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CONTE	NTS.			
			P.	AGE.
TOPICS OF THE WEEK		940	***	85
ARTICLES:-	~			•
Indian Princes in the British	Соптов	•••		87
The Delhi Session	***	•••	***	89
A Letter From London	400	***	100	92
THE NATIONAL CONFERENCE	***	***	***	94
BOOKE RECEIVED	***	***	***	95

TOPICS OF THE WEEK

ELSEWHERE we print a question-Review of the naire prepared for the National Conference, which we hope every one who has had any opportunity of studying the working of the new Councils will try to answer in as much detail as possible. The Constitutionalists at least can have no doubt that there is no better way in which we can agitate for further reforms than the one which the National Conference is pursuing. It is the duty of us all to help it with all the information at our command. Now that the reforms have been in operation for two years and the most important session of the third year has closed or is about to close, the time would seem to be at hand when we may take stock of our achievements and our failures and form a reasoned conclusion as to the extent to which reforms have enabled us to advance to the goal and to which we may reasonably hope to press forward in the near future.

THE announcement of the formation of a new "party", making communal representation its main plank, evokes in one rather mixed feelings. Seeing that communally every one of us is in a minority, the need for a further accentuation of our differences does really not seem obvious. On the contrary, which lover of his country does not rather feel the imperative need for fostering the recognition of our mutual dependence on each other; the realization that we are all essential to the organism which together we constitute—not because we are of the same class, or the same religion, or the same culture: but "simply because we are neighbours? That is why territorial, as against representation must surely communal, conceded to be a condition, without which no Indian nation-building is possible. On the other hand, one must take India as it is; and there-

fore the safeguarding of the communal interest, is not merely legitimate, but inescapable, as practical politics go. Our complaint is that our Constitution provides no education in territorial representation at all: and we repeat that-whatever may be the arguments elsewhere—a really good case for a two-Chamber system can certainly be made out in India at least, provided one Chamber is territorially and the other communally representative, and that frankly, unequivocally and uncompromisingly. Would, one wonders, the new party " adopt such a suggestion for a constitutional change as part of their programme? Or will they be satisfied to put forward merely, each section its own sectional interests, against the rest of the nation?

ONLY 2 p. c. of India's ocean trade indian Shipping. and 13 p. c. of her coa-tal trads are carried on in ships owned by Indians, though India has a large sea-board of 4000 miles and a vast ocean and coastal trade; the freight value of her ocean trade alone being calculated at about Rs. 50 crores. And this in spite of the fact that before steam navigation developed, India was for long centuries famous for its ship-building industry and for its carrying trade. Its present deplorable condition is entirely due to its having a foreign Government which hitherto was more interested in the development of British trade than the material resources of India. While other maritime countries encouraged ship-building by bounties, subsidies and various other methods, the Government of India not only refrained from taking any such steps, but coolly allowed, even during the last 25 years, many indigenous new-companies to be ruined by the unfair competition of foreign companies. It is however some consolation that this state of things is no longer to continue under the reformed régime. A Committee has been appointed to recommend measures for the development of the shipbuilding industry in India, the growth of an Indian Mercantile Marine and the training of Indians as officers and engineers of ships. This Committee has published an exhaustive questionnaire to which is appended very valuable information regarding State aid to shipping in various countries.

Mr. Seshagiri Ayyar's Bill. In the meantime Mr. T. V. Seshagiri Ayyar is introducing a Bill in the Assembly "for the prevention of the deferred rebates and for the prevention of rate wars and resort to retaliatory or discriminating practices in the coastal traffic of India". It is these unfair methods of foreign shipping companies that during the last 25 years have frustrated the patriotic efforts of Indians to build up a mercantile marine. We trust Mr. Seshagiri Ayyar's Bill will get every support in both Houses. It is true that the ground covered by the Bill is included in the scope of the Marine Committee's enquiry. But that is no reson why support should be withheld from the Bill. The Committee will naturally take some time to finish its labours and some more time will be needed to give legislative effect to its recommendations. Meanwhile the passing of this urgent and non-contentious Bill will serve a very useful purpose. In this connection we are glad to acknowledge the valuable service rendered by Mr. S. N. Haji, who has published a useful pamphlet on "State Aid to National Shipping" and who recently addressed the members of the Indian Legislature on the subject.

Rationing of Liquor.

THE working of the system of rationing the supply of country spirit which is in force, in Bombay Pre-

sidency was recently brought under review by a Madras deputation of Mr. Strathie, I. C. S., the able and Mr. Shanmukham Chettiyar, Council Secretary to the Minister of Excise and Education, who went to several provinces to inquire into the temperance measures adopted there. Mr. Strathie condemns the whole system by bell, book and candle, but his strictures are so obviously prejudiced that they do not merit serious consideration. Mr. Shanmukham's note, however, is inspired by a deep sympathy with the cause of temperance and yet is no less severe on that account on the defects that have in his opinion disclosed themselves in the working of the system. We suspect, after reading these reports, that the officials of the excise and revenue departments are but too ready to pronounce the system a failure, and if so, the Minister deserves credit for persevering, in his valuable experiment in the midst of internal difficulties. The Bombay Government has not as yet committed itself, owing to circumstances to which we adverted last week, to a continuous annual reduction of the liquor supply by 10% in Bombay City and 5% in Moffusil so as to reach prohibition within 10 and 20 years respectively, but it was only a temporary measure adopted for the last year, and continued, we hope, for the present. There are obviously certain difficulties and objections incidental to such a rough and ready method, but the question is whether they are not outweighed (when they cannot be obviated) by the advantages flowing from it.

In the first six months after rationing was enforced there has been a rise in the cases of illicit distillation, but if the rise is not due to increased vigilance of the excise Department, it must

be remembered, as mentioned by Mr. Shanmukham that this is a risk which every temperance measure intended to curtail consumption has to run-It is, however, too much to believe that the Bombay Government had struck in 1920 such a nice balance between the two opposing factorsreduction of drunkenness and stimulation of illicit production—that a 5% reduction should at once be followed by a rise in illicit pratices. The increased consumption of foreign liquor (24% in spirits during the first six months since rationing was introduced) is, however, a real difficulty, but it is a difficulty which is by no means inherent in the rationing system. Local Governments have no power to regulate the supply of imported liquor-that power being vested in the Central Government—and therefore have to exclude all foreign liquor from the operation of the rationing system. Nor can Local Governments enhance the duty on foreign liquor, but they can increase the license fees and in this way do something to keep down the consumption of foreign liquor. Mr. Shanmukham suggests that Bombay should follow the example of Bengal and levy a licence tax on the quantity sold instead of levying it on the "off" foreign liquor shops, as is done in Bombay. This will force up the prices and thus placethe liquor beyond the reach of the poor.

THE concordat, so elaborately Violation andarranged, between the two sects of non-co-operationism to last for the brief space of two months, has been dissolved even before two weeks elapsed, and the former hostilities bid fair to be resumed with renewed energy. It was of course well-known to all that it must go very much against the grain with the Maharashtra section of the Dasite party, always more fractious than others, to observe the self-denying ordinance which the whole party had passed on itself, not to push on with its propaganda for Council-entry on which it has set its heart. And last Thursday occassion was taken by Mr. N. C. Kelkar of a meeting, ostensibly intended to popularise the socalled constructive programme, to denounce the waywardness of Mahatma Gandhi's policy, narrating how it veered and tacked according to his whim and fancy. It was only in September, 1920, that the Mahatma inaugurated non-co-operation, and yet even before a year was out all the constituent elements of this policy were declared by him (at Bezwada to have attained their object, and so their further pursuit was proclained to be At Bardoli Mahatma practically unnecessary. Gandhi once again wneeled about and so : odified his plan as to give up, one might say, for good and all, the idea of civil disobedience which he had till then kept in view. The change then adopted amounted to nothing short of a complete reversal of his policy, and Mr.Kelkar facetiously described Bardoli as the reversing station in the non-co-operators' journey. Such recital of recent history, giving special point to facts r flecting adversely on the no-change party, seems to an unsophisticated person to be not strictly in accord with the terms of the compact arrived at at Ailahabad, and at all events not in taste on the occasion of the commemoration of Mahatma Gandhi's arrest.

IF the Maharashtra sub-party Termination of Com- makes oblique references to the unwisdom of Mr. Gandhi's policy, thus indirectly violating the Allahabad compromise, the Madras one considers the compact definitively to be at an end. In the new propagandist weekly of this party, the Swadesamitran, which we gladly welcome to the ranks of journalism, the Editor declares that the Dasites will now hold themselves free to propagate their distinctive views, in view of the early dissolution of the Councils which seems likely. The observance of the truce of Allahabad was conditional on the Councils not being dissolved earlier than usual. Evidently what was intended was that if the elections were to take place before the anticipated time, the Das party should be set free to canvass from now, without letting its rival parties steal a march on it. But there is no talk of the elections being held earlier, and there would therefore seem to be little justification, though literally interpreted the clause in the compromise allows it, for bringing the understanding to an end. Even an early dissolution is not decided upon in Madras. And as for probabilities, they were no less strong when the agreement was entered upon than they are now. This shows that the Dasite party was anxious to seize the first opportunity that would offer to wriggle out of the Allahabad compact, and the worst of it is that in doing so it accuses (vide the Swadesamitran of last week) the majority section in the Congress of conducting a surreptitious propaganda against the Councils. So impatient have the Bottoms of the Dasite party become to play the lion that Mr. Satyamurti has already announced his candidature for the Madras Council. He is indeed the first in the field in all India—in standing candidate for election.

AT a numerously and influentially attended public meeting in Delhi on the 14th inst., the following resolution was adopted on the motion of Mr. Srinivasa Sastri:—

This public meeting of the citizens of Delhi, having considered the accounts recently received here of the attitude of implacable hostility adopted by the white settlers of Kenya towards the just rights of the Indian settlers, to whom full citizenship on terms of absolute equality has been guaranteed by solemn and often-repeated pledges and of the threats of violence held out by the the former towards the latter, resolve to extend their utmost sympathy to their fellow-countrymen in Kenya and assist them to the best of their ability in their struggle in all possible ways, being convinced that the vital interests of India and her peoples are involved therein a d further to communicate to the Prime Minister of Great Britain and His Cabinet their determination. which is doubtless the determination of the whole of India to treat the Kenya question as the touchstone of their position in the British Commonwealth, of which India has been admitted on the highest authority to be an equal partner with Great Britain and the self-governing Dominions, and their hope that even amidst the disqieting circumstances of the time Imperial statesmen will not allow threats of force to frighten them into the counten noing of a policy which by the surrender of a high principle and solemn pledge cannot but lower the moral prestige of the Commonwealth in the eyes of the world.

WE have received the news in regard to the Finance Bill, at the time of going to Press, that the Assembly has rejected proposals to increase the salt duty. We must defer comments on this subject to the next issue.

INDIAN PRINCES IN THE BRITISH COMMONS.

GRATITUDE for the Princes' war services; a vague feeling that they were regularly blackmailed by Indian journalists; and the fear that Parliament's intervention at this stage would necessitate the resignation of the Viceroy at a critical period in India's history: it was these considerations that weighed with the Commons more than the merits of the measure when they voted down Col. Wedgwood's motion for withholding the royal assent from the Princes Protection Act. Indeed, save in the speech of the mover, one searches in vain for a grasp of the foundamental issues involved in the matter. The speeches of the Liberal members in particular-Messrs. Charles Roberts and Hope Simpson—are a great disappointment, which makes the keener one's appreciation of the cogency and skill with which Col. Wedgwood put the case. He went to the heart of the matter when he said that since personal rule prevailed in most of the States, bringing oppression and tyrauny in its wake, and since the thrones of Indian Princes were supported by British bayonets, thereby depriving their subjects of the last remedy of rebellion, the least that the British Government ought to do was to refrain from hampering the publicity which could possibly be given to the misdeeds of Princes, such publicity being now the only remedy which was open to the aggrieved party.

PLEDGES FOR PROTECTION.

Colonel Josiah Wedgwood had no difficulty in showing that no pledges were given to the Princes which made it incumbent upon Government to pass this kind of legislation. "The most extreme clause in any of the Treaties "entered into with the Princes, on which the pledges theory is mainly founded, says: "The friends and enemies of one shall be the friends and enemies of both. " "Is it possible," he asked, "that hon. Members can really consider that to be a binding pledge upon this Government at this time to prevent criticism in British Indian newspapers of what goes on in the Native States?" And he went on to say: "The only term that can be applied to such an argument is that it is arrant humbug." If these pledges are there, embedded in the Treaties, for over 100 years, why is it, he asked, that no one heard of them till now, that they were unknown when the Press Laws Committee reported, and even when the Government of India invited the opinions of the Local Governments on the Committee's report? How is it that the pledges were unearthed only now? Nor did he leave out of account the argument employed by Mr. Thompson. that whatever the Treaties may mean, they have been interpreted by the Princes as pledging themselves to give protection to the British Government. Such a kindness on the part of the Princes must be reciprocated by the British Government. in its turn interpreting the Treaties as pledging them to give similar protection to the Princes, On:

this argument Col. Wedgwood poured a deservedly withering contempt. "In other words," he said, if some ruffian robs and tortures our enemies we are bound to torture and rob his enemies. Is that the argument? If, as has happened over and over again, they deprive the families of agitators [who criticise us] of their property, are we to adopt a similar method of dealing with the people who criticise the Indian Princes?" None of the other speakers seriously examined this argument from the Treaties, on which more than on any other the Government of India rest their justification of the Act. They took it for granted that the Treaties contained provisions which left no alternative to the British Government but to give the kind of protection that was proposed to be given by the Act.

If any of them had a doubt on the matter, they convinced themselves that the generous help rendered by the Princes in war-time, when the situation wore such a black aspect, would not allow them to look too narrowly into the wording of these pledges. Even if they be merely military alliances promising armed protection to the States in case of an invasion, they must consent to prosecute even British Indian critics if the Princes chose to make such demand under cover of those Treaties. And naturally they expatiated at great length on the services done by the Princes during the war. Col. Wedgwood would not however allow such a red-herring to be drawn across his path. He brushed it all saids as utterly irrelevant to the subject in hand. No amount of help received from a friend would justify, much less necessitate, the throwing of obstacles in the way of a free flow The instances of of criticism against him. allegedly illegitimate criticism, which were produced in Simla, contained no doubt " vehement words, but they mean very little when they are really examined, and certainly they are not wicked or dangerous enough to justify any man being imprisoned for them." One critic hoped that the system of government obtaining in Indian States would be smashed within five years. Mr. Snell. Col. Wedgwood's seconder, declared that many of them would hope that that end would be achieved in a great deal shorter time. Mr. Lansbury informed the House that some of the Members of Parliament attacked the monarchy in England "very much worse than anything in the document that has been quoted to-night, " vide the Reynolds Newspaper for the years 1860-80. " That was allowed to go on and no one interfered."

PUNISHMENT OF BLACKMAIL.

The discussion of this measure was side-tracked by a consideration which was later on imported into the discussion, viz. that blackmailing was rampant in India, and this argument influenced the House all the more because it proceeded from those who had personal experience of Indian conditions, e. g., Mr. Simpson and Sir Thomas Bennett. Mr. Hope Simpson, a former Indian Civil Servant, has been represented by the Morning Post as saying

that the number of Indian newspapers started simply to obtain blackmail from Indian Chiefs and Princes was 500, while what he actually said was that there were a number of newspapers in India of which the circulation was only 500. and which therefore presumably must be eking out their existence by means by exactions from Princes. Sir Thomas Bennett gave his support to the Act because he persuaded himself that the measure was directed against the blackmailer, who", he said, "is really the central object in this Bill." Even the Under-Secretary of State is so ill-informed on the Act as to believe that its purpose is to punish blackmailing. Now no one in his senses would oppose a law framed for this purpose, if such a law were not already in force. But, as things stand, there are already sufficient provisions in Indian law to punish extortions (which cover this particular variety of blackmail), and the present Act has nothing whatever to do with blackmail. And Col. Wedgwood pointed it out, but all to no purpose. The prejudice created by the mention of the blackmailing journalists was enough to make a large majority of the House range itself against his motion. Sir Thomas wondered, as indeed anybody would, that there should be such a serious lacuna in the Indian law that the Government should be without power to punish blackmail, and he ventured the suggestion that "there must have been something of that kind "even before the Press Act of 1910, for he remembered some action being taken against some blackmailers at the time. Of course, there was and always has been a complete apparatus in the hands of the Government for the punishment of such offences. He was sadly deceived when he was led to support this piece of legislation on the basis of a very pathetic legend that India was choke-full of blackmailers. Be it remembered that both against blackmail and libel Indian Princes have as good a remedy in law as anybody else; what they may be said to lack is a remedy against sedition when the offence is committed in British India. And Mr. Charles Roberts thought that he was making out an irresistible case for filling up this deficiency by maintaining that the territories of the Princes "are not, technically, British territory at all." That is surely a reason for withholding the benefit of the law of sedition from what to all intents and purposes are foreigners, not for conceding it to them. If Indian Princes are the allies of Government without being subject to their jurisdiction, they must suffer the disabilities attaching to their independence of British Indian law as they enjoy the advantages flowing from this position. They cannot eat the cake and have it too. If they claim to be above the scrutiny of the Indian Legislature on the ground that each of them practically constitutes a foreign Government, they cannot complain if the Indian Legislature treats them, in the matter of sedition, as they are entitled to treat and have been treating other foreign Governments.

PARLIAMENT'S INTERVENTION.

What undoubtedly decided the House of Commons in rejecting Colonel Wedgwood's motion was the idea that even if the Viceroy was wrong in setting aside the wishes of the Assembly, he, having once done it, must be backed up by Parliament. That was, indeed, the main reason why Mr. Charles Roberts did not support Mr. Wedgwood's motion. He laid much stress on the fact that the question, in the form in which it had come before the "is not entirely fresh." All that it is House. open to the House now to do is "to find whether there is or is not an arguable case for the measure. If there is, and if the Viceroy has adopted this action in reference to it, it would be very unwise for the House of Commons to intervene and override his action." We feel that "colourable" would better express the speaker's meaning than "arguable." But we must confess that we are unable to see the force of this reasoning. In an earlier part of the speech Mr. Roberts dwells at tedious length on a fact which has not been disputed by anyone in India, that the Vicercy has been given the power to override the decisions of the Assembly in matters which he may consider essential to the interests of India, and he quotes from the Joint Committee's report to insist that this power was intended to be real. Granted; but if the Viceroy's power to override the Assembly is meant to be real, is Parliament's power to override the Viceroy intended to be nominal? Is there anything in the Joint Committee's report, or anywhere else in the voluminous literature on reforms, to show that when the Viceroy's action in overriding the opinion of the Assembly comes up for review in Parliament, it should merely consider if something cannot be said in favour of what the Viceroy has done, and should stay its hands if this condition is satisfied? Parliament's intervention only designed to be a blank cartridge? Really we think the power of overriding, vested either in the Vicercy or in Parliament, can be used only in extreme circumstances. If parliament is to desist from exercising its unquestioned right of intervention in the Viceroy's action if an arguable case can be made out for it, so also must the Viceroy refeain from interfering with the Legislative Assembly's decision if there is an arguable case on its side. And in this particular matter was there not more than an arguable case on its side? The pledges that were trotted out were unknown till very recently; no protection was given or claimed till 1910 (the protection that existed on paper between 1822 and 1835 was never enforced); the Press Laws Committee itself reported against such protection and so did several of the Local Governments. Mr. Roberts perhaps feels that the prestige of the Viceroy must be maintained in order that his authority should not be damaged. But has the Legislative Assembly no prestige to lose? or at least to obtain? Can it function properly if the Viceroy without adequate reason overrides the Assembly? We can-

not understand why, in a conflict between the Indian Viceroy and the Indian Assembly, the former is to be rated higher and the latter lower. Anyhow the Labour party has done notable service to India by taking up cudgels on her behalf in this matter, and if it has failed in its imnediate object it will by its action, we hope, at least make the Act practically a dead letter.

THE DELHI SESSION. (PROM OUR PARLIAMENTARY CORRESPONDENT.) DELHI, 17th MARCH.

SECOND STAGE OF BUDGET.

THE week ended to-day was entirely devoted tothe second stage in the Budget drama, i. e. the submission to the vote of the Assembly of the demands for grants for expenditure for the financial year ending March 31st, 1924. Of such demands no less than 63 are made and in connection with them the staggering total of 710amendments had been given notice of. The actual progress may be gauged by the fact that out of the 63 demands only 8 had been passed by Friday evening and although on Saturday amendments were shed like nuts by a second-hand Ford, the guillotine fell, when the House had disposed of only 12 more demands. It had just tackled the first amendment under demand for Capital Railway Expenditure (Mr. Venkatapati Raju wishing to defer expenditure under this head, at least to the tune of Rs. 8.61.00.000), when the clock struck five-and after a division on this amendment had been taken (the House negatived it by 53 to 31) the remaining 43 demands were put to the vote without the possibility of any further discussion and thus disposed of within a quarter of an hour. As regards the fate of the 710 amendments, 635 were not moved at all (!), whilst of the balance of 75 2 were carried and 21 were lost without, and 5 and 6 respectively after a division, and 41 were withdrawn. It goes without saying therefore that a great deal of time was wasted to no purpose at all, whilst I for one also grudge the time spent on purely electioneering speeches, such as were those made about the annual exodus to Simla or the allowances paid to members of the Assembly, or rather to be paid to members of the next Assembly! I will therefore myself waste no space on such-like, but concentrate on what seemed to me to be of real importance.

LARGE NON-VOTABLE ITEMS.

Constitutionally a very important point developed on Tuesday, when Mr. Joshi rose to move his amendment No. 136 for a reduction in the provision for Railway Annuities—the President interposing that this item was out of order, since it was non-votable. Mr. Jamnadas Dwarkadas thereupon enquired how it was that this item had been discussed—and at length—last year? Sir Basil Blackett explained that this was due to the fact that last year exchange had not been distributed:

the exchange appearing in the votable, the annuities in the non-votable columns. Despite further remonstrances, the President maintained that he could not go behind the budget as presented: if an item appeared as "non-votable", he had to take it that this expressed the Governor General's finding which (according to the Government of India Act) was final. Sir Sivaswamy Aiyer quickly pointed out that there was no evidence that the Governor General had been appealed to and given his verdict in this matter: though of course, had he done so, they would have to accept his finding "however patently absurd it might be," as the speaker drily added. The President however remained unmoved and, having ruled out three more amendments on the 'subject of Railway Sinking Funds, called on Mr. Joshi to move a further amendment of his—this particular one referring to the Railway Board. Mr. Joshi thereupon started to criticize the Board for having put Railway Annuities to Revenue, instead of to Capital Expenditure: but once more the President intervened and ruled it out of order to refer to these Annuities at all. The matter remained there for the time being-to the manifest general bewilderment and dissatisfaction of all members who felt being prevented on a purely technical ground from attacking a very important (and vulnerable) position. Sir Malcolm Hailey with his usual tact came to the rescue at the commencement of the next sitting, by requesting the President to allow the discussion of non-votable subjects, even though they could not be voted upon, on amendments moving nominal cuts in the expenditure of the department concerned. So far so good; and Sir Basil Blackett admitted that, when he had invited the President's ruling the evening before, he had been guided by English Parliamentary practice, according to which Consolidated Fund Charges were both non-votable and non-debatable: here however the position was obviously different, seeing the great number of non-votable items, over and above those of the Consolidated Fund Charges.

ANNUAL ARMY ACT.

But there still remained a nigger in the woodpile. For Sir Malcolm's "concession to the weakness of the House" (as Sir Devaprasad put it) only allowed nominal cuts, whilst members had no mind to be deprived of the possibility of reducing non-votable items by aiming their axe at votable ones. This convention had been allowed to grow up during the past two years and It would obviously have been a great constitutional retrogression, to sweep away now this hardly earned advantage. Sir Basil Blackett indeed stubbornly took up the position that such oblique cuts were nothing but an invitation of the House to the administration to misappropriate grants made, and insisted that the very essence of parliamentary control forbade the practice of the administration on their own authority spreading or transferring money granted for specific purposes. Besides there is of

course this very real difficulty of Government: viz. that, when they have made the reduction in a non-votable item according to the Legislature's intention, there is no guarantee that the Legislature will make a supplementary grant later on, to make good the corresponding deficiency technically effected in a votable item. Another aspect of the same question came out on Thursday, when Mr. Rangachariar complained that some items, formerly appearing as votable (sub-heads Bangalore, Assam Police, etc.), this year had been placed in the non-votable column. Sir Malcolm Hailey explained that the points in question had been so decided by the Auditor General, who did all routine classification, and that there was nothing behind it at all; and he assured the House that the Government had never tried to get behind the back of the Assembly by resorting to such an expedient as that of promoting an item from the votable to the non-votable class. The matter is illustrative of the pitfalls of the diarchy of votable and non-votable items: and one really feels that here too the political transition stage of India is rapidly nearing the end of its usefulness. And of all the "untouchables" (as Mr. K. Ahmed wittily described the non-votables), the military expenditure of course stands out pre-eminently: it is therefore only natural that further constitutional debate should have developed in this connection. The genesis of the point in question goes back to an answer given by Mr. Burdon on January 15th, to the effect that the right of maintaining an army in India was derived from certain statutes, which however, it was subsequently discovered, have been repealed. On February 19th, in reply to a further question, the ground therefore was shifted and, instead of obsolete statutes, the "inherent right of the Crown" substituted. Last Friday Mr. Ginwalla returned to the attack making, mincemeat of the "inherent right" theory. Dr. Gour, not satisfied with this, tried to make out that consequently the army was maintained in India without any legal warrant whatsoever; that even, were the whole military expenditure transferred from non-votable to votable, that warrant would still be lacking; and that the only remedy was the passing of an annual Army Act after the English example.

CONTROL OVER THE MILITARY.

This discovery was later on charaterized by Sir Sivaswamy Aiyer as a mare's nest; but Sir M. Shafi devoted a great deal of time to an elaborate legal argument proving that full statutory authority to maintain an army in India was implied in the Government of India Act, and that anyhow all powers exercised by the E. I. Co., including their military and civil establishments, had been transferred to the British Crown in India: the British Parliament itself recognizing by the Mutiny Act the right of the E. I. Co. to the maintenance of an army and making thereby provisions for the same. Mr. Rangachariar acutely observed that the very

elaboration of the Law Member's arguments proved that his conclusion was not an obvious one: but, barring a passing reference by Mr. Ginwalla and an interjection by Mr. Samarth, no member took up the problem where it was left—i.e. that even if the Crown had authority to take over from the E. I. Co. and to maintain that army as then taken over, nothing had been proved regarding any further authority granted for the maintenance of any army in excess of its then strength. The matter obviously will not be allowed to rest there and is sure to come up again, until at least a beginning is made of placing the military under the legislature's control—even in India.

VICEROY'S DEPENDENCE ON S. OF S.

An amusing illustration, how during a budget debate the apparently most trivial can unexpectedly develop into a matter of grave constitutional importance, was provided by the vote "telegram charges for the Viceroy's Private Secretary." This sounds innocent enough; but Mr. Rangachariar had not proceeded far, speaking (on Thursday) on his amendment to reduce these charges, before it became clear that what was really at stake was the policy of "government by telegram" of which -rightly or wrongly-Lord Peel and Lord Reading are suspected. Sir M. Hailey indeed tried to make out that Whitehall could regulate Simla much more rigorously by letter than by telegram, but Mr. Joshi's interpretation, that the greater facilities for cabling were given to the Viceroy, the more would he lean on the Secretary of State instead of on his own Executive Council, somehow commends itself more to one's sense of reality. Incidentally Sir M. Webb exposed the ridiculous plea of "convenience", for the sake of which all code telegrams of the Government of India are said to be lumped together under this vote. It goes without saying that it is only sensible that all code telegrams should be dealt with in one office abut how can "convenience" be pleaded for not charging separately every department with the code cables despatched on their behalf? A very glaring example indeed of the unbusinesslike way in which the public accounts of the country are still being kept.

FALSE ALARM OF FAKE.

A propos of accounts, the Railway vote provided the greatest tussle as to their "faking". From the admirable series of railway articles which you published last year, your readers will remember that the Government, in buying out some of the railway companies, issued "annuities", i. e. agreed to pay them by equal annual instalments of the price agreed upon plus interest. Hitherto both the liability thus gradually discharged and the interest have been debited to revenue expenditure; although clearly only interest ought to go against that account, whilst the balance of annuity, representing capital repaid, should go against capital account. This indeed was the object of Mr.

Rangachariar's amendment for the reduction of the railway vote by Rs. 1,14,00,000, which was most strenuously opposed by Sir B. Blackett who characterized it as an attempt at "faking" the public accounts—an attempt, which, if successful, would damage India's credit even more than a straightforward deficit. Even if one accepts Sir Basil's verdict, that our reserves and sinking funds ars—generally speaking—quite insufficient, one really, fails to see how the setting right of past wrong entries, can be called faking, even if the past wrong entries were concerned with the venial sin of debiting to revenue capital accounts and not with the much more common (and indeed unpardon able) sin of debiting revenue expenditure to capital account. The Home Member in the end was driven to expostulate with the House for setting right on srict business principles this one account only, instead of all accounts: a curious plea indeed, as if, because you cannot stop all burglaries, you should not interfere in the burglary going on under your nose! Sir M. Webb contemptuously dismissed the false alarm of "fake" and retorted that Sir Basil's finance really invited the House to repay capital out of the deficit.

THE SERVICES COMMISSON.

In the end a vote was forced, resulting in a smashing defeat of Government (by 67 to 37). The House was really pleased at thus having, as it believed, reduced the threatened deficit of $4\frac{1}{4}$ orores at one fell swoop by more than a crore: unfortunately the Assembly proposed (on Wednesday) and the Governor General in Council disposed (on Saturday). For at the end of the week, just before the curtain fell, Sir B. Blackett announced—to prepare suitably members for their task of raising the wind the week following—that the cut of Rs.1,14,00,000 had been restored; and that if a further cut (of 3 lakhs) made that very morning (under the head "Miscellaneous") had not yet been restored, it was merely due to the fact that the Governor General in Council had not yet had time to do it. This second "restoration" of a demand refused by the Assembly referred to the cost of the "Public Services Commission," the debate and division on which was one of the dramatic incidents of theweek. It had fallen to Munshi Iswar Saran to move that the provision for "Public Services Commission be omitted "and in ringing words he reminded the House of the resolution of protest previously passed by them against the very appointment of the Commission. "We want to have no part or lot in this step taken by you, " he told the Treasury benches—" do what you like with it. Sir M. Hailey pleaded that the House could not refuse taking cognizance of a fact which had to be faced, viz. that the Commission had been appointed; and of course the House knew perfectly well that, whatever it did, the vote would eventually be restored by the Viceroy's fiat. as Mr. Harchandrai Vishindas epigrammatically put it, every such certification drives a nail into the coffin of autocracy. Hence, though Sir Sivaswamy Aiyer was in favour of mere abstention and Mr. Samarth of a nominal cut of Re 1, the House saw no point in smoothing the path of Government for them, and pressed for a clear and definite verdict in the sense advocated by Munshi Iswar Saran. The ultimate result (46 for, 45 against this motion) was made all the more dramatic by the fact that Sir C. Rhodes happened to be in the Chair, whereby Government were probably just deprived of the one vote required to save them from their humiliation.

But to revert to Finance. On the demand for the P. W. D., Mr. Samarth deprecated paying the whole of the Waziristan roads, &c. out of revenue and moved the reduction of the vote by Rs.87,25,080. The transfer of the money spent on admittedly unproductive capital expenditure from revenue to capital, in order to spread the burden over a number of years, did, I must say, strike me as a not very sound proposal, and I felt, with Sir Basil, that nothing was gained by calling a spade a potato. I was therefore glad that the House rejected the amendment, though as a truthful chronicler I must add that it did so by the narrow margin of 48 to 47 votes.

SPOKESMAN OF LABOUR.

Yet another constitutional point was raised as to the propriety of Secretaries having access to the Vicercy independently of members of the Executive Council; but, I must hurry on, and of other important subjects dealt with, I would single out those referring to Labour. In this connection Mr. Joshi protested against the Inchcape Committee's (a business men's committee, as he shrewdly remarked) recommendation of abolishing the Labour Bureau, just when the industrial development of the country was being loudly clamoured for-and Mr. Innes in this thoroughly agreed with Mr. Joshi. He similarly deprecated that the office of Advisor to the Bureau had already been done away with, and under the head "Railways" advocated the establishment of Whitley Councils—a proved machinery for the prevention of strikes and the establishment of standards of life and wages by agreement, instead of by one man's command; and he finally urged the appointment of a Third Class Passenger representative on the Railway Advisory Board. Mr. Bagde had a fling at the Assembly's Committees which had killed much social reform legislation, and Mr. Rangachariar (sub-head Customs) declared himself, somewhat surprisingly, as against the principle of overtime. He made up for this by advocating the transfer of the Labour Bureau to the Publicity Bureau (!), for the retention of which he put in a strong word.

POLITICAL DEPARTMENT.

Indianization was of course a topic, which cropped up in connection with almost everything; and of other grievances ventilated there were the

inquisitorial methods of income-tax officers, bribery on railways, the absence of registration of nurses, and what not. The vote for the Political Department afforded a handle for reference to the Princes' Protection Bill, of which Mr. Rangachariar availed himself to protest emphatically against the way the House was treated over this Bill—and Munshi Iswar Saran pointedly exclaimed (in connection with Mr. Thompson's attack last session) that this House would stand no nonsense from a Political Secretary, nor indeed from higher quarters. He also queried, how this House could be deemed competent to protect the Princes, but not the Princes' subjects; and Sir Devprasad Sarvadhikary, under the vote for Chiefs' Colleges, managed to get in a little dig at certain Princes who themselves needed Indianization badly.

NET RESULT.

What then was in the end the financial net result of the cuts carried? The five major ones were:

Customs' Retrenchment	4	lakhs.
Railway "	50	**
•	114	**
General Administration retrenchmen	t 5	33 ·
Public Services Commission	3	17

176 "

Of these, the 114 lakh cut had already been restored by Saturday, and it was a foregone conclusion, that the 3 lakh one would be similarly certificated. Of the total demands made (Rs. 130,80,65,000)* therefore only 50 lakhs had been deducted, and even so, the Government stated that they would have to ask for 9 lakhs by way of supplementary grants, to make good the "oblique" outs made. Hence at the end of the "second stage" the figures stood:

Total Expenditure Rs. 130,30,55,000*
Revenue at present level 126,61,71,000

Deficit 3,68,84,000

Upon this scene the curtain fell, leaving the solution of the problem, as to how to cover this deficit, to the last act of the budget drama, timed to commence next Monday.

A LETTER FROM LONDON.

(FROM OUR OWN CORRESPONDENT.)

LONDON, MARCH 1.

GRAVE SITUATION IN KENYA.

THAT things are not going on at all well in Kenya is evident from a Nairobi telegram announcing that the Governor, Sir Robert Coryndon, in opening the European Convention, described as the White Settlers' Parliament, disclosed confidentially new proposals which ease the situation to some extent from the European aspect. It is stated that this Convention was attended by a large number of

The difference of Rs. 10, 000 represents the cut accepted.
 in Members' Allowances.

the ordinary public and it would be interesting to know, in reply to a question that is now being put by Sir Thomas Bennett in the House, why this 'confidential' announcement should have been made at all and in these circum. stances. It is sometimes suggested in official circles that the Governor is not taking sides, but the telegram puts the matter beyond dispute by stating that he announced his intention of proceeding shortly to England at the invitation of the Duke of Devonshire, accompanied by several European representatives, to be selected by the Convention, to discuss details' personally with the Colonial Office. The Governor, it is said, decided to go to London when the Covention gave an assurance that its members would do all in their power to discourage and prevent direct action locally during the negotiations in London. provided that no steps were taken in the meantime during that time to force an issue. The Convention however reserved its freedom of action should the London Conference break down. No wonder that Sir Robert Hamilton, M. P., ex-Chief Justice of East Africa, pointedly asked the Under-Secretary for the Colonies yesterday whether this information was correct, and if so whether in view of the reservation of the Convention as regards direct action the Secretary of State approved of the Governor leaving the Colony. Mr. Ormsby-Gore gave an evasive reply. The telegram distinctly stated that the Governor disclosed new proposals to the Convention. These were presumably put forward by the Colonial Office. Mr. Ormsby-Gore, however, said that no new proposals had yet been received by the Colonial Office. It is sincerely to be hoped that the Indian leaders will not allow the Kenya. Governor and his European followers to steal a march over them with the Imperial Government.

PRINCES PROTECTION ACT.

Mr. E. S.. Montagu, reclying to the toast of "The Guest" at a dinner given by the Cambridge Indian Majlis, on Saturday, said it was quite true that he loved Ind a as much as any man who was not a citizen of India. There must be no insuperable obstacle to a complete partnership between India and Great Britain. He had always hoped that in spite of sei-backs that had occurred the good faith of England would be recognised by the people of India. He was wholly with them in their aspirations to make India one of the foremost countries of the world, and he looked forward to the time when every shalow of the horrible word ascendancy would disappear, and enthroned in its place would be partnership and friendship. Mr. Montagu was an interested onlooker from the galiery under the clock during the debate on Col. Wedgwood's motion on the Indian Princes' Protection As:, of which more below.

On T esd y an important debate took place in the House of Commons on a resolution by Col. Wedgwood, seconded by Mr. Snell, and supported by Mr. Saklatvala, Mr. C. P. Trevelyan, and Mr. Lansbury, all Labour members, requesting His

Majesty to refuse to give his assent to the Indian States (Protection against Disaffection) Act. 1922, passed last year by the Council of State, after its certification by the Viceroy, under the powers vested in him by the Government of India Act to certify that the passage of a Bill is essential for the safety, tranquillity, or interests of British India or any part thereof, after a first reading had been rejected by the Assembly. The resolution was opposed by Sir Percy Newson, formerly in Bengal and Assam, Mr. Charles Roberts, Mr. Rupert Gwynne, who still has Mr. Gandhi on the brain, Mr. J. Hope Simpson, the Independent Liberal who was for a number of years in India, Sir Thomas, Bennett, Lord Winterton, Sir Charles Yate, as was inevitable, and Capt. Reginald Berkeley. The result was a foregone conclusion. The Labour Party was solid, the Liberals were divided, with all the big guns against the resolution, whilst the Conservatives, of course, were united against it, and it was defeated by 279 against 120, the minority containing a small sprinkling of left-wing Liberals. It was the biggest majority so far achieved by the new Government. From the moment that it could be shown that the Vicercy declared that he was in honour bound to pass the Act and that his resignation must immediately follow acceptance of the resolution, the fate of Col. Wedgwood's bantling at the hands of a House still keenly conscious of the many services of the Indian Princes during the Warwas a foregone conclusion.

REMITTING MONEY TO ENGLAND.

Referring to the Finance Member's reply in the Legislative Assembly in answer to the question, "Why should the business of remitting money to London not be done in India by the Government of India?" the financ al elitor of the Times remarks that the whole question of making these remittances is in the hards of the India Office, and the Bank of England, being the bankers to the India Office, provides facilities for the sale of Council drafts. It is merely the channel through which app ications for and sales of drafts are made. It is not concerned with policy, which is the real problem raised by the questions addressed to the Finance Member. It is asked whether it is to the best interests of India that the operation of transferring money from India to London should take the exclusive form of selling rupee bills in London. Is it advantageous to exclude the alternative method of the same operation-namely, the purchase of sterling bills in India? An arbitrage dealer, says the financial expert, would give a prompt negative. Within the past year or two, we are reminded, a central bank has been formed in India in the shape of the Imperial Bank. Is there any reason to suppose (it is asked) that the Government of India, with its expert advisors and sentral bank, could not do the work equally well with Downing Street? Experience has shown, we are told in conclusion, that in these matters it is usually best to trust the man on the spot. It is possible, therefore, suggests the expert, that Sir Basil Blackett's questioner will inot rest content with the answer he has received.

FAVOURABLE COMMENTS IN BRITISH PRESS.

Generally speaking, there has been more favourable comment regarding the recent activities of the Assembly in the Press here. There is not so much tendency to carp and criticise, and perhaps the less hostile telegrams sent by certain press correspondents in India account for this milder tone in part. It is true that the Allahabad correspondent of the Daily Telegraph and his Calcutta colleague representing the Morning Post are unrepentant, but one need not take them too seriously. Such a letter as that appearing last week from the pen of Sir Claude Hill in the Times carries far greater weight, and the circumstances in which the Racial Distinction Bill was passed and the resolution criticising Lord Peel's despatch was not pressed to a division, have been favourably commented upon, even though the Assembly outvoted the Government on the question of railway management, for the Indian Legislature received, in effect, the support of Sir William Acworth. It is certain, however, that the last of this matter has not yet been heard here. Mr. H. Wilson Harris has an interesting article in the Daily News in which he bears out Sir Claude Hill's conclusions that the situation in India is certainly much better than it was a year ago, and that the worst corners have been turned-

THE NATIONAL CONFERENCE.

THE following letter giving cover to a questionnaire has been circulated by Dr. Annie Besant, General Secretary of the National Conference, to all those who are interested in the working of reforms:—

Dear Sir,—I take the liberty of enclosing a Questionnaire on the working of the Reforms Act of 1919 and allied matters, drawn up at the wish of Sir Tej Bahadur Sapru, the Convener of the Select Committee appointed on February 13, 1923, by the National Conference, held at Raisina, Delhi, to investigate and report on the possibilities and deficiencies of the Reform Act, the future allocation of powers to the Federal and Provincial Governments, their relation to each other, their Constitution and Franchises, and matters arising in connection with these questions. The Committee would be very grateful to you if you would assist their labours by giving your opinion on the matters submitted, and any information which you feel at liberty to give, that has come to you within your personal experience, as a legislator or administrator, either in the form of an answer to a question, or as a memorandum on any part of the subject.

I am directed to ask you to be good enough to send any answer or remarks you may be pleased to give by April 15th addressed to Dr. Annie Besant, General Secretary of the National Conference, P. O. Box 904, Madras S.—Sincerely,

ANNIE BESANT, D. L. Gen. Sec., National Conference.

QUESTIONNAIRE.

1. What is your general estimate of the working of the Reform Act of 1919 in your Province? Has it definitely increased the power of the Legislature in relation to the Executive Government (a) as a whole; (b) as regards the Executive Council; (c as regards the Ministers?

2. Have you any information of any difficulties arising under § 80 c 3, of the Government of India Act, in relation to any resolution or legislation thought desirable by the Legislature, but regarded (i) by the Governor General, (ii) by the Secretary of State, as coming within this section?

BILLS.

- 3. How many Bills have been brought in since the Legislature met in 1921 (a) by Councillors; (b) by Ministers; (c) by private members? and in each case what has been their fate?
- 4. What measures on Transferred Subjects have your Ministers introduced and carried, especially on (a) education; (b) industry; (c) local self-government; (d) woman franchise; (e) uplift of the backward classes; (f) social reform; (g) any other subject within their powers? In each case, what has been the result?
- 5. What measures on any or all of these subjects have been introduced by private members? Please give the name of any such member, and mention the amount of support received, the fate of each measure in the Legislature, division lists, if any, and the action of the Governor thereon.
- 6. What measures on Reserved Subjects have been introduced by Councillors? (a) Has any one of them been rejected by the Legislature?
- 7. How many times has the Governor exercised his veto on (a) Bills of Ministers; (b) Bills of private members, passed by the Legislature? How many times has he certified (a) and (b), and (c) Bills brought in by Councillors, rejected by the Legislature? Has any instance occurred of any such measure being brought in again in a subsequent session?
- 8. Has there been any case of Ministers voting (a) against or (b) remaining neutral, on any Bill brought in by a private member, or (c) remaining neutral on any Bill brought in by a Councillor?

RESOLUTIONS.

- 9. How many resolutions have been sent in to the Council of your Province by non-official members? How many have been (a) (i) disallowed; (ii) for what reason; (b) accepted; (c) rejected; (d) carried out by the proper authority?
- 10. In how many cases of resolutions of private members have (a) Councillors voted, (i) for, and (ii) against?

 (b) Ministers (i) voted for, and (ii) against?
- 11. What success has been achieved in the Budget debates? What failures have been suffered?

DIARCHY.

- 12. Have the two halves of the Government acted (a) (i) as a Cabinet, (ii) independently? (b) how far has the Governor held joint deliberations? (c) In how many cases has he consulted (i) only the Executive Council, (ii) only the Ministers?
- 13. Do you know, or how far can you judge, whether (a) the Ministers have been able to influence (i) Councillors, or (ii) Government action on the Reserved Subjects; (b) the Councillors have been able to influence (i) Ministers or (ii) Government action on the Transferred Subjects? Whether the influence under (a) or (b) has been (i) helpful, or (ii) obstructive?
- 14. How far has the joint purse benefited or hindered the working of Transferred Subjects?
- 15. What has been the result of the working of Diarchy in the Executive Government of your Province? Has it seriously interfered with Ministerial work? Can you give any information as to its working within the Government?
- 16. (a) Do you know of any cases of friction between the Councillors and the Ministers; (b) (i) between the Ministers and the services; (ii) between the Ministers and the Heads of the Departments they control; (iii) any case in which ministerial power over the Transferred Subjects has been frustrated or hindered by the fact that the members of the I. C. S. can appeal to the Secretary of State for India, against a ny disciplinary action taken by a Minister?

PARTIES.

17. (a) Has your Council yet devided into parties? (b) If it has, have the Parties any basis other than political opinion, e. such as differences of caste or religion? (c) In the latter case, has such caste or religious difference influenced appoint

ments in Government Service, or has merit alone been conmidered in such appointments?

COMMUNAL REPRESENTATION.

17. Has Communal Representation drawn the Communities possessing it closer to the general body of electors, or has it driven them further away?

18. What opinions, for or against have been expressed in your Province by (a) (i) Councillors; (ii) Ministers; (iii) nonofficial members? (b) What is the state of feeling in your Prowince on the question? (c) Do you favor (i) its extension to communities other than those which already possess it, (ii) to local bodies such as Municipalities, District, Taluq, Union and Village Boards, Universities, Colleges, Schools, or others? (iii) Do you place any limit to such extension? (d) (i) Would you restrict it, by taking it away from any communities which now possess it? If so (ii) from which?

19. (a) Have you considered the effect on (i) Nationality. (ii) National interests, of the election of members to represent special as against general interests? How do you suggest that National interests can be protected in a Council of members elected on the basis of race, religion and caste, and dependent for re-election on the advantages they gain over rival communities for the communities they represent?

20. If you favour communal representation, do you think that the plan of the old Congress, whose members were elected without regard to race, religion or caste—that no matter affecting these should be raised if a certain number of the members belonging to any one of these objected to its introduction-would sufficiently defend such interests?

21. Can you suggest any way of securing a fairly stable Government, if groups of members representing the races, religions and castes, etc. were substituted for political parties, so as to meet the objections urged by those that object to communal representation, who suggest that shifting combinations of such groups, bartering mutual support for other than National interests, would render any stable Government impossible?

(It is very important that both sides of this question should be fully laid before the Select Committee on constitutional changes.)

22. What questions have arisen in the Council affecting communal interests, and what has been the attitude towards them of (a) Councillors; (b) Ministers; (c) non-official members of other communities than the ones affected?

23. Can you estimate the public opinion of your Province on this question, and indicate the reasons on which your estimate is based?

MEMBERS OF THE GOVERNMENT.

24. (a) Have members of the Executive Council visited the different districts of their Province, and made themselves familiar with the wishes of the people on the conduct of the Reserved Subjects? (b) Have they explained their policy on each of these in public meetings, in which questions were allowed? (c) Have they explained the measures they proposed to introduce, and tried to win the approval of the people before they introduced these? (d) What have they done to prepare the electorates for the disolarge of their duties, when the Council shall be wholly elected, and a responsible Cabinet shall take the place of Diarchy, tous helping in the progressive substitution of responsible for bureaucratic government, the 4 geal of British policy in Lidia "?

25. What have the ministers done under these same heads, so as to mark the difference between a responsible Minister and an irresponsible Bureaucrat?

NON-OFFICIAL MEMBERS.

26. What has been the average attendance at Council meetings of each member of your Council?

27. (a) How many members have visited their constituencies during 1921, 1922, 1923? (b) What improvements have they brought about in them? (c) What work have they done in them, and on what lines have they tried to educate them politically? (d) Have they ascertained their special needs, and drawn the attention of the Government and Council to their grievances? (e) Have they seen to schooling facilities in

villages, sanitation, water supply, and temperance? (f) Have they encouraged village industries? (g) What have they done for the improvement of the backward classes, especially in the removal of their hardships as to education, wells, segregation and other local disabilities?

ATTITUDE OF PROVINCE.

28. Can you say what is the attitude of your Province towards: (a) its Ministers; (b) the working of the Council; (c) the value of the Reforms; (d) the Council of State; (e) the Legislative Assembly?

The Select Committee would be grateful for any remarks, bearing on its special subjects: for memoranda as tersely written as possible, throwing light: (a) on the gaining of Dominion Status by the Colonies under Great Britain; (b) on deficiencies to be supplied and restrictions to be removed in Dominion Acts already in force; (c) on Communal Representation, for and against; (d) on other methods of obtaining Dominion Status other than by changes in the Reform Act, or a new Constitution; (e) on the removal of restrictions and the addition of powers in the Government of India Act, 1915, as amended in 1916 and 1919, which would give Dominion Status to India; (f) on whether a new constitution should confine itself to the establishment of Dominion Status in the Federal and Provincial Governments, or include a decentralised Local Government with graded electorates? (g) on the advantages and disadvantages of uni- and bi-cameral Legislatures in both the Provinces and the country as a whole. Such memoranda should be written separately.

BOOKS RECEIVED.

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