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MEMORANDUM OF THE CATHOLIC UNION OF CEYLON

TO THE SOULBURY COMMISSION ON CONSTITUTIONAL REFORMS

The Central Council of the Catholic Union of Ceylon, representing, under the direction of the Hierarchy, the Island's entire Catholic population of approximately 450,000 persons, while wholeheartedly supporting the claim for the political progress of the people of this Island, begs to submit the following proposals relative to the Declaration of His Majesty's Government on Constitutional Reforms:—

A.—FUNDAMENTAL RIGHTS—FREEDOM OF CONSCIENCE:

2. Our first proposal is that as is the case in most modern Constitutions, so, too, in any future Constitution for Ceylon there be included an announcement of fundamental rights for the protection of all types of minorities.

3. The Constitutional Scheme formulated by the Ministers contains in Article 8 the following provision:—

"8. In the exercise of its power under Article 7 Parliament shall not make any law—

(a) to prohibit or restrict the free exercise of any religion; or

(b) to make persons of any community or religion liable to disabilities or restrictions to which persons of other communities or religions are not made liable; or

(c) to confer on persons of any community or religion any privileges or advantages which are not conferred on persons of other communities or religions; or

(d) to alter the constitution of any religious body except with the approval of the governing authority of that religious body."

4. While we welcome this guarantee of religious freedom, we are of the opinion that it is not sufficiently comprehensive. It does not, for example, expressly include the guarantee of religious freedom in matters educational.

5. The Anglo-Irish Treaty of 1921 contains the following clause:—

"Neither the Parliament of the Irish Free State nor the Parliament of Northern Ireland shall make any law so as either directly or indirectly to endow any religion or prohibit or restrict the free exercise thereof or give any preference or impose any disability on account of religious belief or religious status or affect prejudicially the right of any child to attend a school receiving public money without attending the religious instruction at the school or make any discrimination as respects state aid between schools under the management of different religious denominations or divert from any religious denomination or any educational institution any of its property except for public utility works and on payment of compensation."

6. We, therefore, suggest that the following Article be substituted in place of Article 8 of the Ministers' Constitutional Scheme:—

"8. In the exercise of its power under Article 7 Parliament shall not make any law:—

(a) to prohibit or restrict the free profession, propagation and exercise of any religion; or

(b) to make persons of any community or religion liable to disabilities

or restrictions to which persons of other communities or religions are not made liable."

(c) to confer either directly or indirectly on persons of any community or religion any privileges or advantages which are not conferred on persons of other communities or religions; or

(d) to oblige by direct or indirect means parents in violation of their conscience and reasonable preference to send their children to schools established by the State or to any particular type of schools designated by the State or to make any discrimination between schools under the management of different religious denominations or to subject denominational schools to financial disabilities because of their religious character or to affect prejudicially the right of any parent to send his child to a school receiving public money without the child being called upon to attend religious instruction at that school."

B.—AMENDMENT OF CONSTITUTION

7. In the Ministers' Constitutional Scheme it is provided that the Ceylon Parliament may amend the Constitution if the Council of State gives its assent by a two-thirds majority—Article 10 (2) (b).

We submit that the Declaration of fundamental rights should not be amended except by a three-fourths majority.

8. We submit that the Supreme Court of the Island should be explicitly vested with the right of declaring an act of the Ceylon Parliament to be invalid if it contravenes the provisions with regard to fundamental rights. We accordingly suggest that the following article should be inserted in the proposed Constitution:—

"The jurisdiction of the Supreme Court shall extend to the question of the validity of any law having regard to the provisions of this Constitution. Provided that nothing in this Constitution shall impair the right of any person to petition His Majesty for special leave to appeal from the Supreme Court to His Majesty in Council or the right of His Majesty to grant such leave."

C.—DEMARICATION OF ELECTORAL AREAS:

9. The Ministers' Constitutional Scheme provides in Article 13 (3) that in dividing a Province into electoral districts the Delimitation Commission shall provide that each electoral district in the province shall have as nearly as may be an equal number of persons, but shall also take into account the transport facilities of the Province, its physical features, and the community or diversity of interest of its inhabitants.

10. We wish to emphasise particularly that an electoral district should be so demarcated as to contain as far as possible persons having community of interest. We say this for the reason that under the present demarcation of electoral areas certain constituencies have been so defined that Christians have found themselves in a minority in a number of contiguous areas where with a different demarcation they would have been in the majority in some of

THE CHALLENGE OF "BERNADETTE"

BY THOMAS F. WOODLOCK IN "COLUMBIA"

The Film "Song of Bernadette" is being screened at the New Olympia, Colombo and the following article will serve as a background for a proper understanding of the story.

(Continued from our last issue.)

Fr. McSorley's "Outline of Church History" notes that in the first fifty years following 1858 some 4,000 medically authenticated miraculous cures were recorded at Lourdes. What constitutes a "miraculous cure" of the kind so recorded? The simplest way to state the answer is to say that a cure is "miraculous" when it is accomplished, either as to kind or manner, contrary to the observed laws of medical science. Such would be the instantaneous recovery of sight by the victim of a completely detached retina or an atrophied optical nerve, the virtually instantaneous healing of a large rodent ulcer or cancer, or the virtually instantaneous knitting of fractured bones. Instances of such are recorded at Lourdes. An excellent study of Lourdes miracles is that by a French doctor which I read twenty or more years ago, and which someone either borrowed or purloined from me. I must trust to memory for its name and author. The title was "Preuves Medicales du Miracle" (or something like it) and the author was a Doctor Boissarie or a name sounding like it. The book opened with a highly scholarly essay on the nature of miracles, and then described a number of the more remarkable "cases" on record, including the famous De Rudder case. But there is abundance of literature on the subject including the testimony of Doctor Alexis Carrel in his book "Man the Unknown" published here a few years ago. All that I am concerned to note is that the medical record at Lourdes—the integrity of which, and the medical integrity and competence of those who have conducted it, have not to my knowledge been seriously impugned—contains an abundance of such cases, and has always been open to inspection by any doctor who cared to look at it, and many thousand individual physicians have availed themselves of this opportunity through the years.

The point to which I am leading is this. The mere existence of such a

those areas, thus ensuring their representation in the Legislature.

11. As the Catholics do not favour religious representation as such, the above form of territorial demarcation is essential having regard to prevailing conditions.

D.—MULTIPLE MEMBER CONSTITUENCIES

12. In order further to facilitate the return of members representing minority interests, we suggest that the Delimitation Commission be directed to consider the question of Multiple Member Constituencies in areas where certain interests are likely to go unrepresented and to provide such Constituencies where necessary.

13. We would finally point out that in making the above proposals we are only asking that democracy should be made real and effective.

For and on behalf of the Central Council of the Catholic Union of Ceylon.

C. M. G. DE SARAM,
Hony. Secretary.

Colombo, 10-1-1945.

record constitutes a challenge to "modern science" of a character totally unprecedented in the history of "Science" and, moreover, a challenge of the most fundamental kind, thrown in the most direct possible manner, indeed in "Science's" very teeth. What should more interest, indeed more excite "Science" than the occurrence of a miracle in broad daylight, under her own very microscopes and test-tubes? Could anything more insistently demand at her hands a more searching inquiry and a verdict? How did she meet that challenge?.....

The simple fact is that from Huxley's day to the present moment the "scientific world," as a whole, has ignored the challenge that Our Lord offered it for the honour of His Mother and still ignores it. It is that fact that I am concerned to note and to emphasize. I submit that it is a fact of the greatest significance.

What is that significance?

It can be only one thing, namely that modern "science" is still clinging to the dogma: "Miracles are impossible, therefore they do not happen." The irony of this is in the fact that the one thing with which science is not concerned is "possibilities," and the one thing with which it is concerned is "facts." The whole and only question of a "miracle" is whether it is or is not a fact. A single miracle is sufficient to destroy the dogma: Lourdes has offered "Science" hundreds of attested "facts" which are contrary to the whole experience of medical science. Yet, a few years ago, when Dr. Carrel's "Man the Unknown" appeared, the New York Times published letters from some of his colleagues intimating pretty plainly that Dr. Carrel was a victim of superstition or had lost his mind! I do not remember reading in their letters anything to indicate either that the writers had ever visited Lourdes or were acquainted with its story! Lourdes still awaits the verdict of Science upon its "record."

That is part of the "perspective" in which I am attempting to place the "Song of Bernadette." The other part is that Franz Werfel's and the motion-picture based upon it are for the majority of our people the first that they have ever heard of Lourdes, and its story. We Catholics generally know its main outlines, but only a few, probably, know all its details. Novel and picture have plainly caught the attention of very many non Catholics and to these they pose the question I stated at the outset of this article. "What do you think you have read? What do you think you have seen? It must be one thing or another—a tremendous illusion or a still more tremendous fact. Which do you think it is?"

The motion-picture puts the question (in a rather left handed way) by saying at the start that for those who "believe in God" no "explanation" of the drama is "necessary," and for others no "explanation" is "possible." It would have been more frank to put the question as I have stated it above. Had that been done the question could not have been avoided. Most people "believe in God"

(Continued on Inner Page)

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Church Calendar

JANUARY 1945

FRI. ...26 S. Polycarp.
SAT. ...27 S. John Chrys.
SUN. ...28 Sept. S. Peter Nol.
MON. ...29 S. Francis Sales.
TUES. ...30 S. Martina.
WED. ...31 S. John Bosco.

FEBRUARY 1945

THURS. ...1 S. Ignatius.
FRI. ...2 PURIFICATION.

The Catholic Guardian

JANUARY 26TH 1945

THE CENTRAL SCHOOLS

A Central School is described as a school which provides education up to the Higher School Certificate Examination and which has been declared as Central School by the Director of Education. Hence, two things are required to make a school a Central School. First, it must be capable of imparting a standard of education up to the level of the Higher School Certificate and secondly, the declaration as such by the Director but in reality by the Minister. And this latter, we fear, a Christian community will never be able to obtain. Our reason for saying so is this. A Central School, according to common sense, is a school established more or less in the centre of a group of primary schools in a backward area where no schools exist for higher education so that the pupils from these schools may continue their post-primary education in the central Institution. But it appears to us that in the mind of the Education Minister who boasted that Central Schools were his own creation, these are intended to be rivals of denominational schools but pampered rivals. These could draw away pupils from other schools with the bait of free education and thus handicap them. Christian schools and in particular Catholic schools will be badly hit. The Minister's aversion to these schools is no secret. He had declared it publicly and has said that if he could he would abolish them all because these schools have largely contributed to the Christian influence in this country. This monomania of the Minister and his Buddhist followers will, we hope, be brought to the attention of the Soulbury Commission when the deputation from the Catholic Union of Ceylon goes before it to seek protection for the rights of the Catholic community. Now, in proof of what we have said we may cite an instance. The Jaffna Urban area is well provided with secondary schools where arrangements could be made for deserv-

ing pupils from the vernacular schools to continue their post-primary education free of school fees. For all concerned this would be a fair arrangement. But the Minister wants to carry out his own pet scheme and he has declared a school at the extreme limit of the town a Central School in which alone free English education would be given and scholarships held. This is penalising Catholics who are bound by their religion to educate their children in Catholic schools. They can be benefited neither by free education nor by the scholarships awarded. This disability from which one community alone suffers is against the letter and spirit of the Constitution and H. E. the Governor may well be addressed to intervene on this question. Dr. Kannangara has kept to his own line of action even in this. When the State Council is debating the recommendations including the one on free education of the Special Committee, he has got away with an amendment to the Code allowing free education in Central Schools which he is trying to make a State monopoly. The Council approved the amendment without knowing how many such schools are going to be started and how much they are going to cost the country.

THE POLISH QUESTION

In a leading article of the *Ceylon Daily News* of Monday last an attempt was made to justify the absorption by Soviet Russia of half the territory of Poland. The Polish Government in London was blamed for not coming to an understanding with Stalin on latter's terms and worse still, Poland is accused of putting forward claims to Soviet territory!! Furthermore, she is told not to forget that she is a Versailles creation and to some extent the result of the Russian military weakness after the last war. To all this we would make reply that Poland's misfortune is that her true history is not only not widely known but it has largely been falsified. Her despoilers took good care to see that the foreign writers wrote her history not to tell the truth but to justify their plunder. The pre-war Poland is not a Versailles creation but a restoration but only a partial restoration. Poland 170 years ago was a large and powerful kingdom which saved Europe from Mohammedan invasion and subjugation. The Curzon Line might have then been advocated by the British Government, as they did other things, which they should now know to be a blunder, but it was a wholly arbitrary Line devoid of all historical basis and the Poles never accepted it. Again, it is not true to say that in the land east of the so-called Curzon Line and the present boundary of Poland—the territory laid claim to by Russia—there are Provinces with an overwhelming majority of Russians. They are not Russians but Russianised Poles. The fact is Poland was partitioned three times among her powerful neighbours—Germany, Russia

and Austria. After the third partition she disappeared from the political map of Europe but the Poles continued to hope against hope that their country will one day be restored and its sovereignty re-established. We may mention that the three empires which dismembered and absorbed Poland have ceased to be such as a punishment for their crime. After each partition these plundering powers vied with one another in trying to destroy the national spirit of the Poles who came under their sway. In the territory absorbed by Russia, Polish schools were replaced by Russian schools and Russian became the official languages of the country; Poles were coerced to embrace the Orthodox schism and everything else was done to Russianise them during more than a century and a half. That is how the overwhelming majority of Russians came to be of whom the article under criticism speaks but they are in reality Poles. In the territory now coveted by Stalin there lives a population numbering 15,000,000 and of these 12,000,000 are Poles and they will pass from the bondage of the Nazis to that of the Soviet Communists. This is the liberation which Stalin is bringing them. And again, what a glaring inconsistency there is here. When Hitler demanded the port of Danzig Poland was urged to resist and all military assistance was promised; but now that Stalin wants half of Poland, the Polish Government in London is advised to sign it away to please the Soviet leader. The betrayal of Poland is the price of victory but how can such a victory ever hope to give the world a stable peace?

The Challenge of "Bernadette"

(Continued from Page 1)

after a fashion, many without believing in miracles, or indeed thinking much about either God or miracles. Such could and probably would go away with the feeling that they had seen an "impressive picture" but without any recognition of the imperative "either"—or that is posited. Nevertheless, it is reasonably certain that some at least will perceive that there is here an unanswered challenge of the first importance and wonder why, after all these years, Our Lord's glove—*salvo reverentia*!—still waits for "Science" to pick it up. And someone may ask "Science" why it has not done so? Why?

Is it afraid of the possible consequences? It should not be, for the very law of its being is truth. It is by its own declared principles bound to seek truth wherever it can be found. How can the truth hurt "Science"?

Summing up the story of Lourdes as it is presented to our people to day, it seems to me that the challenge that it offers to "Science"—medical "Science"—is very simple. All that it really says is:

"Gentlemen of the medical profession, we should be interested to have your opinion on what has happened and is happening here at Lourdes in your own special field. All the facts are at your disposal conveniently arranged according to your own methods. All we ask is whether or not you can explain them in the light of your experience and knowledge. We are as anxious for the truth as you are. If you can so explain them, well and good; if you cannot, there is no reason

why you should be ashamed to say so. It is important that we should know, and, in all courtesy we say it, we think it is your duty to tell us, for the most tremendous consequences depend upon your answer. Won't you give us that answer? Or if you prefer not to do so, won't you tell us why? Are we unreasonable in this request?"

That seems to me to be the "perspective" in which the Werfel story of Bernadette should really be viewed by any intelligent person.

TUTICORIN

A Tragedy that Ended Happily

On Epiphany Day His Lordship Bishop Roche blessed the new convent of Our Lady of Dolours in Panagudi. A little after the ceremony some local Catholics brought the alarming news that a Revd. Brother was arrested by the Police and that he was locked up in Nanguneri Jail, a few miles away. The Bishop immediately proceeded to the place to verify the news and to render what assistance that lay in his power.

Unfortunately the news was but too true. A Revd. Brother from somewhere who called himself Topo (it sounds almost Togo!) was arrested as a Japanese spy. The circumstances were against him: The name for one thing was a bit suspicious. More than that his facial expression and jejune beard made him look quite like a Jap; on the top of it all, he had on his person a post card from an Italian priest in the concentration camp.

Addressing the Police Officer in charge, the Bishop asked if he could see the prisoner.

"Yes, with the permission of the Magistrate," replied the Officer.

Happily the Magistrate lived next door. He explained to the Bishop the circumstances of the arrest and took him to the cell.

Then came the revelation. It was indeed a Catholic Brother. He knelt and kissed the ring of the Bishop saying at the same time in good Hindi 'JESU-KABARAI', (Jesus be praised).

"Who are you? And where from are you?" queried the Bishop with anxiety.

The Brother smiled sweetly and replied very calmly, "My Lord, my name is Benjamin Topo. I am from Ranchi and am on my way to Fatimagiri, Vadakkankulam to join the Rosarian Congregation (Indian Trappists). Here are my credentials. And he produced the letter of His Bishop of Ranchi.

The mystery was unravelled and Bishop Roche offered to stand guarantee for the supposed 'Quisling' and signed a document to that effect.

This done the Brother made a sweet little speech in good English thanking the Bishop, the kind-hearted Magistrate and the courteous Police Officer.

Thank God, Brother Benjamin Topo is safe in Fatimagiri. Since, he has written to the Bishop thanking him for the timely help given.

Please God, the postulant Benjamin Topo will proceed shortly to Tolagatty Monastery, Jaffna to begin his novitiate.



OBLATE NECROLOGY

Died on 31st March, 1943, aged 66, Revd. Fr. Theophrili Nandzik of the Province of Polonia (Kandrin).

Died on 10th May, 1943, aged 73, Revd. Fr. Joannis-Gabrielis L'helgouac'h of the Province of Gallia (N.-D. de Pontmain).

Died on 23rd May, 1943, aged 63, Rev. Fr. Mathurini Grimaud of the Province of Gallia (La Brosse).

Died on 25th March, 1944, aged 60, Revd. Fr. Hugonis Hanewinkel of the Province of Germany.

Died ?? 1944, aged 44, Lay Bro. Yvi Stours of the Province of Gallia (La Brosse).

SOULBURY COMMISSION COMMENCES ITS WORK

LORD SOULBURY ON AIM OF REFORMS

"We have come to Ceylon with completely unbiased minds," declared Lord Soulbury, opening the sessions of the Reforms Commission at the Colombo Town Hall on Monday morning.

"You will not, I feel sure, expect me to make any detailed observations upon the task which lies before us, for it might be difficult to do so without giving the impression that the Commission had already come to some conclusions before they had heard the evidence."

"We shall keep absolutely impartial minds in regard to the problems which fall to be considered until we have been able to hear and weigh up all the evidence which may be tendered to us. But I can say this now, on behalf of myself and my colleagues:

"At no time in our careers—and they have not been devoid of responsibility—has any of us ever been entrusted with such a responsible task as this. We are deeply sensible of its importance and magnitude, and our deliberations and conclusions will be governed throughout by the utmost regard for the happiness and welfare of the people of this Island—of whatever race or religion they may be."

Although the sessions are public there was this morning only a sprinkling of men and women, who hardly filled the first three rows in a sea of empty seats.

Lord Soulbury, having called upon the Secretary, Mr. Trafford Smith to read the terms of reference, began his opening address, Sir Frederick Rees and Mr. F. J. Burrows were present.

THE ADDRESS

Lord Soulbury said:—

"Before we proceed to the business of the day, I should like to take this opportunity of expressing, on behalf of myself and the members of the Commission, our grateful appreciation of the kindness and hospitality which we have received from all quarters since our arrival in Ceylon."

"It was in many ways fortunate that the Commission arrived just before Christmas, for during the holiday period which followed we were able to make contact with leading personalities amongst the various communities, and to see something of the Island and of the conditions under which the people live."

"In particular, from a brief tour which we were enabled to make of portions of the North Central and North Western Provinces we have derived a far clearer impression of some of the economic and social problems of the Island than we could have hoped to obtain at second hand from the study of books and documents. We are arranging to visit other parts of the Island as opportunity offers."

"Moreover, the interval that has elapsed between our arrival and the present moment has given time for all parties concerned to formulate their proposals for constitutional reform, and to prepare their case for submission to ourselves."

READY RESPONSE

"You will already have learned from the press the procedure which the Commission has decided to adopt. There has been ready response to the invitation to submit proposals, and the Commission has been fully occupied during the last week in a careful study of the numerous memoranda received."

"The first instalment of the published proposals appears in today's newspapers. The Commission would have liked to be able to publish in full the contents of the memoranda that have been submitted, but it would have been quite impossible for the newspapers to provide the requisite space, and, if they had made the attempt, I imagine that the Paper Controller would have had a good deal to say!"

"Accordingly, it has been found necessary to summarise the proposals for publication, and, of course, where the same or similar proposals appear in the various memoranda, one publication is deemed sufficient, in order to avoid the

repetition that would otherwise occur when the same suggestion is received from a number of sources."

"The Commission has invited written criticisms on the proposals published in the Press, and those already published in Sessional Paper No. XIV of 1944. The closing date for the receipt of these criticisms is Monday, Feb. 5th. May I add that it would be greatly to the convenience of the Commission if these views could be submitted in quadruplicate?"

CAREFUL CONSIDERATION

"The Commission looks forward to hearing the views of those who have submitted memoranda; but we doubt whether, owing to limitation of time, it will be possible to hear supporting evidence in respect of all the memoranda—more than 160—which have been submitted. In all cases, however, these memoranda will receive the most careful consideration of the Commission."

"I think I ought to point out that persons which may be asked by members of the Commission during the hearings must not be taken as any indication of their opinions. We have come to Ceylon with completely unbiased minds, and no one of us can or should formulate definite views in advance of the evidence."

Accordingly, the questions which will be asked will be directed solely to the clearing up of any doubts which the Commission may have as to the meaning of proposals made in memoranda, or to the eliciting of further information."

"In view of the full and lucid character of many of the memoranda, the Commission will not expect their authors to make a further exposition of the views they have already set out so clearly. Consequently, the hearings will largely take the form of question and answer."

First Witness

SIR T. P. PANABOKKE GIVES EVIDENCE

Lord Soulbury then questioned the first witness, Sir Tikiri Baniya Panabokke.

Lord Soulbury: In your memorandum you refer to a scheme presented by the Kandyan National Assembly to the Donoughmore Commission some years ago. In that memorandum a suggestion was made for the division of the Island into three self governing areas, the Kandyan, Southern and Western. Do you think that it will be a commendable proposal?

Sir Tikiri: I do not think that practical effect can be given to it. I do not think that it is a practical scheme.

How many members of the Kandyan area are in the legislature?—There are now seven from a possible 21 electoral areas. In the first State Council there were 10 Kandyans.

Can you attribute the decrease to any particular reason?—It is to be remembered that members are returned on adult franchise. A large percentage of the voters are illiterate and ignorant. That being so, many things can happen as have been proved in election petitions. There was a certain amount of corrupt practice, a certain amount of ignorance. It was easy for the voters to be duped on account of their ignorance.

Lord Soulbury asked whether the situation had become adverse to the Kandyans. Sir Tikiri replied that the results pointed to that.

In the first elections, Sir Tikiri said, there were not so many inducements for corrupt practices. The candidate, therefore, stood a better chance.

Lord Soulbury referring to Sir Tikiri's memorandum asked whether he could explain further what he meant by "exploiting caste feeling."

Sir Tikiri said that in the Kandyan provinces there was a number of people who counted themselves as depressed classes. They were not exactly poor—they were sound. If a man from the low country said that he was a man of

the same class and that he could be, so to say, their saviour, he could get a large amount of support.

Sir Tikiri drew attention to the Ministers' memorandum which had stated that there should be a special consideration for Kandyan rural peoples. It was recognised, he said, both by the Ministers and Sir Andrew Caldecott that the Kandyans deserved special consideration.

He suggested that the electoral areas be re-arranged into rural and urban districts giving the Kandyans a better chance. He was in favour of residential qualifications.

Lord Soulbury wished to know if Sir Tikiri Banda had anything to say regarding trafficking in ballot papers and impersonation, brought about by universal franchise.

Sir Tikiri explained what happened in an actual case of trafficking in ballot papers and other corrupt practices.

He regretted that steps had not been taken earlier to remedy these defects.

His suggestion was that there should be one ballot box only; the voter should mark his choice against the colours of various candidates on one card.

On the question of the formation of a second chamber Sir Tikiri said it should be composed of about half the number of the first chamber. There should be both elected and nominated members. It should be composed of a class of men

(Continued on Page 4.)

LOCAL & GENERAL

Deputation from the Catholic Union of Ceylon.—This Deputation will appear before the Reforms Commission on Tuesday, the 30th Jan. from 9 a.m. to 10-30 a.m. It will consist of the following:—

Dr. Lucian de Silva (representing the Kandy Diocese) who will lead the Deputation. Sir Gerard Wijeyekoon, the Very Revd. Fr. Peter A. Pillai, O.M.I., and Dr. C. J. C. de Silva (representing the Archdiocese of Colombo, Chev. S. Arulanantham (representing the Jaffna Diocese), Mr. C. H. Wickremnayake (representing Galle Diocese), Mr. S. J. K. Crowther (representing the Trincomalee Diocese and Mr. D. J. B. Kuruppu (representing the Chilaw Diocese).

13 Fresh Cases of Small-Pox.

—A fresh outbreak of small pox was reported on Tuesday from the Manipay Village Committee area in Changanai. Thirteen cases have been detected so far.

The patients have been removed to the I.D.H. at Jaffna and the contacts are being segregated whilst vaccination is also going on. The authorities attribute this new outbreak to the concealment of cases.

One fresh case of small-pox was reported on Wednesday from the Muslim Ward of Jaffna Town.

Three villages in the Chavakachcheri area have been declared free of infection.

It is understood that the Health authorities have informed the Principals of schools in Jaffna that they can reopen by Feb. 5.

The Death of Mr. H. R. Freeman.—The news of the death of Mr. Freeman which occurred on Tuesday after a brief illness in Colombo where he had gone to attend the meeting of the State Council will be received by all with great regret. As a Civil Servant he served in different posts in many parts of the Island. He was

Govt. Agent of the Northern Province and resided in Jaffna for a number of years but retired as G. A. of the North-Central Province. He chose to reside in Anuradhapura where he took a great deal of active interest in the welfare of the poor. For many years he represented the Anuradhapura constituency in the State Council having been elected unanimously by the people. He was a strenuous opponent of the new A'ura scheme. He was 81 years old.

Death of Mr. H. S. Perera.—The Director of Education, Mr. H. S. Perera, died suddenly on Wednesday night at his residence in Colombo. He was in his 59th year and was the first Ceylonese to become head of the Education Department, having succeeded Mr. L. McD. Robison barely two years ago.

Mr. Perera had served the Education Department for nearly 27 years. Before he was appointed Director he held the post of Principal of the Government Training College.

Kidnapping costs Rs. 4,000.—Mr. Earle Wijewardene, Additional District Judge, Jaffna, entered judgment in favour of Mr. and Mrs. F. C. Thuraisingham, 20, Third Cross Street, Jaffna, in a case in which the plaintiffs sued Mrs. A. Anandanajah of Jaffna for damages in Rs. 5,000 on the charge of kidnapping the plaintiff's 5 year old son on March 1, 1943.—Cor.

Holy Father Cross-bearer in Sunday Procession.—A penitential procession in which the Holy Father will carry a large wooden cross will be broadcast from St. Peter's on Sunday afternoon.

The broadcast, on wavelengths 31.06 and 50.26, begins at 3 p.m. B.S.T. The procession will leave the Choir Chapel, where the Blessed Sacrament will be exposed, at 3-15; going with the singing of psalms to the Papal altar over St. Peter's Tomb.

The Holy Father recently ordered public prayers and penitential exercises in Rome to appease Divine Justice and to beseech the mercy and goodness of God that the days of war may be shortened and the world spared further ruin, suffering and sorrow.

In a similar procession last year His Holiness intended to go barefoot in St. Peter's and desisted only on medical orders.

Mission Statistics.—The Church's work and problems in the missionary countries were given by Vatican Radio in the following figures on the occasion of Mission Sunday. In these lands there are: 400 seminaries, with a total of 16,000 native students preparing for the priesthood; 25,000,000 Catholics; 22,000 priests, 9,000 brothers, 53,000 sisters; 93,000 native catechists, 33,000 native baptisers; 76,000 schools, with a total of 5,000,000 pupils; 150,000 children in missionary orphanages; 77,000 churches and chapels.

Religious Art Calendar for 1945.

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VITTO

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Long Days March

Soulbury Commission Commences its Work

(Continued from Page 3)

who were capable and elected on certain residential and property qualifications.

The Donoughmore Commissioners, he said, had the question of the forming of a second chamber before them, but they dismissed the idea as they felt that there was not sufficient good material to form two houses.

On the subject of provincial councils, Sir Tikiri referred to representation of those who paid a land tax. The average voter was a landless person.

Lord Soulbury: What you think is some sort of restricted franchise for provincial councils.

Sir Tikiri said that it would be inconsistent to have adult franchise for the central legislature and not have it for provincial councils. He suggested a few nominated seats for provincial councils. Such representative bodies as a Planters' Association, etc., could form a panel from which Government could make nominations.

In answer to Sir Frederick Rees, Sir Tikiri replied that the demand was that if there was a clash between the two chambers, both chambers be dissolved.

Sir Tikiri Banda concluded his evidence in an hour.

Chamber of Commerce

DELEGATION LED BY MR. MARSH

A deputation from the Ceylon Chamber of Commerce led by Mr. N. O. C. Marsh (Chairman) next gave evidence. The other members of the deputation were Mr. H. E. Newnham, Major J. W. Oldfield and Mr. K. J. Witham-Wignall. Mr. Marsh said that Mr. J. A. Clubb, who was also to have come, had gone to India on urgent business.

Lord Soulbury referred to the "two primary dangers" mentioned in the memorandum. The Chamber had stated these were (a) the political experience of the universal adult electorates and the quality of the representatives elected thereby; and (b) the depth of feeling and suspicion between the various communities.

"These two factors", it stated, "have resulted in a most serious deterioration in both efficiency and integrity of the public administration since 1931. The tragedy is, not that Ceylon has been slow in achieving a worthy standard of public life, but that standard which was high has been so gravely lowered and that the public services trained in clean and competent administration are losing the tradition."

"The outstanding political factor is the suspicion between the racial communities."

Lord Soulbury asked whether these statements could be substantiated.

Mr. Newnham, in reply, referred to the increase in grave crime. As for the public services question direct evidence was difficult. He himself had been in the public service for 29 years. The impression that one gathered today in matters relating to the public service was "not what one wants, but who is it that wants it."

"In reply to questions by Lord Soulbury, Mr. Newnham said that the evils of universal franchise were well illustrated if one read the report of the judgment of Mr. Justice Hearne in the case of the N'Elia election. It showed the extent of impersonation, sale of ballot papers, etc. He urged the need for the identification of a voter. In Colombo there were so many voters who did not have a permanent address.

The vote, too, should be granted only on application. It might be arranged to have the photograph of the voter on an identification card. The system of coloured ballot boxes should go. A voter could instead make a mark against the name of the candidate for whom he wanted to vote. The ballot paper could then be put into the box in the presence of the presiding officer. The name of the candidate could be printed in all three languages. The candidates could be given a colour and that colour placed against the name of the candidate.

Lord Soulbury inquired whether Mr. Newnham had any figures to show the extent of illiteracy.

Mr. Newnham replied that he had tried to get figures, but there were none. The last census was in 1921, but the figure of 39.9 given in 1921 was not quite clear. It gave no proper definition of what was meant by literacy.

Major Oldfield added the suggestion that more severe punishment should be meted out to offenders in election cases.

Regarding the selection of a second chamber, Mr. Newnham said, that the chambers should be so composed that there would be a balance in both chambers. Selection should be by election on a higher franchise—a more restrictive one. The second chamber would have powers of revision and power to hold up bills even for a year, especially money bills.

With reference to the constitutional structure and representation, the deputation said that in general the Chamber supported the views put forward by the planters' Association that the balance should be in the electorate. The scheme suggested communal electorates for the minorities, but primarily on territorial basis. The communal electorates would provide a balance. No one community would have more than half the number of members in Council. The basis would not be on a racial consideration but on political, economic and social lines. It was the only device to eliminate communalism and racial feeling.

The Governor would have a personal staff to deal with the department of defence and external affairs, and to advise him on constitutional, legal and financial matters.

EXTERNAL AFFAIRS

Answering a question by the Commissioners, Mr. Newnham said that it was contemplated that the departments of Defence and External Affairs should be placed in charge of officers who would be directly under the Governor. The Governor would have a personal staff who would advise him in all matters, but the Governor was expected to and would be in touch with his ministers.

Mr. Marsh said that the Port Commission was not essentially a government department like the Post Office or the Railway. He felt that the finances of the Port Commission should be divorced from Central Revenue and the profits should go towards the improvement of the Port. When the State Council passed a resolution to abolish the Port Commission they had not suggested an alternative, as far as he was aware.

On the subject of trade and commerce, the Chamber's views were that today something like 90% of the external trade of Ceylon was in European and Indian hands. The unrestricted political control of commerce by those who had little practical experience of its working might well be disastrous not only for the existing commerce itself but also for the well-being and development of Ceylon which so largely depend upon it. Unfortunately during recent years both legislative and administrative actions of the Government had shown such discrimination against British Europeans and Indians as to indicate a policy directed towards ousting both from the commerce and industry of Ceylon. The Chamber was therefore reluctantly compelled to ask for its specific statutory protection.

Asked what they meant by "specific statutory protection," Mr. Marsh replied that what they wanted was a perfectly square deal. It was necessary to ask that the protection outlined in the declaration of H. M. Government should be clarified and made more specific. He referred to the Government of India Act, 1935, Sections 12 (1) (c) and (e), 111 to 119 and 298 and to paragraph 1P of the Instrument and Instructions to provincial governors. Their request was that any new constitution for Ceylon should include similar provisions applicable to both British Europeans and Indians to preclude both legislative and administrative discrimination.

The deputation was questioned on the subject of Indian immigration.

Lord Soulbury asked what effect the resolution passed in the State Council on Jan. 27th, 1943, had on estates. The resolution was to the effect that no further immigration from India should be allowed.

Major Oldfield replied that that matter

would be dealt with by the Planters' Association.

The deputation was questioned on the Crown Lands Bill, the Companies (Auditors) Regulations, double taxation of tea, and the Wages Boards Ordinance.

Referring to the Wages Board Ordinance the deputation stated that the ordinance came into force on Sept. 19th, 1941. On March 27th, 1942, the Minister gazetted his intention of bringing the wages boards portion of the ordinance into operation for the tea and rubber industries although their immigrant labour was already provided with wages boards under an ordinance of 1927. The proposal to apply it to the coconut industry, which had no such wages boards, did not appear until Aug. 31st, 1942. No reason was given why it was necessary to tackle first the industries which were highly organised and already had a minimum wage and not the less well organised which had no minimum wage. The former were largely owned by Europeans.

TWO POINTS

Asked whether the deputation had anything further to say, Mr. Newnham said that there were two points which they wished to stress. They were:

(1) The good government of the country, including its peace and tranquillity, its financial stability and credit, the maintenance of the sanctity of contracts and the impartial administration of Justice and of the Departments of Government; and

(2) The avoidance of all discrimination both in legislation and in administration.

It was essential that the credit of Ceylon should be preserved in the money market of the world.

Finally he said that in the new constitution there should be evidence of such general co-operation in its working as would secure a stable government.

Mr. Burrows: What do you mean by the last statement?

Mr. Newnham said that the proposals should be published as a white paper as in the case of the Government of India Act.

Lord Soulbury referring to the early adjournment (11-15 a.m.) said that they had fixed the sessions from 9 a.m. to 1

p.m. because they could not say how long they would go on. They did not want to hurry any person who came there to give evidence.

Telegraphic Summary of News

FIRST PART OF QUEBEC ORDERS CARRIED OUT

The Supreme Allied Commander, South-East Asia (Admiral Lord Louis Mountbatten), despatched the following telegram at 6-15 p.m. I.T.T. on Monday to the President of the United States, the Prime Minister and the Combined Chief of Staff:—

"The first part of the orders I received at Quebec have been carried out. The land route to China is open."

A New Delhi message states that it is announced from General Sultan's headquarters that the Ledo Road has now been declared open for the Allied convoys.

General Sultan said: "It represents the achievement and it represents the bitter fighting of Chinese troops both in Burma and across the Salween, and of the American comrades in arms. It represents the untiring work of the American troops who built the Ledo Road. It represents the complete co-ordination of ground and air forces. It makes the first breach in the Japanese land blockade of China."

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