the aid of the authorities study both sides of the question, and if I came to the conclusion, after such a study, that the people were in the wrong and that the Working Committee, including myself, were misled as to the correct position and that the Government was right, I would have no hesitation whatsoever in making that open confession and guiding the Congress accordingly.

Along with my desire and willingness to co-operate with the Government, I must place my limitations before His Excellency. Non violence is my absolute creed. I believe that Civil Disobedience is not only the natural right of the people when they have no effective voice in their own Government, but that it also is an effective substitute for violence or armed rebellion. I can never therefore deny my creed. In pursuance thereof, and on the strength of uncontradicted reports, supported by the recent activities of the Government of India, to the effect, that there may be no other opportunity for me to guide the public the Working Committee accepted my advice and passed a resolution tentatively sketching a plan of Civil Disobedience. I am sending herewith the text of the resolution.

If His Excellency thinks it worth while to see me, the operation of the resolution will be suspended pending our discussion. I hope it may result in the resolution being finally given up.

I admit the correspondence between His Excellency and myself is of such grave importance as not to brook a delay in publication. I am therefore, sending my telegram to your reply, this rejoinder and the Working Committee's resolution for publication.

(Sd) Gandhiji,

### VICEROY'S REPLY.

New Delhi, Jan. 3.

The Private Secretary to the Viceroy has telegraphed to Gandhiji:

His Excellency desires me to acknowledge receipt of your telegram of January 1 which has been considered by him and his Government. They very much regret to observe that under your advice the Working Committee of Congress has passed resolutions which involve a general revival of Civil Disobedience, unless certain conditions are satisfied, which are stated in your telegram and the resolutions. They regard this attitude as all the more deplorable in view of the declared intention of His Majesty's Government and the Government of India to expedite the policy of Constitutional Reform, contained in the Prime Minister's statement.

#### Menace of Unlawful Action

No Government can be consistent with the conditions sought to be imposed under the menace of unlawful action by any political organisation, nor can the Government of India accept the position implied in your telegram, that their policy should be dependent on the judgment of yourself.

As to the necessity of measures which Government have taken after a most careful and thorough consideration of the facts and after all other possible remedies had been exhausted, His Excellency and his Government can hardly believe that you or the Working Committee contemplate that His Excellency can invite you with the hope of any advantage to an interview, held under threat of the resumption of civil disobedience. They must hold you and the Congress responsible for all consequences that may ensue from the action which Congress have announced as being their intention of taking and to meet which Government will take all necessary measures.

### GANDHIJI'S REPLY

Bombay, Jan. 8.

Upset and resigned after a long night full of rumours of his arrest, Gandhiji was up before dawn squatting on ground in the shade of his tent, pitched on the flat roof of his residence, Gandhiji drafted the following reply to the Viceroy's telegram:—

"I cannot help expressing my deep regret at His Excellency's and Government's decision. Surely it is wrong to describe an honest expression of opinion as a threat. May I remind Government that the Delhi negotiations were opened and carried on while Civil Disobedience was going on and, when the pact was made, Civil Disobedience was not given up, but only discontinued. This position was reasserted and accepted by His Excellency and Government in September, prior to my departure to London.

### Special Circumstances.

Although I had made it clear that in certain circumstances, Congress might have to resume Civil Disobedience Government did not brook of the negotiations. That it was made clear by Government that Civil Disobedience carried with it the penalty for disobedience merely proves what civil registers bargain for but does not in any wise affect my argument.

Had Government resented that attitude, it was open to them not to send me to London. On the contrary my departure had His Excellency's blessings.

#### "Suggestions should be welcomed".

Nor is it fair or correct to suggest that I ever advanced the claim that any policy of Government should be dependent on my judgment but I do submit that any popular Constitutional Government would always welcome and sympathetically consider suggestions by public bodies and their representatives and assist him by all available information about their Acts or Ordinances, of which public opinion may disapprove.

I claim my messages have no other meaning than what is suggested in the last paragraph.

#### Test of time.

Time alone will show whose position is justified. Meanwhile I wish to assure Government that every endeavour will be made by Congress to carry on the struggle without malice, and strictly nonviolently. It was hardly necessary to remind me that Congress and I, its humble representative, are responsible for the consequences of our action. (Hindu)

## Resumption of Civil Disobedience.

### WORKING COMMITTEE'S RESOLUTION

Bombay Jan. 1.

After protracted deliberations, which lasted till one this morning, the Working Committee passed a resolution tentatively planning Civil Disobedience which, Gandhiji in his to-day's reply to the Viceroy, says, if the Viceroy considers it worth while to see Gandhiji, will be suspended to the hope that it may result in its being abandoned.

The following is the text of the resolution:—

The Working Committee has heard Mahatma Gandhi's account of his visit to the West and considered the situation created by the extraordinary Ordinances promulgated in Bengal, the United Provinces and the Frontier Province, and by the actions of the authorities, including the numerous arrests made, among others, of Khan Abdul Gaffar Khan, Mr. T. A. K. Sherwani and Pandit Jawaharlal Nehru, and by the shootings in the Frontier Province of innocent men, resulting in many deaths and many more being injured.

The Working Committee has also seen the telegram from the Viceroy in reply to the telegram sent by Mahatma Gandhi to him.

The Working Committee is of opinion that these several acts and others of lesser gravity that have taken place in some other provinces, and the telegram from His Excellency, seem to make further co-operation with the Government on the part of the Congress utterly impossible, unless the Government's policy is radically changed. These acts and telegram betray no intention on the part of the bureaucracy to hand over power to the people, and are calculated to demoralise the nation. They also betray want of faith in the Congress from which co-operation is expected by the Government.

The Working Committee yields to no one in its abhorrence of terrorism on any account whatsoever, whether resorted to by individuals such as recently witnessed in Bengal, but it condemns with equal force the terrorism practised by the Government, as evidenced by its recent acts and Ordinances.

The Working Committee marks the deep national humiliation over the assassination committed by two girls in Comilla, and is firmly convinced that such a crime does great harm to the nation, especially when, through its greatest political mouthpiece, the Congress, it is pledged to non violence for achieving Swaraj.

But the Working Committee can see no justification, whatsoever, for the Bengal Ordinance which seeks to punish the whole people for the crime of a few. The real remedy lies in dealing with the known cause that prompts such crimes.

If the Bengal Ordinance has no justification for its existence, the Ordinances in the U. P. and the Frontier Province have still less. The Working Committee is of opinion that the arrest and imprisonment of Mr. Sherwani and Pandit Jawaharlal Nehru, who were proceeding to Bombay to confer with Mr. Gandhiji, have gone even beyond the limits contemplated by the U. P. Ordinance, in that there was no question, whatsoever, of these gentlemen taking part in Bombay in the "no tax" campaign in the United Provinces.

The Committee considers that on the Government's own showing, there appears to be no warrant for either the promulgation of the Ordinances or the arrest and imprisonment, without trial, of Abdul Gaffar Khan and his co-workers.

The Committee regards the shooting in the Province as a wanton inhuman act, and congratulates the men of the Frontier upon their courage and endurance.

The Committee has no doubt that, if the Frontier people retain the non violent spirit despite grave provocations, they would materially advance the cause of India's independence.

### Demand for Enquiry into Ordinances

The Committee calls upon the Government of India to institute a public and impartial enquiry into the events leading to the Ordinances, the necessity of superseding the ordinary courts of law and legislative machinery, and the necessity for several acts committed thereunder and thereafter. If a proper enquiry is set up and proper facilities are given to the Committee for production of evidence, it will be prepared to assist the enquiry by leading evidence before it.

The Committee regards the Premier's declaration as wholly unsatisfactory and inadequate in terms of the Congress demand, and opines that nothing short of complete independence carrying full control over Defence, External Affairs and Finance, with such safeguards as may demonstrably be necessary in the interest of the nation by the Congress, as satisfactory.

### Appeal for Communal Unity

The Committee notes that the British Government is not prepared to regard the Congress at the Round Table as entitled to speak on behalf of the nation as a whole. At the same time, the Committee recognises with sorrow that communal harmony could not be attained at the said Conference. The Committee invites the nation therefore to make a ceaseless effort to demonstrate the capacity of the Congress to represent the nation as a whole, and promote an atmosphere that would make a Constitution framed purely on a national basis acceptable to the various communities composing the nation.

Meanwhile, the Committee is prepared to tender co-operation to the Government, provided the Viceroy reconsiders to-day's telegram to Mr. Gandhiji, and adequate relief is granted in respect of the Ordinances and its recent acts, free scope is left to the Congress in any future further negotiations and consultations to prosecute the Congress claim for complete independence, and the administration of the country is carried on in consultation with the popular representatives pending the attainment of such independence.

The absence of any satisfactory response from the Government in terms of the foregoing paragraph, the Working Committee will regard as an indication on the part of the Government that it refused to a nullity the Delhi Pact.

### Satyagraha Programme

In the event of a satisfactory response not forthcoming, the Committee calls upon the nation to resume Civil Disobedience under the following conditions and illustrative heads:

No Province or District or Taluk or village is bound to take up Civil Disobedience unless the people thereof understand the non-violent nature of the struggle with all the implications, and are ready to undergo sufferings involving loss of life and property.

Non-violence must be observed in thought, word and deed in the face of the gravest provocation, it being understood that the campaign is not one of seeking revenge or inflicting injuries on the oppressor, but is one of converting him through self-suffering and self-purification.

Social boycott, with the intention of inflicting injury on Government officers, police or anti-nationalists, should not be undertaken and is wholly inconsistent with the spirit of non-violence.

It should be borne in mind that non-violent campaigns are independent of pecuniary assistance. Therefore there should be no hired volunteers; but the bare maintenance of dependents of poor men and women who might have been imprisoned or killed, is permissible wherever it is possible.

Boycott of all foreign cloth, whether British or of other countries, is obligatory under all circumstances.

All Congressmen and women are expected to use handspun, hand-woven khaddar to the exclusion of even all cloth manufactured in indigenous mills.

Picketing of liquor shops and foreign cloth shops should be vigorously conducted, chiefly by women, but always so as to ensure perfect non-violence.

Unlicensed manufacture and collection of salt should be resumed.

If processions and demonstrations are organised, only those should join them who will stand liable charges or bullets without moving from their respective places.

Even in a non-violent war, boycott of goods manufactured by the oppressor is perfectly lawful, in as much as it is never the duty of the victim to promote or retain commercial relations with the oppressor. Therefore, boycott of British goods and concerns should be resumed and vigorously prosecuted.

Civil breach of non-moral laws and of laws and orders injurious to people, wherever it is considered possible and advisable, may be practised.

All important orders issued under the Ordinances may civilly be disobeyed.

(—Hindu.