

THE Servant of India

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Office: KIBE WADA, BUDHWAR PETH, POONA CITY.

VOL. III., No. 49.]

POONA—THURSDAY, JANUARY 6, 1921.

[ANNUAL SUBSN. Rs. 6

CONTENTS.

	PAGE
TOPICS OF THE WEEK	577
ARTICLE:—	
The National Liberal Federation.	579
SPECIAL ARTICLES:—	
The East African Despatch.—I and II. By C. F. Andrews	580
The Danger Ahead. By V. S. Srinivasa Sastri	583
Local Finance. By E. S. R.	514
Hindu Law in the New Era.—Concrete Proposals. By Lex	585
CORRESPONDENCE:—	
Indian Economic Society. By C. S. Deole	587

TOPICS OF THE WEEK.

IT was a foregone conclusion that the change in the Congress creed proposed by Mr. Gandhi would be adopted at Nagpur. We will not reiterate here the objections which we in common with all Liberals feel to this course, but it would be interesting to see why the change has been thought necessary or desirable. No mention is to be made of the British connexion, because certain Mahomedans, so far as their feelings go, have already disowned allegiance to Britain, and room must be found for them in the Congress. The question that would then arise is, whether the Congress as a body recognises the suzerainty of England or not. No prominent member has yet declared that it does not, and if the Mahomedans, whose needs are sought to be met by leaving the creed vague, are not precluded at present from joining the Congress under bureaucratic auspices, it is difficult to see why they cannot be members of the Congress under *swaraj*. But, apart from it, one may ask whether, on this reasoning, it is not equally necessary to include within the means open to the Congress even the use of violence, because there are some Mahomedans who believe in force as the most effective remedy. It would be equally wrong in that case to restrict Congressmen to the employment of peaceful means. The Congress too has an eye to the expedient.

THE reason which weighed with Mr. Gandhi in omitting any mention of the British connexion was this, that if the Congress did not show signs of impatience at the wrongs Government have inflicted upon India, it would, in his view, be inconsistent with national self-respect within the British Em-

pire. It is these wrongs which are driving the Indian people to the demand for immediate self-government; the wrongs would be righted, so far as it is possible for any wrong once perpetrated to be undone, and the recurrence of like wrongs in future made impossible, when we attain self-government. Having attained self-government, the question of the British connexion must be decided upon the balance of advantage and not upon whether Government has felt contrition or not. Even if they fail to make reparation, we shall have exacted it from Government in achieving self-government and the question of the reparation must be regarded as closed. But with Mr. Gandhi it is the deciding factor, for he seems to recognise that the British connexion would be otherwise an advantage to India, even after the attainment of self-government, in winning her proper place in the comity of nations. It is remarkable that few hold the view of Mr. Tilak that self-government under the aegis of the British Empire would in any case be an inferior position to independence, and that India must advance from the one to the other status in the natural political progress; and, therefore it becomes the more difficult to understand the change in the creed which will be interpreted by many loyal Congressmen to mean that the last tie that bound them to the Congress has been broken.

* * *

THE non-co-operation resolution which found acceptance in the Congress is described as a compromise resolution and seems to have met with the approval of those who were loud in their denunciation of the Calcutta programme. It is not a compromise if it is meant that there is any whittling down, so far as the terms of the resolution go, of the plan adopted at the special Congress. For this year's resolution reaffirms the Calcutta resolution without abating one jot of it, and enlarges its scope so as to include in it all the four steps of non-co-operation enunciated by Mr. Gandhi, leaving it to the Congress or its all-India executive to give the word for their entire or partial execution. Mr. Gandhi never thought to enforce his four-fold non-co-operation in the name of the Congress, without the sanction of that body; and so the requirement to consult the Congress is not one which is imposed upon Mr. Gandhi against his will. On the other hand, it secures that on which he strongly insisted, as a necessary condition, that the non-co-operation programme should be progressive by the fact that

the other steps are theoretically agreed upon, but practical action is suspended till it is sanctioned by the authority of the Congress.

THERE is no weakening of the Calcutta resolution in so far as children under sixteen are not to be directly approached by non-co-operation propagandists and students above that age are to leave educational institutions only if their conscience bade them do so. For Mr. Gandhi never proposed to himself any other course of action. In regard to the suspension of legal practice there is a weakening in the sense that the wording adopted is such as to leave some of the patriots of the non-co-operating variety a loophole to interpret the word "gradual" much as reactionary authorities would interpret it as applied to the "gradual" development of self-governing institutions. But to an honest worker the resolution would strike as one calling for far more sacrifices in the cause of non-co-operation than the one at Calcutta did. The Congress has taken much too complacent a view of the practical achievements of non-co-operators in that it congratulates them on their past record. There is nothing to prevent a similar test being applied in future. But one who wishes to avert for the Congress the self-stultification which brave words joined to poor deeds involve will certainly take a very serious view of the resolution.

ONE cannot help feeling that the idea at the back of the minds of some of the prominent Nationalists, who, after making fierce attacks on the limited programme, have reconciled themselves to the more comprehensive one, must be that the extension of the movement will result in such a wide and general divergence between precept and practice that failure on the part of the Nationalist leaders to carry the programme into execution will be the less particularly noted by the country at large; that it will give them an opportunity of propagandism (which for the moment the Calcutta resolution has cut off) without imposing upon them any intimate responsibility for corresponding deeds. But Mr. Gandhi will surely hold them to their word. It may appear very uncharitable to present this view, but on no other hypothesis is it possible to account for the dropping of the vital objections urged by some of the Nationalist leaders, among whom none was more scathing in his denunciation than the president of the Congress. If the Calcutta scheme was unpractical, how has the extended version of it become more practical? It must also be recollected that the Nationalists condemned the non-co-operation plan not alone on the ground of impracticability but equally on the ground of undesirability. What is there in the new resolution which would convert an extremely undesirable thing into the most desirable one?

WE wonder what will now be the position of men like Pandit Malaviya and Mr. Jinnah who

re in the Congress but look upon the change with intense disfavour. To Mr. Jinnah the removal of the expression "within the British Commonwealth" is practically a declaration of independence, which will suggest to immature minds ideas which we had better keep from them. He, with a number of other men felt constrained to sever his connexion with the Swaraj Sabha for good, because it adopted the change in its creed which is now effected by the Congress. It is unthinkable that those who were compelled by a sense of duty to leave the Swaraj Sabha can or will remain in the Congress. Of that we are certain; but what course they will adopt after they have taken this step affords room for much speculation. It is easy to see from the general tenor of their policy that their place is not in the Congress as it is at present being conducted, and if only people who held the views which are in sharp conflict with the prevailing sentiment had the courage to express them and to take the line of action which is dictated by them, things would indeed be very different from what they are.

It is a pity that the reformed provincial Governments are entering upon their respective offices at a time when the public mind is unhinged by the non-co-operation movement. This will no doubt add to the difficulties of the task with which the Ministers will be faced. But it is equally true that a good deal will depend on the way they discharge their duties. The non-co-operation movement will considerably lose its hold on the public mind if within the next few months the new ministers could show some solid progress in the nation-building departments entrusted to their charge such, for instance, as education, sanitation, medical relief, industries and local self-government. This is obviously impossible without the hearty co-operation of the Governor and his executive councillors, and it is to be hoped that this will be forthcoming in the fullest possible measure. So far as this presidency is concerned, there is good reason to believe that our Ministers will rise to the height of their opportunities. Mr. Paranjpye's selection for the portfolio of education is an indication of Sir George Lloyd's solicitude for the educational progress of the province. In our opinion his choice could not have fallen upon a better person. Mr. Chunilal Mehta's business experience in Bombay eminently qualifies him for the position of Minister of Industries and during his régime the public may hope to see an industrial expansion in the province on a large scale. We congratulate the new ministers including Mr. Gulam Husain Hidayatullah, and also Sir Chimanlal Setalvad, who joins the Government as an executive councillor and wish them every success in their work for the uplift of their country.

A CORRECTION.

In our last issue on page 566 lines 27-40 in the first column were printed as editorial remarks: as a matter of fact, they form a continuation of the quotation from Professor Gilchrist's article in the October number of the *Calcutta Review*.

THE NATIONAL LIBERAL FEDERATION.

WE have a straight policy. We are neither apologists nor enemies of the British Government. Our supreme concern is the well-being and advancement of our Motherland and we approach every problem from this single point of view. And we speak our mind freely in disregard of consequences to ourselves—it is immaterial whether we offend extremists on the one side or the other—but with a deep solicitude for the public interests. And all who judge our acts and utterances by any other standard must necessarily be disappointed time and again.—*The Hon'ble Mr. C. Y. Chintamani in his Presidential Speech.*

WHAT makes the rose sweet is not its name but its scent. The Congress in the past owed its powers over men's minds and prestige with Government to its objects and methods and the quality of its deliberations, and not to its mere name. During the last three years it has so violently changed its character and departed so far from its traditions of over thirty years that most of its veteran leaders and workers have had to secede from its sessions. But till it met at Nagpur the other day, it kept its creed intact and by virtue of its creed which embodied the entire ideal of the Congress movement, it was able to exercise an influence—nay, a fascination—over a large number of our progressive and patriotic countrymen. But now even that is changed. Nothing is left of the old Congress but the name. And it remains only because the person dominating the last two sessions has not yet chosen to propose another. It is therefore no wonder that those who have been faithful to the creed, the ideals, traditions and methods of the Congress, who, in order to be faithful to them and keep them pure, broke away from the great institution which by mere force of numbers kept the name, should claim to be the real Congress and appeal to the country for recognition as such. The National Liberal Federation, the third session of which met last week at Madras, justly makes this claim; and in every respect except that of numbers—in judgment, tone, temper, knowledge, dignity, independence—it was a reproduction of the healthy Congress, of the institution as it was before it began to suffer from attacks of "nerves." And even in respect of numbers the Federation need not envy the present Congress, for it has itself begun to see that its huge numbers are an embarrassment and is taking steps to restrict them to reasonable proportions. What really matters is that the delegates assembled should properly represent the spirit and opinions of the vast body of intelligent and responsible people in the country, and there is no doubt that the Liberal Federation does it much better than the unwieldy assemblage at Nagpur. The Federation would have been better attended, had not some of its most prominent members in almost every province except Madras, been called upon to assume the responsibility of office either as Ministers or as Executive Councillors. But against this circumstance there can be no complaint, as it is only in the fitness of things that those who have put most faith in the Reforms and

appreciated them most, should be required to take part in giving effect to them.

The welcome address of Dewan Bahadur L. A. Govindaraghava Aiyar and the presidential address of Mr. C. Y. Chintamani were both of them reasonably brief and well conceived. After deploring the change in the Congress creed effected at Nagpur, Mr. Govindaraghava Aiyar dealt mainly with the futility of non-co-operation and the evil results which its propaganda among students was bearing. Mr. Chintamani's address was remarkable in many respects. It was indeed one of the old series. He did very well in not following some recent precedents of dealing with a few topics at tiresome length. In a comparatively short address he surveyed in his characteristic vigorous language the important events of the year, fearlessly criticised the misdeeds and omissions of Government, spared no words in pointing out where his own countrymen were going wrong, appealed to Government regarding what it should do to gain the confidence and affection of the people, showed his fellow-workers what tasks lay before them and exhorted the Liberal Party to perfect its organisation and carry on its work with increased vigour. He pointed out that our first duty was to work the Reforms Act for all it was worth and achieve the double purpose of promoting the public good and proving to the Government, Parliament and people of Great Britain our capacity for the exercise of full responsible government. Next in importance in his view was the military question; for, as he said, 'there is no subject with regard to which we feel a more burning sense of injustice than our humiliating position in the defensive organisation of the country.' The recommendations of the Esher Committee were an impending danger; but even if we warded it off by timely action we would be where we are. Proper treatment to our countrymen in the colonies, the separation of judicial and executive functions and the removal of racial distinctions in the criminal law of the land were some of the other subjects he commended to the earnest attention of his hearers.

The chief feature of the resolutions was that they were largely constructive. The resolution on non-co-operation naturally claimed the greatest attention. The form in which it was passed should indeed satisfy all shades of opinion. While strongly disapproving of the policy as destroying individual liberty of thought and action, and destroying social concord, it made it clear to Government that the best way of defeating the movement was by redressing the Punjab and Khilafat wrongs that have been the cause of its adoption.

A resolution on accepting which the Federation deserves to be warmly congratulated made several specific recommendations for the amendment of the Factory Act with a view to ameliorate the condition of labour. Another resolution urged the Reformed Councils to lose no time in devising suitable measures for the elevation of backward and depressed classes. It will not be much of a

prophecy to say that the Liberal party in this country will concern itself more and more with the problems of social welfare as did the great party of its name in Britain in the latter half of the last century. When its programme in this direction develops and when its members, trusted with power as Ministers and Councillors, give effect to it in the various provinces, those of our countrymen who are now carried aloft on wings of unmanageable emotion and lost in the cloudlands of dreams will recognise in it a safe landing place and a field for spending their energies to better purpose.

THE EAST AFRICAN DESPATCH.

I.

SINCE the memorable Despatch of the Government of India on 'Indentured Labour in the Crown Colonies,' which was published in October, 1915, there has been nothing concerning Indians abroad to equal in importance this Despatch on 'Indians in East Africa,' which has just been published. Sir Benjamin Robertson and his secretary, Mr. G. S. Corbett, and his assistant secretary, Mr. Sen, are all to be heartily congratulated on accomplishing a very fine piece of work, and on setting forward an unanswerable case. How extraordinarily ill-informed and ill-advised the Colonial Secretary, Lord Milner, was in drawing up his most disastrous Pronouncement, (advocating race segregation, communal and limited franchise, with racial land restrictions) may be easily seen from the fact, that he evidently went far beyond the wishes of the two Governors of Kenya Colony and Uganda themselves, in his hasty decisions. It is probably not at all too much to say, that both these Governors were hardly less distressed at the terms of Lord Milner's decision than the Governor-General in Council here in India itself. Reading between the lines of the present Despatch, it would appear not too sanguine to hope, that both these East African Governors, along with the Governor of Tanganyika, would welcome a Royal Commission in order to unsay what Lord Milner has so unfortunately said, and to undo what Lord Milner has so unfortunately done. For the matter cannot for a moment rest as it does to-day.

To take one single instance of the *impasse* which Lord Milner's Pronouncement has produced. Tanganyika will be held under a Mandate from the League of Nations, and will have to report each year to the League of Nations, that no discrimination has been made against any member of the League. India is an original member of this League of Nations. How will it be possible then to discriminate against Indians in Kenya Colony, while treating Indians in Tanganyika (which is next door) on an equal racial basis?

Again, Lord Milner has been so careless in distributing his new decisions on Indian policy and scattering them abroad, that he has made them apply even to Uganda, where there was no need of any Pronouncement whatever, because Indians

and Europeans were friendly to one another, and were settling their own difficulties by mutual arrangement and consent. It reminds one of the late Lieutenant-Governor of the Punjab, who dispatched, one fine morning, an order to the head official in the Gujrat District, that his whole district was immediately to be proclaimed as coming under Martial Law. The story runs, that the head official of this district first studied with blank amazement his chief's unwelcome pronouncement, and then sent back word, that he had no use for Martial Law, because his district was orderly and quiet. Even so, the Governor of Uganda, Sir Charles Coryndon, has evidently no use for Lord Milner's new regulations.

There is a remarkable book by Count Tolstoy describing the Napoleonic campaign in Russia. With telling and forcible irony, the Russian novelist discloses how the destinies of armies and of nations hung upon the whims and moods of the great men. A Commander-in-Chief was dyspeptic,—and a whole campaign was brought to ruin. A great War Lord had a fit of temper,—and a war decision, affecting the lives of millions, was suddenly made and carried out. One might imagine Lord Milner's Pronouncement having been drawn up in some such dyspeptic or choleric moment. The facts were all before him; but his mind was wholly occupied by the more pressing subject of Egypt. And so, without thinking seriously, he wrote out the decisions that he entrusted by hand to Sir Edward Northey, who had to take them back with him in his despatch box to Kenya Colony and declare them to the world on his arrival. Even after settling the whole matter in haste and giving his Pronouncement to Sir Edward Northey, Lord Milner appears to have half repented; for at the very last moment, the Governor of Kenya Colony was cabled to, and the Pronouncement about Indians was held over for more than a month, undelivered. Then, at length, the order was given, and Sir Edward Northey performed his utterly thankless and extremely distasteful task, knowing full well what would inevitably happen when it was accomplished. Since that day, there has been nothing but bitterness and heart-burning and an ever deepening sense of injury and wrong. The Government of India Despatch, at the close, displays a bluntness, which rightly goes beyond the formal suavity of official documents. "To conclude," it states,

"we are unable to accept Lord Milner's decision as a final settlement. It is our duty to impress upon you, that public opinion throughout India regards the case of the Indians in East Africa as a test of the position of India in the British Empire. . . . We cannot agree to inequality of treatment in a Crown Colony, more especially in a Colony in which India has always had a peculiar interest. . . . It seems to us to be an impossible position that British Indians in a British Colony should be subjected to disabilities to which they cannot be subjected in an adjoining Mandated territory. . . . The Government of India cannot and will not disclaim responsibility for the welfare of the Indians who are settled in East Africa."

This Government of India Despatch was writ

ten and dated, October 21st. The permission for its publication did not arrive until December 24th. In the interval, the strongest pressure was brought throughout India itself, upon the Government to publish this statement immediately, in order to relieve the public mind. For the whole of India had been disturbed by the sudden actions of the East African Government in preventing the sale of Mr. Abdul Rasul Alladina Visram's property in Mombasa. It seemed as though racial segregation itself was going to be immediately carried out.

We may be quite certain, that the refusal of immediate publication came from the India Office; and we may go one step further and be practically certain, that this refusal was based on some urgent request from the Colonial Office. It is not to be wondered at, that the Colonial Office should be most unwilling to allow its publication; for it contains the most scathing condemnation of a slipshod and unsatisfactory treatment of a vital imperial subject. I use the word 'scathing' advisedly, for its force and cogency are evident, even though it is written throughout in restrained and guarded terms.

But the Government of India has obtained its own way at last; and the Secretary of State for India has evidently realised fully the supreme importance of the issue; for he has telegraphed on the 24th of December, 1920 as follows:—

"I need hardly say, that I am fully alive to the importance of the question; and as responsible here for the protection of Indian interests I have urged upon His Majesty's Government the strength of the case which you have so cogently presented. I have not answered your Despatch, merely because the matter is still with His Majesty's Government, and I wish Your Excellency's Government to be assured that your Despatch has reinforced a case which I was already urging."

This message of the Secretary of State for India will be good news for the sorely oppressed and harrassed Indians in East Africa, who had determined to begin non-co-operation at once, if the decisions of Lord Milner were carried out. Meanwhile, it is an intense relief to know, by cablegram, that the injunction on the sale of Mr. Abdul Rasul Alladina Visram's property in Mombasa has been withdrawn and that he may sell it to anyone he liked. Thus the racial segregation has not yet begun. The die is not cast. The final struggle may yet be averted. The first victory of peace has been won.

II.

WHEN we turn to the Despatch itself, we gladly note that the main issues, for which the people of India have contended all along, have been strongly affirmed and emphasised by the Government of India. In this public question the Government of India have wholly taken the side of the people.

There are three main questions: all the others are purely subsidiary to these, though, as secondary issues, they have an importance of their own, which must by no means be overlooked at a later

stage of the proceedings. The first issue is the Franchise. For many years past, I had been deeply struck by the change of political atmosphere in South Africa, when one passed from the Transvaal to Cape Colony. A further opportunity of studying this difference was given to me on my return to South Africa during the past year. All my previous impressions were confirmed, and I was assured on all hands that the comparative mitigation of racial prejudice in Cape Colony was due almost entirely to the fact that the Indians had all along possessed the franchise on a common electoral basis in that Province. I would explain (for those who do not know the details), that the 'Cape Franchise' qualification is two-fold, the ability to write one's name and address in English and the possession of property of the value of £75.

On my way out, I had urged upon the Indian leaders in East Africa to drop the demand for a communal franchise on a special electoral basis, and to ask boldly for a common electoral franchise on exactly the same terms as the Europeans and without any distinction whatever. On my way back, I redoubled my request to them, and was able to carry conviction by relating my experiences in South Africa. In India also, on my return, I advocated very strongly indeed the 'Cape Franchise' basis. It was this basis that was accepted at the great Bombay Town Hall meeting. So at last, on this point, Indians, both at home and abroad, became finally united. The decision was cabled out to East Africa and heartily accepted; and the Government of India took note of the people's decision. It is now an added strength to the people's cause, that the special representatives sent out by the Government of India, having examined the question on the spot during their long stay in South Africa, have come independently to the same conclusion. They have advocated, quite evidently, what we have always called the 'Cape Franchise.' In municipal matters, which for Indians in East Africa (who live chiefly in the towns) are of the greatest importance, I am thankful to see that the same common electoral franchise has been urged. Overwhelming force has been given to the demand by the figures of taxation quoted, and this demand cannot possibly be refused.

But an even deeper and more fundamental issue is that of race segregation. On this, there could be no compromise whatever. It was a matter of life and death, because both character and honour were involved. To agree to race segregation was to submit to race degradation. Again, and again, both here at home and in Africa abroad, I have uttered the warning: "*Segregation is Degradation.*" This is inevitably true in experience. To live in a segregated location in the Transvaal is sufficient to stamp this on the mind and heart and soul with an ineffaceable brand. I had learnt this terrible lesson, while in company with Mahatma Gandhi, nearly seven years ago, and I shall never forget it as long as I live.

The Government of India Despatch is thoroughly sound in this matter. It shows by diagrams (which ought, if possible, to be published by the Government of India and copied in all the papers) the scandalous unfairness of Professor Simpson's so-called Sanitation Report. The Despatch might have been still further strengthened, if it had actually quoted passages from Professor Simpson's Sanitation Report which show unblushingly a definite political bias in favour of the Europeans. I pointed out these passages to officials in East Africa and it was impossible for them to deny, in face of plain, open statements, that the Report had been written with an eye to the political ascendancy of the Europeans, and not with any idea of equality of status and race. Perhaps the most flagrant example of this racial favouritism, which the Government of India have shown in their diagram, is the allocation of the whole wharf frontage of Kilindini harbour, on Mombasa Island, to Europeans. But Nairobi and Kisumu tell the same story. Indeed it is not too much to say that Professor Simpson's Sanitation Report is as strongly racially biassed against the Indians in East Africa as was the notorious Economic Commission Report itself, which Lord Milner, even, has condemned.

There are two points, on which the Government of India Despatch gives a possible loop-hole for unfairness. It accepts the position, that certain streets might be reserved for "good class" business, whether European or Indian, and certain streets might be reserved for "inferior class" business. The danger of this is, that European business, being almost entirely of the former class (as far as the *building* of the shop is concerned) and Indian firms not paying so much attention to *building*, many good Indian firms might be squeezed out, to make room for the more showy European shops, and this might lead to a virtual segregation. I have in my mind a street in Nairobi, where Mr. Sulaiman Virji's shop stands out conspicuously for its substantial building. But there are many other important Indian firms, in the same street, without the same substantial building frontage. It would be very hard on them to force them, either to leave the street, or else to rebuild their premises.

Another possible danger lurks in the closing down of premises where Indians "live in" at night as well as in the day-time. Here, in this "living in" practice, no doubt, there has been in the past a potent cause of much insanitation, but such "living in" need not necessarily be insanitary. I have myself resided in Indian shops in many towns, in different parts of Africa, where "living in" was practised; and in not one of these shops did I notice any really objectionable sanitary arrangements. What I mean to say is this, that "living in" may be made quite sanitary; and Indians should not be driven out of leading business thoroughfares, simply because they wish to adhere to this practice. At the same time, I would myself be the first to urge them to adopt as soon

as possible the practice of "living out," because of the refreshment of mind which it gives them outside working hours.

The third section of the Government of India Despatch, concerning property in townships and in agricultural land, needs little comment, except that of warm congratulation for the convincing manner in which the Indian case is stated. I wish very much, that, here again the maps could be published, showing the areas allotted or sold by Government to Europeans and those sold to Indians. The figures themselves are unanswerable, but the coloured maps bring home even more arrestingly to the mind the land hunger of the Europeans. Let us take merely the figures. The Despatch makes the following statement:—

"The total area alienated to Europeans, or available for alienation, is 11,859 square miles. The total area held by Indians, we are informed, is only 32 square miles, out of which 21 square miles have been purchased from Europeans and only 11 square miles have been obtained from the Government."

This one sentence should be sufficient to dispose of the whole of the land question. The plea of the Europeans in East Africa, for prior consideration and treatment and favour, rests upon the unproved assumption, that the uplands have a temperate climate, in which European families may flourish. It is true, that on the highest plateaux the air is cold at night, even though the land lies across the Equator. But it has yet to be seen, whether the Northern European skin, which is peculiarly adapted for a certain kind of solar rays in a cold climate, is capable of enduring the direct *equatorial* rays of the tropical sun, and also the peculiar climatic effects of high uplands on the equator, which try the nerves and strain the heart. More than one experienced doctor in Nairobi, with whom I discussed the whole matter very carefully, gave no hope of this being possible. The Government practically agrees with the doctors, by sending home all its civil servants, for a good furlough, once in every three years.

The truth seems to be that these uplands never will be largely populated by any race. It is interesting to observe, how thin the African native population has always been. This has not been due to the tribal wars; because the Masais, at least, have had assured possession for many generations even before the Indians and the British came. But though they were warlike and comparatively undisturbed, and food was plentiful, they did not multiply. There must have clearly been some climatic reason for this.

A very important argument is brought forward in the Despatch, from the analogy of Natal, with regard to the uplands, in order to show that the danger anticipated by the Europeans is purely imaginary. It is shown that in that country of Natal, where the Indian population numbers probably over 150,000 and land purchase is unrestricted, Indians prefer to cultivate land in the coastal belt, rather than in the Uplands. While the coastal belt of Natal is covered with Indian plots,

the Indians in the Uplands cling to the towns. The cultivation needed for the more temperate Uplands is not suited for them.

A delightfully amusing touch of irony, in the Government of India's Despatch, might be missed by most of the people of India unless it were specially pointed out; but it certainly would not be missed by Lord Milner himself. The sentence runs as follows:—

"We deeply regret that Lord Milner should now have considered it advisable to adopt the principle of race segregation. It seems to be a reversal of the principle, for which His Majesty's Government have always contended in the parallel case of South Africa. We may perhaps be permitted to quote the words, in which Mr. Alfred Lyttleton, in his Despatch, dated the 20th July 1904, rejected the proposals which the Governor of the Transvaal had submitted for the segregation of Indians in the Transvaal."

The irony of the passage lies in the fact, that the Governor of Transvaal, on the 20th of July, 1904, was Lord Milner himself!

(To be concluded.)

C. F. ANDREWS.

THE DANGER AHEAD.

AT this very moment important scenes are enacting at Nagpur. The bare principle of non-co-operation is encountering the principle and practice of non-co-operation. The public, in so far as the public can be distinguished from the avowed adherents of the one school and of the other, have shown by their treatment of the former at meetings, that they bear no great love to the platonic approval of an idea. There is no reason to believe that the verdict of Nagpur will differ substantially from the verdict recorded at various places on smaller occasions. The general feeling was that it was not treating the Mahatma seriously first to pat him on the back, then when it was clear he meant business to say that Congress should decide, and lastly when Congress decided in his favour, to turn round and call it a snatch vote and threaten to get it duly reversed in a few months. Nor do Mr. Gandhi's opponents seem to adopt direct tactics now. They still prefer a flanking movement, some starting the plan of deadlocks in the councils, and others asking why non-payment of taxes should not be included, while a third brain-wave suggests a large deputation to England for demand of *swaraj* on pain of the most relentless non-co-operation, from which Mr. Gandhi himself may shrink. Over such rival schemes his clear four-stage programme has obvious advantages. But however the Nagpur battle may end, the bureaucracy have a comparatively easy time. The Esher Report, the Territorial Force Act, the annual exodus and the consequent duplication of huge buildings in Delhi and Simla—all these commitments of public expenditure on an unprecedented scale escape the large volume of criticism and condemnation that they deserve. Shall the new legislatures and their work draw off popular attention to wholesome channels? One is not without hope. The recent elections all over the coun-

try, notwithstanding deliberate attempts to mislead, have brought into the councils a respectable amount of public spirit, ability and character. But for the fillip which the duel in the Congress will give to the non-co-operation movement, it might soon have become negligible as a factor in Indian politics. As it happens, we shall continue to hear of it for some time yet. The perversity and extravagance and false prestige of Government may prolong its life and increase its power of mischief. If, however, the bureaucracy quietly subside into their true place of subordination to the people's representatives and do not obtrude the arbitrary powers that still remain in their hands by unjustifiable exercise, Mr. Gandhi's movement will cease to excite much attention after a few months of the new regime. One harm, however, it has done, which cannot be effaced for years. The foundation of parental and scholastic discipline has been undermined. The prospect of facile martyrdom and patriotic service that have been dangled before the youth of the community has had the effect of a heady potion. Their irrepressible spirits have proved too strong for the restraints of non-violence. To make loveful war, to destroy without hate, to condemn for the pure purpose of improvement are antinomies of self-control beyond their achievement. Mr. Gandhi as an educational reformer is utterly out of court. Yet he has been allowed to play this *role* in an atmosphere of political turmoil and unsettlement, partly of his creation. I say *partly*, because Government has been the original author of it all. Students all over India have been moved as they never were before by accounts of the wanton indignities and hardships endured during the martial law time by their compatriots of the Punjab. What has the Government of that province done to soothe their feelings? It was my lot once to appeal to them in the name of the future of their country to forget their wrongs. The public have not heard of any such appeal by any official of the offending class. It is a characteristic of the power-intoxicated bureaucracy that, even to the men of honour whom they have admittedly wronged, they will not still make public apology, but may perhaps be induced under pressure to offer bribes by way of title or office. And who can forget the light-hearted use of the word 'injudicious' to describe official acts for which summary dismissal would be a mild punishment? Let the Government enable us and our children to forget the Punjab; let them show by action, not merely by pompously worded declaration of policy, that racial disabilities will in course of time be abolished in the services, in the army, in the Dominions; let them conserve and develop India's economic resources in her best interests; and let her advance in responsible government be made secure—the main conditions of peaceful progress will have been established. The danger is that reactionary counsels may retard this consummation and pour fresh a libation of ghee on the dying fires of non-

co-operation. May Providence avert it! (From *Indian Review*, December 1920.)

V. S. SRINIVASAN.

LOCAL FINANCE.*

HISTORIANS recording the story of the evolution of the system of local self-government in this country must have perceived that the efficiency of the various branches of administration entrusted to local bodies varies according to the financial resources at their disposal. The schemes of administrative expansion or development are not judged solely by their merit but by the capacity of these bodies for undertaking to finance them. So financial considerations play no unimportant part in our scheme of local self-government. Every attempt made by the Government to place the finances of local bodies on a sound basis deserves ample recognition. The inauguration of the Reforms together with the various changes in the administrative machinery necessitated by them renders imperative the settling of a definite policy as to the principles that should in future regulate the financial relations between the Provincial Governments and the local bodies.

At the outset it is well to recognise that the Government have for long thought it their duty to maintain a detailed scrutiny into the internal affairs of local bodies. The local bodies have become so obsessed with the idea of independence that they have always resented governmental interference in the details of administration. This has resulted in a state of affairs which has greatly hindered the progress of local self-government on the lines laid down by its original authors and, in the words of the distinguished authors of the Report on Indian Constitutional Reforms, "the broad fact remains that in a space of over thirty years the progress in developing genuine local self-government has been inadequate in the greater part of India." But students of local self-government will be interested to read what the Rt. Hon. Hobhouse said on this aspect of the question in his paper on 'Local Government and State Bureaucracy in Great Britain':

"The control of the central department is necessary in really important matters of finance or principles of administration, or where uniformity throughout the kingdom is essential, or where the matters dealt with are in dispute between several local authorities. As an arbitrator, as a guide, as a guardian of the public against corruption or gross irregularity or extravagance, the action of the central authority is not only useful but essential. But when it forsakes its proper sphere of general control, and encumbers itself by constantly interfering with the details of local administration, it assumes functions which are not only unnecessary, but, in the long run are injurious to the public spirit and local freedom of the community."

Moreover the tendency of the Government has been to entrust to local bodies more and more of administrative functions, such as the proposed provision for the construction of houses for the poor. While every one welcomes this 'administrative

* A study with special reference to the recent report of the Financial Relations Committee of Madras.

trust' placed in them, it is hardly necessary to point out that great disappointment is felt that the financial resources at the disposal of local bodies are very scanty and that the financial aid from the national purse has rarely been commensurate with the burden of cost.

The question of capital expenditure requires some consideration. While there is a considerable difference of opinion as to the items that should be treated as capital expenditure for purposes of municipal accounts, there is no doubt that for a proper appreciation of the finances of local bodies it is of very great importance that a clear distinction should as far as possible be drawn between 'capital' and 'ordinary' expenditure. The Graham Committee gives a list of services that are considered 'national' and 'semi-national' for the maintenance of which the State contributes the whole or a part of the cost. But in India under the present circumstances, it is very necessary that as many local services as possible should receive financial aid from the national purse. The definition given by the Local and Municipal Conference of Madras, *viz.* "all expenditure which adds to the local body's assets and is incurred for the purpose of acquiring something which is of permanent value or can be continuously employed—'works of permanent utility' as the Graham Committee put it,"—appears to be an excellent one. The amount necessary to maintain the services should be treated as ordinary expenditure. In England it is an accepted principle that works of permanent utility should not be paid for from the current revenues. Nor is it permissible for local bodies to raise from the rates more than what is necessary to maintain the services. To think of financing development schemes that cannot wait long out of current revenues is to attempt the impossible. We must adopt the means adopted in western countries and borrow the necessary capital.* It is estimated that in the year 1921-1922 the capital expenditure alone of local bodies in the Madras Presidency would be Rs. 13,160,703. The Committee on Local Finance in Madras recommend the adoption of a forward loan policy to meet this heavy capital expenditure and lay down the rule that when surpluses over ordinary expenditure are realised, they can be diverted to expenditure of a 'capital' nature. We put in an emphatic demurrer and draw the attention of our readers to para 5 of the Graham Committee's report which enunciates the principle that more should not be raised from rates than is actually necessary to maintain the services.

What should be the loan policy is the next point that requires consideration. In England the local bodies are not permitted to borrow at will for capital expenditure. In most cases the issue of a loan is subject to the approval of the Departments of State who enquire into the proposals submitted

* On March 31, 1915, the total outstanding loans of local authorities in the United Kingdom were nearly 662 million pounds.

by the local authorities, sanction specific amounts for the expenditure contemplated, and supervise the items on which the amount is expended, the means by which it is raised and steps taken for repayment. The Public Works Loan Commissioners grant loans to local authorities with less than £ 200,000, assessable value.

The three means suggested to raise loans required by the local bodies are:—

- (1) Direct borrowing by local bodies;
- (2) Borrowing by the local Government; and
- (3) Borrowing through the Government of India.

While we emphasise the need to give every facility to local bodies to develop their loan policy, we are not quite sure if under the present circumstances when we are looking forward to a rapid development of local self-government we can afford to wait till a continuous flow of loan funds is assured. The creation of a local Loans Fund in which should be invested sums which are not immediately required by local bodies will be a right step. The Commissioners of this Fund should be empowered to grant loans to local bodies for such schemes and on such terms as satisfy them. The experience of local bodies in this country to raise loans has been not very encouraging. In certain cases they have been miserable failures. If local bodies are to enjoy real local self-government, they should by their work, by local patriotism and local propaganda, inspire confidence in the people. The State should also give encouragement by guaranteeing interest on, and repayment of, money borrowed.

For many years to come the local bodies will rely more on the provincial Governments for aid in raising loans. The provincial Governments should ascertain the amount which local bodies need as loan and which they are unable to raise for themselves and the amount which they are prepared to contribute for local capital expenditure, before they go to the market for money. The local Governments will not be in a position to raise funds necessary at reasonable rates of interest. Any provincial loan to be successful should always pay interest at a rate higher than the Government of India loan carries. Moreover the rules for provincial borrowings recently issued will not allow of simultaneous access to the market along with the Government of India. Even the local Governments prefer to borrow through the Government of India. Because the latter can raise more money, more successfully and cheaply. Whatever may be the educative value in loan financing that direct borrowing affords, we are not quite certain that we should adopt that as the only method. The advantages of borrowing through the Government of India are very many. But as their help will be indispensable in regard to loans required for railway development etc. we cannot afford to neglect this advantage. So every one of the means should be adopted to secure money re-

quired for development schemes undertaken by local bodies.

True, it is very difficult to suggest details regarding loan policy, especially the various methods of raising money and the arrangement for the repayment of borrowed money. In England, the following methods are adopted:

- (1) The issue of stock;
- (2) Annuity certificates;
- (3) Mortgages on corporate properties and revenues; and
- (4) Bills of exchange.

The method of repayment also is interesting study. It is done by annual repayment to lenders of (i) equal amounts comprising principal and interest and (ii) unequal amounts comprising equal instalments of principal money, with interest on the reduced balance outstanding. Another method adopted is by insisting on contributions to a departmental 'sinking' fund, which accumulated at compound interest, will by due date produce the principal money borrowed, interest meanwhile being paid on the whole loan. These are matters which the Madras Committee on Financial Relations between local bodies and the Government have recommended for the consideration of a special committee. But it is well to bear in mind the points mentioned above in connection with the Report of the same committee.

R. S. R.

HINDU LAW IN THE NEW ERA.* CONCRETE PROPOSALS.

WE shall presume that the reader who has deigned to follow this series of articles has discarded Manu's estimate of woman and has made up his mind to at least learn what kind of reforms are going to be proposed to enable her to reach the full height of her womanhood.

The first thing that we shall press earnestly upon the reader is that no mere tinkering here and there, nor even wholesale and sweeping reforms would be useful, unless Hindu gentlemen have made up their minds to completely alter the angle of vision from which they look at this question. If that change in the angle is effected, if people hereafter look at woman in a completely new light, the actual granting of reforms would be only a very small matter. If, on the other hand, the old prejudices are yet to continue in their minds, no reforms, however far-reaching they may be, would go any length in bringing about the desired transformation. All depends thus on a real and substantial change in the angle of vision.

The reforms that we shall hereafter propose would appear ridiculous and preposterous to those that continue to flounder in the old mire, but they will appear quite reasonable and appropriate to such as have reached the blessed knowledge of the inherent equality that ought to exist between man

* Previous articles in this series appeared in the issues of September 9 and 23, October 7, 14 and 21, November 4, 11, 18 and 25 and December 2, 9, 16, 23 and 30, 1920.

and woman. Any number of reforms will automatically suggest themselves to the minds of such gentlemen. We shall content ourselves here with setting forth only some of those that appear to us most urgently called for.

Broadly speaking, we may say that the same opportunities for developing the body and for developing the mind must be made available to woman, as are now, or may hereafter be, considered desirable for man. Woman must not only be permitted passively to develop her body and mind to its fullest extent, but she must be actually taught to do so by every possible inducement. We must be prepared to meet with opposition in this respect even from some women themselves exactly as some Negro slaves were whole-heartedly against their own emancipation and strongly opposed it. Hence unmindful of such opposition, we must see that there shall be no discrimination against woman in the development of her body and mind on any ground whatever, sentimental, æsthetic or any other. When this point is grasped, we must insist upon equal opportunities for school and college and other kinds of education, and also upon absolute celibacy until the body is fully developed. It will be the province of physiologists to determine the age at which marriage may be permitted: but, we think none should be allowed before 24 in the case of males and 20 in that of females. Until the age of 20 every girl will have acquired sufficient knowledge to make her self-supporting, and thus emancipate her from the old-world idea, that marriage is the only profession open to her to obtain her livelihood decently. The only way to instil true ideas of independence into a woman's mind is to make her self-supporting and not dependent upon her husband for her maintenance. It is upon the absolute fulfilment of this fundamental condition that all reforms in the marriage laws could be based effectively. Marriage must be a matter of free and absolutely unfettered choice between a man and a woman, and none of the parties should have to enter upon it upon grounds of worldly expediency; their marriage should be one of true minds, they should have one hope, one desire, one course of life, one service of God in common with each other. The two should be the best of friends and real partners in life.

For such a kind of marriage, polygamy must be abolished and also no latitude permitted to man in other ways. One standard for both man and woman must be insisted on. There should be available to woman the same remedies against misconduct as are now open to man in case of any suspicion of misconduct on her part. We are not concerned to express here an opinion as to whether divorce should be allowed or not. Our concern is as to stipulating that whatever rule may be fixed upon on this point should apply indiscriminately to both the parties.

During marriage, the man should not be considered as the sole bread-winner, and the wife only the idle and stay-at-home consumer. Parties

may at the outset make such terms as they like on this point, but in the absence of such contract the law would hold that man and wife are equally the owners of the property acquired during the continuance of the marriage by both of them. As to children, the wife will have certain rights equally with the husband and not as at present *i. e.* the father entitled to either take all the children or to throw them at her at his pleasure.

Dissolution of marriage by death or otherwise should leave the parties at full liberty to remarry at their option. But this liberty must be quite mutual, as also such restrictions as may be considered necessary.

The joint family must disappear as understood by the Mitakshara, and so there shall be no survivorship of males to deprive women of their husband's property. Practically all gentlemen will be considered full owners of their properties as separated Hindus, and so their properties, unless distributed otherwise by them by deed or will, should descend to their widows and sons and daughters. We prefer here the rules of the Succession Act *i. e.* sons and daughters to have equal share, the widow to have one-third, when there are children and one-half when there are none. Such property as a widow gets must be absolutely at her own disposal, and no nonsense in the name of a "widow's restricted estate" to be allowed. When the wife dies, her estate also should be divided between the husband and her children in the very same manner. This kind of legislation will practically abolish the chapter on adoption in Hindu Law, and will thus wipe away a widow's latter-day restrictions. Any woman should be free to adopt as her own any male or female child at her pleasure.

The result of all these reforms will be to make woman absolutely self-dependent and therefore independent. She will have developed her body and mind until 20, till which age she will have full claim on her parents for maintenance and education. On their death she will be entitled to share equally with her own brother in the parental property. If necessary, she will also be quite fit to earn her own bread. When she marries, she will not be a slave. She will be an equal partner with her husband and shall have all the rights and be subject to all the responsibilities equally with her husband. During continuance of marriage, her rights to property and children will be equal to his. If unfortunately she becomes a widow, she will get a third of his property and will also be free to remarry if she so desires. Thus throughout her life she will be an honoured member of society, quite capable of exercising the franchise that she must be given as of right and will have developed a spirit of self-reliance and self-help that will stand her in good stead throughout her life. As such she will pre-eminently be able to impart the same robust qualities of mind and body to her own sons and daughters. In this way the world of

Hindus will in the course of a single generation assume a different character altogether.

We are aware that some critics will characterize our proposals as not only revolutionary but as subversive of all principles of Hindu Law. They may raise their hands in abhorrence at the prospect of divorce and its concomitant evils being introduced into our society. To such we may reply that they are simply living in a fool's paradise if they honestly believe that divorce has now no existence in our society. We assure them that the Law of Divorce, as it exists here at present, is far more deadly than anywhere else. In western countries a man wishing for a divorce has to prove his case before a regular tribunal, but in Hindu Law the man himself is his own tribunal. He is prosecutor, judge, jury and bailiff, all rolled into one and pledged to support his wishes. As soon as he determines to divorce his wife he has only to cast her off. It is so delightfully simple an affair. He can also resume his former relations with her again at his own sweet will and pleasure. The Law of Divorce is in no other land so indulgently convenient to the man and so absolutely unkind to the woman. What we propose is to extend the same facilities to woman as are enjoyed by man. We won't mind if you prefer to abolish all divorce altogether, provided you apply one standard to both man and woman.

Lastly, we may address a word to those who would call us too hasty. Let us remind such critics, that these reforms are not only not too hasty but are on the other hand alarmingly belated. The whole civilized world has long since accepted all these principles. It is Hindus alone that have remained where they were for over three thousand years. Finally, let us exhort all our readers in the words of our Guru of Gurus, the Mahadeva, as the late Mr. A. O. Hume used affectionately to call him in private life—we mean the saintly Mr. Justice Ranade—"Remember that the spirit of [the time is upon you. Whether you will, or will not, you are bound to accept these things, and to move forward. The only question is whether you will yourselves help the current and go quietly and zealously, or whether you will struggle with it and be carried forward in spite of yourselves. The result is certain. Only let not the words "too late" be writ large on your reform-activities!"

(Concluded.)

LEX.

CORRESPONDENCE.

INDIAN ECONOMIC SOCIETY.

TO THE EDITOR OF THE SERVANT OF INDIA.

SIR,—The following circular letter is being sent to the persons and institutions mentioned therein. Those of the readers of this paper who may also feel interested in the question which forms the subject-matter of this letter will please oblige the Indian Economic Society by giving it the benefit of their views thereon.

CIRCULAR LETTER.

DEAR SIR OR SIRS,

The Managing Committee of this Society in its meeting of 28th October 1920, appointed a sub-committee to address a circular letter to the employers of labour, the existing trade unions or labour associations, public bodies and prominent persons interested in the question, with a view to eliciting their views on the present disturbed industrial conditions in India and particularly the causes of strikes, and the means and methods of avoiding them.

I am directed by the sub-committee to request you to favour us with your views on the following points and such others as may suggest themselves to you:—

- (1) Causes of industrial unrest and strikes:—
 - (a) High cost of living.
 - (b) Revolution in social ideas.
 - (c) Unsatisfactory conditions of employment, e.g. excessive hours of work, insanitary dwellings, fear of unemployment, confiscation of gratuities, provident fund dues and other benefits, etc.
 - (d) Non-recognition of labour unions and workers committees.
- (2) Remedies:—
 - (a) The possibility of introducing profit-sharing schemes.
 - (b) Machinery for collective bargaining between the employers and the employees.
 - (c) Utility of disinterested arbitration, whether by public bodies or prominent persons or by the State.

Further, I beg to say that your views will be treated as strictly confidential and only such information as may prove to be of national interest will be published, if at all, digested in a form suitable for general, economic literature, without divulging the source thereof.

Trusting you will be kind enough to give the Society the benefit of your views and knowledge of facts bearing upon the questions referred to above,

Indian Economic Society,
Sandhurst Road,
BOMBAY No. 4.

Yours faithfully,
C. S. DEOLE,
Hony. Secretary.

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