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THE HINDU ORGAN.

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IN THE DISTRICT COURT OF JAFFNA. Testamentary Jurisdiction No. 6341. In the Matter of the Estate of the late Kathiravel Arumugam of Karampan. Deceased. Nagammah daughter of Kathiravel of Karampan. Respondent. Fossilitioner. Aiyampillai Barampu of Karampan. Respondent. This matter of the Petition of the above-named Fossilitioner praying for Letters of Administration to the estate of the above-named deceased Kathiravel Arumugam, coming on for disposal before W. Woodhouse Esquire, District Judge, on September 1, 1927, in the presence of Mr. V. Samarasinghe, Proctor, on the part of the Fossilitioner and the admission of the Petitioner dated August 29, 1927, having been read, it is declared that the Petitioner is the sole heir of the said intestate and is entitled to have Letters of Administration to the estate of the said intestate issued to her unless the Respondent or any other person shall, on or before October 11, 1927 show sufficient cause to the contrary. G. W. Woodhouse Esq. District Judge.

September 19, 1927. O. 1822.

NOTICE.

I, Thambapilly Sellathurai of Maripay, late of Batu Tiga in the Federated Malay States do hereby revoke the power of attorney I gave to Sanmugam Sinniah of Udavil, Jaffna, on the 16th day of November 1921. Maripay. October 1927. T. SELVADURAI. Mis. 1070

NOTICE.

VIJAYA DHASAMI. On account of the Vijaya Dhasami puja and the connected festival the office of the "Hindu Organ" will be closed on Wednesday, 5th October, 1927. Consequently there will be no issue of the "Hindu Organ" on Thursday, 6th October, 1927. 29th Sept '27. MANAGER.

The Hindu Organ.

JAFFNA, MONDAY, OCTOBER 3, 1927. THE CONGRESS AND REFORMS.

II.

THE MEMORANDUM WHICH THE CEYLON NATIONAL CONGRESS IS SUBMITTING TO THE SPECIAL COMMISSION ON CONSTITUTIONAL REFORM IS A DOCUMENT OF GREAT POLITICAL VALUE. THE CASE FOR FULL RESPONSIBLE GOVERNMENT IS PRESENTED DISPASSIONATELY AND WITH A CAGENCY OF REASONING WHICH SHOULD COMPEL IT TO THE COMMISSION. THE HISTORY OF REPRESENTATIVE INSTITUTIONS IN CEYLON IN PRE-BRITISH DAYS, RELIGIOUS TOLERATION UNDER THE SINGHALESE KINGS, THE ESTABLISHMENT OF THE LEGISLATIVE COUNCIL BY THE BRITISH AND THE VARIOUS STAGES OF ITS DEVELOPMENT, THE POSITION OF MINORITIES AND THE NECESSITY FOR THE GRANT OF FULL RESPONSIBILITY ARE DEALT WITH IN THE MEMORANDUM, THE FULL TEXT OF IT IS PUBLISHED ELSEWHERE FOR THE INFORMATION OF OUR READERS.

Representative institutions are not the monopoly of the West. They existed in the East from time immemorial and they were worked with great success and efficiency. They were so ingrained in the traditions of the people that neither dynastic revolutions nor great social changes nor foreign invasions could destroy their utility in the economy of national life. They continued to exist in many parts of India and Ceylon down to the days of the British. The Village Communities were not isolated phenomena in the political life of the people but they were part and parcel of a well-organized and highly systematised political machinery. Elective principle constituted their important feature. Mr. Vincent Smith, a noted historian of India, speaks thus of the administration of the Cholas whose empire Ceylon formed a part in the eleventh century:—

"The administration of the Chola kingdom was highly systematised and evidently had been organized in very ancient times, our definite knowledge of the details is chiefly from inscriptions dated between A.D. 800 and 1300. Certain records of Parantaka I mostly, particularly full information about the actual working of the village assemblies during the first half of the tenth century. The whole fabric of the administration rested upon the basis of the village, or rather of unions of villages. It was usually found more convenient to deal with a group or union of villages (kurram) rather than with a single village as the administrative unit. Each kurram or union managed its local affairs through the agency of an assembly (mahasabha), which possessed and exercised extensive powers subject to the control of the royal officers (ulkaikaran). The assembly was elected by an elaborate machinery for selecting into, and the members held office for one year. Each union had its own local treasury, and enjoyed full control over the village lands, being empowered even to sell them in certain

contingencies. Committees were appointed to look after tanks, gardens, jetties, and other departments.

A certain number of kurrams or unions constituted a District (nadu), a group of Districts formed a kottam or Division, and several Divisions formed a province. The kingdom was divided into six provinces. (The Oxford History of India p. 212).

Here we have clear and unequivocal evidence how the elected village assemblies functioned efficiently under the direction and control of the central authority and how they discharged the most important judicial and administrative functions to the entire satisfaction of the people. The theory that the East is a stranger to representative institutions is a figment of the imagination of interested historians.

The Memorandum rightly points out that toleration is a normal feature of eastern life. Religious intolerance is more rampant in the West than in the East. It is the peculiar heritage of those who follow the Semitic religions. In India and Ceylon religious tolerance has been the rule, while intolerance was an exception. In the eleventh century when the Christian Europe was carrying on Crusade against the Saracens Raja Raja, the Great, one of the greatest and the most orthodox of the Saiva Kings, was endowing the Buddhist temples at Negapatam. In the reign of his grandson Veera Rajendra Cholan, Buddha Maitra, a devout Buddhist, was appointed Viceroy of a Saiva province. In the eleventh century, in the reign of Parakrama Bahu, the Great, Adigaram, the Tamil General, was entrusted with a military expedition against Cambodia. In the fifteenth century when the Lollards were being burnt alive in the "Home" of representative government and the Moors were being exterminated in Christian Spain, we see Bukkaraya was holding the scales of justice evenly between the Vaishnavas and the Jains. The following inscription not only throws valuable light on the religious toleration practised by the Hindu Kings, but also it forms great evidence of their political wisdom and statesmanship:—

"Mutual strife having arisen between the Jains and the Bhaktas (or the faithful), the blessed people (i.e. the Jains) of the district included within Anegoddi, Hoapattana, Penggonde and Kalladappattana having made petition to Bukkaraya the justicer done by the Bhaktas, the Maharaja under the hand of the Vaishnavas of the eighteen districts... declaring that between the Vaishnava Darsana, and Jaina Darsana there was no difference whatever; the king taking the hand of the Jains and placing it in the hand of Vaishnavas declared as follows. In the Jaina Darsana, according to the former custom, the five big drums and the kshaya (war) will continue to be used. If in the Jaina Darsana any injury on the part of the Bhaktas should arise, it will be protected in the same manner as if injury to Vaishnavas had arisen.

In the matter of this custom, the Sree Vaishnavas will set up the deeras in all the basadis throughout the kingdom. As long as the sun and the moon endure, the Vaishnava swamy will continue to protect the Jaina Darsana. (Epl. Car. Vol. II No. 186)

In the seventeenth century when the Portuguese were destroying Hindu temples in Jaffna and when the Dutch were passing cruel and rigorous laws against the practice of the Hindu religion and when the Mother of Parliaments in England was passing laws subjecting the Papists and the Non conformists to many political and religious disabilities, Sivaji Maharaj was issuing strict orders to protect the Mohammedan religion in his own territories. The following tribute is paid to his political wisdom by a contemporaneous Mohammedan historian who lived in a hostile kingdom:—

"...he made it a rule that wherever his followers were plundering they should do no harm to the mosques, the Book of God, or the women of any one. Whenever a copy of the sacred Koran came into his hands, he treated it with respect, and gave it to some of his Mohammedan followers. When the women of any Hindu or Mohammedan were taken prisoners by his men, and they had no friend to protect them, he watched over them until their relations came with a suitable ransom to buy their liberty." (The Oxford History of India p. 433)

More significant than these examples is the existence of a Vishnu image by the side of the image of Buddha in the Ambali Vihara situated at a distance of three miles from Matale. When the priest of this Vihara was questioned by the present writer as to the significance of the existence of these two images side by side, he replied that during the period of the Sinhalese rule it sometimes happened that the king was a Buddhist while his queen consort was a Hindu and vice versa; and whenever both the king and the queen visited the Vihara, the spouse who was the follower of Buddha worshipped the Buddha image while the other who followed the Hindu religion worshipped the image of Vishnu. Is it possible in the Protestant England for the British heir apparent to marry a princess who is a Roman Catholic. Yet certain sections of the Press in Ceylon and some European Padres accuse the Buddhists and Hindus of religious intolerance.

LOCAL & GENERAL.

CHANKS ORDINANCE OF 1890.—Last Friday's "Gazette" publishes for general information the draft of a proposed Ordinance to amend the existing Chanks Ordinance, 1890.

STAMP ORDINANCE OF 1909.—The same "Gazette" publishes for the information of the public the draft of a proposed Ordinance to amend the present Stamp Ordinance, 1909. This Ordinance gives effect to the recommendations contained in the Second Interim Report of the Taxation Commission. The first amendment will be that the stamp duty of 6 cents will be reduced to 5 cents.

VACANCY IN THE GOVERNMENT ANALYSTS.—Applicants from candidates who have passed the Cambridge Senior or equivalent examination, and possess a good knowledge of typewriting, are invited for the post of Clerk in the Government Analyst's office in Class III of the Clerical Service. Last date for receipt of applications is October 8, 1927.

NEXT COUNCIL MEETING.—A meeting of the Legislative Council will be held at the Council Chamber, Colombo, on Thursday, October 12, 1927 at 10 a. m.

NAVARATHRI PUJAH AND KOLADAM.—Changkanni West, Panangam Mankandan Padasalai will observe the usual Koladai festivities during the Navarathri Pujah and consequently the School will be closed from 26/9/27 to 6.10.27. —Cor.

Letter To The Editor.

'THE COMMISSION' AND WOMEN.

To The Editor "Hindu Organ."

Sir,

Unhappily a Commission of Inquiry is being thrust on us. Three years ago when the present reforms were granted the Secretary of State clearly said that "further reforms" would be considered five years hence, and the then Governor Sir William Manning also assured the same. But what has happened now? "The greatest Governor of the Empire" finding it impossible to have his own way of autocratic rule secretly induced the authorities at 'Head Quarters' to send out a Commission to Ceylon for what? Not to consider further statements of reforms but to inquire whether any pruning has to be done in the existing reform. As we did not ask for such a Commission we should have ignored and boycotted it. But the mischief has been done and we have committed ourselves. Representative bodies and associations have sent in their views to the Commission and perhaps the members of the Commission are by now busy studying them and making up their minds before they embark for Ceylon. However, my point is not this. All these memorials and suggestions have been sent by men and hence one-sided. What have the women of Ceylon done in this matter, I ask in all earnestness? Women all over the world have realised their position and are engaged in fighting for their rights. In India women have not only the right to vote but have also the right to stand for elections and get elected for municipal and legislative bodies. In the Madras Legislative Council there is not only a woman councillor but she is also the Vice President of the Council. That is how our sisters in other parts of the world have been advancing and privileges were not granted to them wanted. They fought for them. They worked for them. They succeeded. They deserve to succeed. To our utter shame, we women in Ceylon have not so far moved our little finger in this direction. We seem to feel content with our lot. It is surprising that the example set by the women of other countries has not produced any effect on us. What will others think of us? Therefore let us better ourselves and demand our rights and that not rest till we get all we want our birth rights.

Let me assure my sisters that nobody is going to thrust on us any of our birth rights unasked. I will swear our own brothers, many of whom get their right to vote and sit on representative bodies through the help of the dowry, have not said even a word about us or our rights in the numerous memorials and petitions they have already sent to the Commission. Therefore, I appeal to my sisters in Ceylon to move in the matter in time. We must have equal rights with men not only to vote at elections but to stand for and get elected for municipal and legislative bodies. In short the dignifications now existing due to sex should be removed and we women in Ceylon should enjoy equal political privileges with men. Women's meetings should be held all over the Island and arrangements to place our cause before the Commission in unmistakable terms should be made. Will my sisters do this?

Yours etc. MANGALAMMAL MASLAMAM, Madras, B'ltor, 26th Sept. 27. "THAMIL MAKAL"

The Congress and Reforms.

MEMORANDUM TO SPECIAL COMMISSION

The following is the full text of the memorandum prepared by the Ceylon National Congress for submission to the Special Commission on the Reform of the Constitution:—

We are directed by the Executive Committee of the Ceylon National Congress to submit for the consideration of the Special Commission appointed by His Majesty's Government to consider and report on the working of the present constitution of Ceylon and the questions ancillary thereto, the following memorandum on the subject. We may say, at the outset, that we have thought it expedient to make this document as self-contained as possible.

It is a circumstance too conspicuous to escape the notice of the student of political history that of all the possessions of Great Britain administered by the Colonial Office none can boast of a longer history or of an older civilisation than the premier Crown Colony of Ceylon. And, if Sir Emerson Tennent was the earliest, Sir George V. Hooper, G. O. M. G., K. O. B., is the latest British official to bear eloquent testimony to this remarkable claim of the Island. The views of the former in this connexion are well known. The same, however, cannot be said of those of the late permanent Under Secretary of State for the Colonies. We therefore take the liberty to quote "in extenso" the material passage relating to Ceylon in his work entitled "The Dominions and Colonial Offices":—

"In Ceylon we come across the records of a civilisation compared to which ours is a thing of yesterday. Nearly 2500 years ago the aborigines (whose descendants are still to be found, represented by a few Venobas) felt the first onset of the invader when the Sinhalas braved to upon them from the valley of the Ganges, and founded a civilisation and a dynasty which lasted, though decaying, for more than 20 centuries. The system of Village Communities which they brought with them is still an important factor in the social organisation of the Island; and the British administration has put out long, laborious and costly efforts to restore the vast irrigation works which they constructed. A King of Ceylon sent an embassy to Rome in the time of the elder Pity."

ELECTIVE PRINCIPLE LONG RECOGNISED.

We have more than one object in referring to the past civilisation of the Island. In the first place, we think that such a civilisation must necessarily connote a highly developed and progressive system of administration. Judged even by the standards of modern democracy, this system in fact deserves the name of despotism. In a long time of sovereignty extending over twenty five centuries a Commonwealth was occasionally bound to appear to undo the work of a succession of Maris Aur. III; but such instances are few and far between. The observance of law and order was so deeply ingrained in the people that a palace intrigue, which destroyed one king and elevated another, seldom found its repercussions outside the capital. If we pause for a moment to inquire what it was that contributed to the continuity of this even tenor of civic life we shall not fail to be impressed with a fact that the people had long been accustomed to govern themselves. In the course of five centuries the primitive customs of an agricultural community gradually evolved into institutions which recognised the elective principle as absolutely necessary for their preservation. It was perhaps in the well known Gansabawa, the so-called village community, that we find the full development of the principle. Every village—the administrative unit of ancient Ceylon—had its Gansabawa, which made it a self-governing republic for all practical purposes, its external connexion with the capital being maintained by an yearly contribution to the general revenue. This position we find eloquently described by a former Government Agent as follows:—

"Considerable interest has been excited among students of political economy and comparative jurisprudence by the recent discovery of the very ancient origin and vast area of extension of the system of communal self-government. It has been ascertained that the Mark and Tything of the Gallic races, the Solavonian Commune, and the Indian Village present points of resemblance too numerous and too well defined to be the result of mere accident. It may be assumed then that a thousand years ago social relations and duties in the English village and in the Kandyan village were regulated, if not by the same system, yet by principles having a common origin and very similar development; and that while in England the system with the lapse of centuries became profoundly modified, it retained, as the Gansabawa, most of its original features in the second or third generation prided in claiming Ceylon as their motherland. Nor

Religious Toleration.

It was natural that a society developed on these lines should discourage race as well as religious prejudices. The Tamil invaders, once peace was proclaimed, were permitted to enjoy the full rights of citizenship of the permanent population, and their descendants in the second or third generation prided in claiming Ceylon as their motherland. Nor

was freedom of worship interfered with. The liberty which was in this policy was pursued with a firm reliance on the introduction of the more popular Gods of the Hindu pantheon to the temples of Buddhism. Towards Christianity, too, this attitude was remarkably generous. In the reign of Jettanona a community of Nestorian Christians flourished in the capital of the Island; while during the persecutions of the Dutch period the Roman Catholics under Father V. z. found a ready asylum in the Kandyan Kingdom. It may be noted that members of all races, such as Tamils and Muslims, once settled in the Island under the ancient system of Government of the Kings of Ceylon, enjoyed all civic rights and privileges, and lived in harmony as common citizens of a single State.

Lastly, we think we are justified in emphasizing the quickness with which the people assimilated new ideas. To give only a single instance, it would appear that when the Portuguese first arrived in the Island the Sinhalese were surprised at weapons the manufacture of which produced "a sound like thunder." But within half a century the local gunsmiths began to turn out firearms possessing in excellence those manufactured in Europe.

It is one of the tragedies of history that a people of such culture, progressive ideas and adaptability should have been denied full opportunity of developing their peculiar institutions during the last century; and this tragedy becomes the greater when we remember that this was the most peaceful period in the modern history of Ceylon. No one has realised it more fully than Sir Alexander Johnston, who was Chief Justice of the Island at the beginning of the last century. It was therefore not surprising that he should have recommended to the Home Government the wisdom of establishing a Legislative Council the constitution of which happened to be far more liberal than any devised subsequently. It was not, however, till 1833 that the suggestion materialized; but the Council that came into being in that year differs from the one recommended by the Chief Justice as the shadow from the substance. In the meantime the system of "one man" Government that obtained was responsible for the stagnation of the country. Education, which had hitherto been organised under the simple and inexpensive system of village temples, was neglected by the State, and the people were suffered to lapse into illiteracy. Uniform with this policy was the disinclination of the authorities to give the members of the permanent population a fair share in the administration.

JOHN BRIGHT'S ENCOMIUM.

The Legislative Council inaugurated in 1833 had only 6 Unofficial Members, all nominated by the Governor. The Council seems worthy of remembrance, not for any constructive work that remains to its credit, but for the high eulogium passed on it by John Bright in the House of Commons on Aug 1st, 1859, when he was pleading for the establishment of a similar institution in India.

"I am not about to set up the Council of Ceylon as a model institution.....it is far from that; but I will tell you what it is, and you will see that it would not be a difficult thing to make the change I propose..... it was composed of 16 members of whom 6 were non-official and independent, and the Governor had always a majority.....[they] are able to discuss questions of public interest in the eye and ear of the public and to tell what the independent population want, and so to form a representation of public opinion in the Council which, I will undertake to say though so inefficient, is yet of high importance in the satisfactory government of that Island. Why is it that we can have nothing like this in the Councils of Madras and Bombay? It would be an easy thing to do, and I believe that an Act of Parliament which would do it would lay the foundation of the greatest reform that has yet taken place in India."

Between 1833 and 1910 the Legislative Council underwent no substantial change, either in its composition or in its constitution. In the latter year it was reformed to admit of the introduction, for the first time of the elective principle in respect of constituencies created for Europeans, Burghers and educated Ceylonese. Within 10 years the Council was further reconstituted by the recognition of the principle of territorial electorates. The composition of this reformed Council was as follows:—

- 14 Official members.
- 6 Nominated Unofficial members.
- 11 Elected on a territorial basis.
- 5 Elected on a communal and special basis.

Total 37

One of the peculiarities of this Council was that the principle of election was withheld from Muslims and the inhabitants of those districts which comprised what is known as the former Kandyan Kingdom.

The Council of 1921 was dissolved in three years, and the one that succeeded it at the end of 1924 is still functioning. In point of numbers, the extension of the elective principle and the increase of the unofficial majority is constitutes a distinct advance on its predecessor. This will be seen from its composition which is as follows:—

- 13 Official members (including the Governor as President)

- 37 Unofficial members, viz:—
- 3 Nominated by the Governor.
- 23 Elected on a territorial basis.
- 11 Elected on a communal basis — Total 50

It will be seen that these changes in the Legislative Council saw no corresponding change in the Executive Council, if we exclude the addition of three unofficial members by amendment to that Council during the last five years. It may be stated that the earliest agitation for the reform of that body was during the regime of Sir West Ridgeway (1896-1903) who appreciated justly the demand that an official should be admitted to that Council. But the proposal was vetoed by the then Secretary of State for the Colonies, the Rt. Hon. Joseph Chamberlain, on the ground that as long as the Legislative Council consisted of nominated members, it was against constitutional principle to admit unofficial members to the Executive.

PRESENT ANOMALY

With regard to the powers of the Legislative Council, we are prepared to concede that so long as that Council had an official majority it would have been futile to invest it with greater powers than those of criticism and interrogator; the official majority could always be depended upon to secure the passage of any bill which the Government was anxious to pass, or the acceptance of any policy requiring the sanction of the Legislature. In these circumstances the most that could be expected of the unofficials was to keep Government informed of the strength of public opinion for or against a Government measure. There was then no possibility of a Government proposal being rejected when submitted to the Legislative Council. But when the official majority became converted into a minority, as in the present and the previous Council, the position of the Government, it must be admitted, has tended to become at times exceedingly embarrassing, for, with a judicious and skilful manipulation of their resources, the unofficials can, if they feel so disposed, defeat any Government measure. If such occasions have been rare during the last six years, that circumstance affords a clear index to the patience, forbearance and sense of responsibility characteristic of the unofficials.

The anomaly referred to in the last paragraph was too patent to escape the attention of the Secretary of State for the Colonies. It was therefore not surprising that in his Despatch which sanctioned the present constitution he should express himself in unmistakable terms that it ought to be regarded as a provisional measure designed for a stage of transition in our political advancement. We are justified in assuming that the decision of His Majesty's Government to order a progressive change in the constitution is the logical corollary of the attitude of the Secretary of State expressed in his Despatches.

The position is that the present constitution has run its course, and it should therefore be revised. In applying ourselves to the task of showing on what lines this should proceed we have the sanction of the Ceylon National Congress for the proposals we venture to advance.

We take it to be a fundamental principle in administration that a Legislative Council with an unofficial majority, if it is to perform any useful function, must possess the power to enforce its decisions subject, of course, to the controlling influence of a revising body, either in the shape of an Upper House or the power of veto, with which the Government is invested. But, as matters stand at present, the Executive Government is under no constitutional obligation to carry out a decision of the Legislature, even when it happens to be unanimously agreed to by the latter. In our opinion this is the cardinal defect in the present constitution on which attention should be focused. We are further of opinion that it can be remedied only by making the Executive subordinate to the Legislature. In other words, those who are responsible for the administration of the Island should form the Executive Council, and should be answerable for their acts to the Legislature, with the liability of removal when demanded by the latter. It follows therefore that all the Departmental Heads would be subject to this liability. It is a principle that admits of no exception. We are therefore strongly opposed to half-way houses and systems akin to diarchy which permits officials and unofficials to compose the Executive Council rendering only the latter amenable to the Legislative Council. Confusion in our opinion can be avoided only by bringing all the members of the Executive Council under the disciplinary jurisdiction of the Legislature. This becomes possible only when all the members of the Executive Council are members of the Legislative Council.

EXECUTIVE APPOINTMENTS.

The next question we have to consider is whether it is practicable to appoint these members of the Executive Council from outside the Legislative Council as at present. We do not think that many arguments are necessary to show that the (change?) of selection of these members should be confined to the Legislative Council. We shall show later that an Upper House unnecessary. The Legislative Council is therefore the only place where a member of the Executive Council can defend himself in respect of his administrative acts. But without being a member of the Legislative Council he will have no "locus standi" therein. It therefore follows that every member of the Executive Council should also be a member of the Legislative Council.

With regard to the mode of appointment of the members of the Executive Council, we cannot do better than suggest the adoption of the practice obtaining in other countries with necessary modification. The Government should possess the power to select the Chief Minister or Premier, who, in his turn, would select his colleagues. Their particular designations and how the departments of the Public Service should be distributed among them are matters of detail. Yet, in order to give a sense of completeness to our scheme, we have the honour to suggest the following tentative arrangements:—

- (1) Minister of Justice to be in charge of (a) the Attorney-General's Department, (b) the Police Department, (c) the Probationary Judiciary.
- (2) Minister of Finance, (3) Departments of the Controller of Revenue, (4) Treasury, (5) Colonial Auditor's Department.
- (3) Minister of Public Works, (4) Public Works Department, (5) Hydro Electric Department, (6) Railway Department, (7) Provincial and District Road Committees.
- (4) Minister of Local Government (a) Municipal Councils, (b) Urban District Councils and Rural Councils, including Village Committees.
- (5) Minister of Agriculture (a) Agricultural Department, (b) Forest Department, (c) Irrigation Department.
- (6) Minister of Education and Public Health (a) Education Department, (b) Medical and Sanitary Departments.
- (7) Minister of Industries.

It will appear from the foregoing that this scheme aims at the complete subordination of the permanent members of the Public Service to the control of these seven Ministers, thus bringing the administration of the Island into line with that of every progressive country. The Executive Council, consisting of the above Ministers with the Premier as President, should form a cabinet subject to the usual constitutional practices.

17. The exclusion of the military from the purview of the above scheme is natural. The defence of the Island is a matter of Imperial concern, and should remain in the hands of the Governor and the Secretary of State for the Colonies. We have also omitted to deal with the higher judiciary for an equally urgent reason. This principle that a superior judge should be independent of the Executive ought to be maintained in every constitution.

THE GOVERNOR.

With regard to the position of the Governor, he should have the power of veto in all matters capable of deliberation by the Legislative Council. We do not doubt that the Governor will exercise this power only on rare occasions. At the same time we suggest that whenever this power is exercised the Premier should have the right of appeal against the Governor's decision to the Secretary of State for the Colonies, whose order will be final. These mutual checks are necessary to prevent on the one hand the Governor exercising this power arbitrarily and on the other the adoption of a policy or the passing of a measure by the Legislative Council which is patently opposed to the principles of justice or of good government.

We do not particularly press for the enlargement of the Legislative Council. But the selection of seven members for the Executive Council would require a wider range than 40 odd members. We therefore think that the numerical strength of this Council may with advantage be raised to 60 members. With respect to the composition of the Council and the distribution of seats, we do not deem it necessary to detail a scheme. We would, however, desire to draw the attention of the Commission to the fact that under the present constitution the right of deciding these questions is vested in the Legislative Council.

The question of an Upper House has been carefully considered by us, and, after weighing the pros and cons of the question, we have decided to register our disapproval of such a chamber. Our opinion is that the disadvantages of such an institution far outweigh its advantages. Further, according to the scheme we have formulated the functions of such a chamber can be performed with satisfaction by the Governor in the exercise of his power of veto.

We advisedly refrain from making any suggestion on the question of the franchise or on the mode of allocating and distributing the seats in the Legislative Council. We are concerned not so much with the details, as with the principles of the constitution we desire to see remodelled. Further a Commission concerned with matters of high policy, would not concern itself with subjects which could more appropriately be dealt with first hand knowledge of local conditions.

POSITION OF MINORITIES.

Our enquiry so far has left out of consideration one question, and that is the weight that should be attached to the claims for special treatment under a reformed constitution of those who have hitherto returned members to the Legislative Council on a communal basis. This omission is not fortuitous, but deliberate, we fall to see what such a question has to do with the revision of the constitution on the pivotal point of subordinating the Executive to the Legislature. In our opinion all other matters are of subsidiary importance. It should be noted at this stage that the claims for special representation of communities ought not to be permitted to retard the establishment of responsible self government in this country.

We have indicated in outlining the constitution which the people of this country are entitled to claim. We may emphasize the fact that the present constitution devised for a transitional stage can be freed of its defects and anomalies only when the subject is dealt with in the manner indicated in this inquiry. We cannot close more appropriately than by referring to a unique circumstance, Ceylon is one of the few British possessions in which the demand for political reform has never passed from constitutional agitation to hostile demonstration. Our appeal has always been to reason and justice.

By order of the Executive Committee.—R. S. S. GUNAWARDENE, C. W. B. D. BANDARANAIK, Hon. Secretaries, Ceylon National Congress. —"Times of Ceylon."

Jaffna Co-operative Stores Ltd.

Wanted a Manager for the Jaffna Co-operative Stores. Persons with business experience and of good character only need apply Security Rs. 5000/- required, Salary Rs. 75/- per mensem and annual bonus according to satisfactory and good work. Applications will be received by the Secretary till the 20th October 1927. (20 10 27)

Jaffna, 2-10-27. Secretary.

Matrimonial.
THAMBITHURAI—NESARANI.
Invitations are out and the marriage will take place at 7.45 a.m. on Monday, the 10th inst. at St. Mary's Cathedral Jaffna, of Mr. J. C. Thambiturai of the Colonial Treasury, Colombo, with Miss M. J. Nesarani, daughter of Mr. P. Moses, a P. Member, U.D.C., Jaffna and of Mrs. Moses.

Noted Hindu-Days and Hours.
DURING THE MONTH OF OCTOBER, 1927.
(FROM THE 15TH DAY OF PURADATHI TO THE 15TH DAY OF AIPAI OR PIRAPAVA).
Kalyaptham, 5029.

RAHAU KALAM.

Monday	7 30	to	9 00	a.m.
Saturday	8 00	"	10 30	"
Friday	10 30	"	12 00	p.m.
Wednesday	12 00	"	1 30	p.m.
Thursday	1 30	"	3 00	"
Tuesday	3 00	"	4 30	"
Sunday	4 30	"	6 00	"

The Dragon's Head (Rahau) eclipses the Sun causing loss of light and vitality and therefore important undertakings should not be commenced at the hours stated above.

Baraswathi Pooja commences	October	2
Ashdani	Parts of 3 & 4	3
Ataka Navami		4
Baraswathi Pooja		5
Mahedharava Sankaram		6
Vijaya Dhasami		7
Shani Varucha Pooja		8
Sani Pirathosam		9
Fall Moon		10
Karthikai		13
Mathappirappu (Aipai)		17
Ashdani	Parts of 18 & 19	18
Navami	" " 19 & 20	19
Sani Pirathosam		22
Naraka Sathirathasi Ishyanam		23
Deepavali		24
New Moon		25
Kruththika Suththam		26
Shantha Sashis Pooja commences		31
Shantha Sashis		26
Sura Sankaram		"

FOR SALE.

At District Judge's House, Fort, Jaffna, Humber Car, household furniture, piano, banjos, violin, crockery, croquet set, tennis racquets, lawn mowers, stove, Law and other books, &c. Lists on application.

On view from 9.30 a.m. till 12 noon, Mis. 1076

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.
Testamentary Jurisdiction No. 6529.
In the Matter of the Estate of the late Chellamma wife of Marukar Maikkam of Innuvil

Deceased.
Muruakar Maikkam of Innuvil

Petitioner.

Vs.

- 1. Poorasam daughter of Marukar Maikkam
- 2. Kanibar Naanthamby both of do

Respondents.

This matter of the Petition of the above-named Petitioner, praying that the above-named 2nd Respondent be appointed Guardian ad litem over the minor the above-named 1st Respondent and that Letters of Administration to the estate of the said intestate be granted to the Petitioner coming on for disposal before G. W. Woodhouse Esquire, District Judge, Jaffna, on August 29, 1927, in the presence of Mr. T. Kumaraswamy, Proctor, on the part of the Petitioner and on reading the affidavit and petition of the Petitioner.

It is ordered that the above-named 2nd Respondent be appointed Guardian ad litem over the minor 1st Respondent for the purpose of protecting her interests and of representing her in this case and that the Petitioner be declared entitled to have Letters of Administration to the estate of the said intestate issued to him as the husband of the said intestate, unless the above-named Respondents or any other person shall on or before October 18, 1927, appear before this Court and show sufficient cause to the satisfaction of this Court to the contrary.

G. W. Woodhouse,
District Judge.
September 17, 1927.
O. 1923.

Order Nisi.

IN THE DISTRICT COURT OF JAFFNA.
Testamentary Jurisdiction No. 6536.
In the matter of the estate of the late Ponnammah wife of K. Sithamparasaher Sripplah of Anakkodal

Deceased.
Nagamah widow of Yyramath of Anakkodal

Petitioner.

Vs.
K. Sithamparasaher Sripplah of Anakkodal, presently of Mundal, in Chiblaw District

Respondent.

This matter of the Petition of the above-named Petitioner praying for Letters of Administration to the estate of the above-named deceased Ponnammah wife of K. Sithamparasaher Sripplah, coming on for disposal before G. W. Woodhouse Esquire, District Judge on August 30, 1927, in the presence of Mr. V. Ramalingam, Proctor, on the part of the Petitioner and the affidavit of the Petitioner dated August 24, 1927, having been read, it is declared that the Petitioner is the sole heir of the said intestate and is entitled to have Letters of Administration to the estate of the said intestate issued to her unless the Respondent or any other person shall on or before October 11, 1927, show sufficient cause to the satisfaction of this Court to the contrary.

G. W. Woodhouse,
District Judge.
September 19, 1927.
O. 1921.

Miss Mayo's "Mother India."

CRITICAL & EXHAUSTIVE REVIEW

By ASHOK CHATTERJEE, B.A., (Calcutta).

Editor, "The Hindu."

It is my intention to contradict in this article some gross falsehoods that an American woman, Miss Katherine Mayo, has published in the form of a book, entitled "Mother India". She pretends that her book is a dispassionate study of India and Indians, but few have accepted this pretension as its face value. Most likely the book has been written under "stimulus" of which the source is to be found among some sections of Americans and Britons who do not like to see Hindes given American citizenship in America and self government in their own country. It is a low thing written with a low purpose. Merely rip-sticking, therefore, one should not waste time by reading such insulting lies about one's own country as the above book contains, then ever into a street brawl with one whose offensive animosity is entirely the tongue. But in this case one has to come down and soil one's fingers with the foul stuff served by Miss Mayo, for she is being given a lot of publicity by interested Anglo Saxons and Yankees which supports our conviction that Miss Mayo is not after all an unworthy one hundred per cent. academician which may serve to turn neutral nations against India at a period in her history when she needs all the sympathy of other nations that she can command.

LACING PRINCIPLES OF JUSTICE AND FAIRPLAY.

A difficulty, however, has to be faced right at the beginning. Although a previous volume by Miss Mayo ("The Isles of Fear" which was written with a view to lowering the Filipinos in the eyes of the world) was sent to many Indian papers for review, the present pack of lies has not been so liberally distributed in India. It cannot even be purchased here at the present moment. The result is that one has to launch one's counter-attack on the book entirely with the help of the reviews of the book that have appeared in the foreign Press. This may doubtless lead to some smooching of the mark and delivery of one or two unintentionally unfair blows. But considering Miss Mayo's vocation, it need not fear to be uncharitable to her, nor will it melt people's hearts to see her prostrated under an onslaught not fully and solely guided by the principles of justice and fair-play.

I have read carefully a fair collection of Press cuttings in which Miss Mayo's book has been reviewed, appreciated, condemned or judged. A fair amount of public opinion in the shape of letters from various "pro bono publico", "observers", "Hindes" and "one who knows" has also received my attention. Having gone through all the above, I have come to believe that Miss Mayo's thesis that the Indians, the Hindes especially, belong to a very low level of culture and civilization, so low that they are almost sub-human, and that their continued existence on the face of the earth constitutes a real menace to humanity, i.e., in the language of Mr. Gokhale, "whiteness" Miss Mayo, like a tree-born American Oed, hangs on to her contention with that ruthless persistence which the normal mother woman exercises in hanging on to her husband. She loves her thesis and she must stick to it, come what may to truth, facts and figures.

MORE OF INVENTION THAN DISCOVERY.

A certain type of American is by nature a discoverer—not of ordinary penny pin fls but of things gigantic and unthought of: mothers who eat their babies for breakfast, trees that delight in doing the coke walk, whole nations gone mad, whole races given over to sexual perversion, etc. To make their discoveries, they would take the greatest trouble, even cross the slender borderline that separates discovery from invention. Human frailties, limitations of science or logic or lack of what lesser men call evidence, would present no barriers to their far-reaching intellect. Thus would a member of this species write a six volume treatise on the flora and fauna of a country by flying across it on an aeroplane, analyse people's virtues and vices by studying their "reactions" in vaccination or constant important psychological tests. Some years ago I had occasion to go through a book written by an eminent member of this class. He was writing about the Germans (a lively and post-war production). He said in his book:

"Recognized historically and presented badly, the German cannot be recognized as other than a psychological type. His mentality is not moral in the sense that the English or the American mentality may be moral. If we Anglo-Saxons are normal, then something is done to suppress where or how or what—has caused a psychological flaw in the evolution of this people; or else there was a slip in the making of the German—something left out in his creation. Whichever it is, whatever accidental or general, something is inherently amiss in his mental constitution."

SWEEPING "HISTORICAL" GENERALISATION.

Here is a discoverer who makes a sweeping "historical" generalisation without lowering himself to the task of analysing history, a mass of groups psychology who has probably passed not even a fortnight among Germans in Germany. He does not trouble to enquire what renders innocuous this terrible congenital and inherent abnormality of the German as soon as he takes American papers and news by the Biers and Stripes. A very large number of Americans are of German extraction and one should naturally look for traces of German deficiencies among Americans also. But the author of the above book does not care to do so. He makes a hash of history, biology and what not, and refuses to collect the proceeds of the sale of his book in a truly American sagacity. In America it will be a good example of what mere theory without education leads to. It is true that the Americans directly by inventing a majority of that nation with an appalling mediocrity and shallowness unscrupulous by any thing in the whole history of human psychosis, and others indirectly as victims of these intellectual sorrows, I beg humbly the pardon of those exceptional souls in the U.S.A. who write books on only such subjects as they have made a special study of. For them I have the greatest respect.

The above digression has been found necessary in order to put Miss Mayo's low proper place among American writers. One can readily see that one and similar American phenomena really make a hardie race of what they so humbly call to science in the social sciences, wifely or due to

NOTICE.

REGARDING LOCAL OPTION POLLS FOR THE ABOLITION OF ARRACK & TODDY TAVERNS, 1928 1929, MULLAITTIVU DISTRICT.

It is hereby notified for public information that the Assistant Government Agent of the Mullaittivu District, in exercise of the powers vested in him by rule No. 3 of the rules specified in Ex parte Notification No. 161, of May 13, 1927, in respect of the under-mentioned Arrack and Toddy Taverns, has appointed the under-mentioned dates and places for recording votes for the purpose of ascertaining whether 60 per cent. of the inhabitants of the areas are opposed to the existence of the Arrack and Toddy Taverns within such areas:—

ARRACK TAVERNS.

Table with columns: Tavern, Date, Time, Place, Area Served. Lists Mullaittivu, Kokkila, Puliyaikulam, Vavuniya, Cheddikulam.

TODDY TAVERNS.

Table with columns: Tavern, Date, Time, Place, Area Served. Lists Vadduvakkala, Putukkudiyoppu, Tanniyaru, Chhawalattal.

The Kachcheri, Mullaittivu, 22 9 27. G 815.

P. SARAVANAMUTTU, Asst. Government Agent.

lack of scientific training and detachment, and end up by making reference a mockery and manufacturing arguments to suit their preformed convictions. It will not at all be difficult to show up Miss Mayo's ignorance and foolishness where she dabbles with matter that belong to the domain of scientific study; but where she discusses such subjects as Hindu impurity one has to surrender to her superior knowledge and experience and keep silent.

THE BOOK IS A FRAUD.

I have already said that I suspect Miss Mayo of collusion with British (and American) enemies of India and consider this book to be a fraud in so far as it assumes the robes of a dispassionate study of Indian society. My suspicions are strengthened by the fact that this philan-thropic and hygiene-monger devotes the major portion of her book to what would undoubtedly be recognised as refuting the arguments put forward by Indians in support of their claims to Political Freedom. Nobody can say that social reform or hygiene can be fostered by foreign domination. Far from it. It is just as much an accepted fact that slavery makes men lose their initiative and enthusiasm for self-improvement as it is that slave-owners are far more interested in the profit-yielding capacity of their slaves than in their cultural and moral attributes. When imperialists break their hearts over the moral backwardness of the victims of their greed and proclaim to the four winds their deepest concern for the cultural advancement of their slaves; the average intellect receives the whole thing with a wick. So that when Miss Mayo postures the attention of the world by her nauseating tales of sex, filth and excreta in order to drive home her contention which reads, "Indians must not get Political Freedom," every school boy guesses her true motive without the help of his teacher. Nevertheless I try to weigh her accusations and see what they are worth. Her book has been described by The New Statesman as "one of the most powerful defences of British rule that has ever been written." Powerful fiddlesticks! It should be described as inductive reasoning flying to the moon on the wings of a blue bottle. Miss Mayo holds:

- 1. Indians lead a sub grade of existence.
2. India is a menace to the world as a breeding ground for disease.
3. It is due to British protection that Indians live on the face of the earth or else they would have been wiped out.

UNFOUNDED AND IMPERTINENT CHARGES.

The first charge is both true and false. Most Indians have been reduced to such economic degradation through "British protection" that they live a life of compulsory starvation without even the best necessities in the way of housing and clothing. Let us force Miss Mayo and her compatriots to live on 30 or 50 rupees a year and see how much culture they exude after six months. I have seen some Anglo-Saxon slave dwellers. They would give the lowest of Indians any handicap and beat them in filthiness by a wide margin. No Indian will live in so unwashed squalor for a decade or so, nor take a bath only when shipwrecked. As to the feelings, religion or anything like that, some of the Anglo-Saxon people can well compete with the animals at the Zoo. I am forced to say these rude things for Miss Mayo drives us to compare. I don't say our people lead a very high life—poor men, they are not in a position to do so—but why say they lead a sub grade of existence when what really happens is that they are made to lead a life of suffering and wants. Those Indians who can afford to lead a high enough life. May be their idea of a bath is not wading in a few gallons of tepid water, but washing the whole body in running water. May be their wine list is all their luxuries few, their food more natural than that can be used by Nero's Court or other habits a bit fastidious but that does not make it a sub grade of existence. That is a sub grade of existence which renders a man progressively degenerate in body and mind. What do we find in India to-day? Millions of forward looking and hopeful men and women who are fast improving in body and mind, making their all out their life's major specialities: Political Freedom. These progressive men and women are the people on whom we should concentrate, not the hapless cases of who should concentrate, not the hapless cases of Miss Mayo nor the criminals encouraged by her Anglo Indian, Paroo or other friends who are jailors, lawyers or liars. If we had been leading

a sub grade of existence, the British would not spend so much money and energy in counteracting our efforts to attain Swaraj, (including recourse to detention without trial). If we had all been degenerate, the British would not find so many healthy and energetic workers to run their government. These Hindes who went and fought in France when some Anglo Saxons were pleading conscientious objection to being courageous, were not degenerate either. Those who did pioneer work in Africa so that "white" men may later on avail themselves of fair samples of manhood. There are thousands of Hindu workers in America who are earning the love and respect of their American competitors and employers for efficiency, integrity and high morals. Miss Mayo could have interviewed some of them instead of going to the India Office for long rations. This so called sub grade of existence vanishes as soon as Indians find sufficient means to improve the "grade" of their existence. Poverty and ignorance are its causes and in so far as poverty is removable it is also open to improvement. And it has no more to do with reality or civilization than poverty or ignorance has. The ideals of a better life are there, it is only right ideas means to realise it in the life of the masses of India.

LURE OF GOLD AND NOT URGE OF X'NITY.

What is responsible for our poverty? What has destroyed the balance of our economic life by destroying our industries by foul means? What again has made ever bleeding wounds on our social body by exploitative, miscolled development and trade? Hindu Religion or Anglo Saxon Irreligion. We have not been poor and starving always. Our traditions, our ideas of good living, our wealth of temples, tombs and treasures; marvels of the architect's, the sculptor's, the lapidary's, the weaver's and the potter's art, testify to our past prosperity. It was the lure of our gold, and not the urge of Christianity that brought the Anglo Saxons here. And our present poverty is the result of their "protection". This poverty will not be removed or even lessened so long as our present rulers get a free hand to squander our national wealth in the name of Military, Railway or Home charges, to pay interest on money that was seldom spent for our benefit and probably was not borrowed at the lowest available rate. What does this woman, who knows so much of veneer ailments and sexual perversion know of the economic history and structure of the nation who has been commissioned (by God?) to slander? Coming from a nation of bold blooded and deeply analytical economists as she does, what is the consideration for which she wages this sentimental war against India's just claims? Instead of looking for the real causes of India's present degeneration in certain spheres, causes that will stand the test of science and logic, why does she ascribe it to our culture, civilisation, race, religion or philosophy (without knowing anything about them, of course)? She might just as well have explained our poverty, high death rate and low percentage of educated persons by saying that these were due to a curse laid on our nation by an angry witch or an offended christian god. This would have caused even more sensation in New York.

(To be continued.)

NOTICE.

Tenders will be received by the Chairman, Tender Board, Office of the Controller of Revenue, Colombo, not later than midday on Tuesday, October 11, 1927 for the following services:—
SERVICES A
To supply 12,000 Cubic yards of firewood (more or less) from Akurambale Forest area at a place close to the 197 mile Post, Northern Railway Line.
SERVICES B
To supply 8,000 Cubic yards of firewood (more or less) from Kala Forest area at a place close to the 101 mile Post, Northern Railway Line.
For further particulars vide notice appearing in Government Gazette No. 7,606 of September 18, 1927.
Office of the Conservator of Forests, Kandy, September, 20, 1927. J. D. SARGENT, Conservator of Forests. G. 910.

Notice.

"The Asiatic Home"

The "Asiatic Home" 88-4, facing Tank Road Railway Station, two storeyed building and most delightfully situated with commodious rooms upstairs suitable for boarders and lodgers. Separate bath rooms and lavatories in each story with all sanitary conveniences. Meals provided suitable to all tastes. Passengers are met at Tank Road Railway Station and on the Steamer. Luggage taken charge of and called or shipped as desired. All possible assistance rendered to passengers, etc. Passages booked to any port. Applications should reach in reasonably good time with an advance of 10% balance payable on delivery.

CHARGES MODERATE

Solicit the patronage of the Asiatics. For full particulars apply to:— THE MANAGER, "THE ASIATIC HOME" 88-4, Tank Road, SINGAPORE. Q. 90.

NOTICE.

'Ancient Jaffna'

being a Research into the History of JAFFNA from very Early Times to the PORTUGUESE PERIOD BY Mudir. C. Rasanayagam, C.C.S. Can be had at the Ramakrishna Mission Home, Vannarponnai, The Jaffna Apothecaries Co., Jaffna, and from the Author at Rs 5/- per copy. H. 59.

NOTICE.

The problem of House Building is solved and made easier. Best Building Materials. of the following description are available with me. Teak Timber of the finest quality and perfect suitability to all needs can be had. Standard Tiles the best known in the Island, matchless and at once remarkable for durability and lightness, are offered for sale. Our numerous purchasers have nothing but wholehearted praise for our Teak and Tiles. Apply to:— S. VEERAGATHIPILLAI, Thondamannar. H. 57.

PORTLAND CEMENT BRICKS.

APPROVED BY EXPERT ENGINEERS. Size 9" x 4 1/2" x 2" Rs. 45/- per 1000. Large Quantities. Supplied at 10 days, notice. PORTLAND CEMENT BRICK WORKSHOP, Attakulam, JAFFNA. Proprietor:—S. KANDAVANAM, Reinforced Concrete Supervisor & Leveller. Q. 87.

Printed and published by M. S. Rasanayagam, for and on behalf of the Proprietors, the Jaffna Salva Paripalana Sabai, at their Press, the Salva Preksha Press, Vannarponnai.