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Acting Editor: S. G. VAZE.

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TOPICS OF THE WEEK.

IN response to the appeal made by several public bodies, the announcement has been made that, in exercise of the royal clemency, a certain number of prisoners will be released and several will have their sentences reduced. Cases of political prisoners, convicted of offences against the State, will also be included in this concession, which will be valued highly throughout the country. In all cases local Governments are to make the selections, and if they are generous in carrying out the policy enjoined upon them by His Majesty much of the present bitterness, carried to an extreme length, will pass away. Above all, those who have recently suffered in the Punjab, unjustly in the opinion of the general public, ought to receive the benefit of the King-Emperor's wise act of mercy.

* * *

WE accord a cordial welcome to the Maharaja of Bikaner, who returns home on the 17th after rendering to his motherland services of the most valuable kind in a position of the utmost responsibility. The Deccan Sabha has sent him the following message: "The Council of the Deccan Sabha, Poona, bid Your Highness sincerest welcome with very grateful feelings for your courageous, strenuous, successful, patriotic endeavours for our common country at the Imperial and Peace Conferences. They wish and pray Your Highness may rule long over your State in health and strength and bestow on your subjects the benefits and blessings of enlightened, progressive and liberal government."

* * *

Young India of 12th instant publishes all the papers relative to the case in which the editor of

the Lahore *Pratap* was sentenced to 18 months' rigorous imprisonment and a fine of Rs. 500. They show conclusively that Lala Radha Kishan has suffered in this case as flagrant an injustice as Babu Kali Nath Roy suffered in the *Tribune* case. The first thing that strikes one in this connexion is that prosecution was launched against Lala Radha Kishan for articles written on April 5 and on dates anterior to it, after he had received a warning from the Government on April 10. It means that the Punjab Government, when they conveyed a warning to the editor, had before them all the articles which were subsequently made the subject of legal action. The warning too was received well; it was certainly due to the editor in these circumstances that no proceedings should be taken against him till it was found that the warning had failed of its effect. Why was the warning administered to him at all if the offending articles were to be brought to a court of law and the writer punished according to his deserts?

* * *

IN the present instance, however, the award of conviction and sentence was in no way deserved by the editor of the *Pratap*. He wrote in the issue of April 3, to the effect that though the crowds believed that firing took place without any cause they refrained from violence. This innocent statement, intended to show the peaceable character of the meetings held in Delhi and Amritsar, is represented in the judgment of the case, as an absolute asseveration that the firing was necessary. It is clear that the tribunal has grievously wronged the writer of the article in transferring to him the belief, cherished by the crowd, that firing was not justified by the circumstances of the case. The leading article in the issue of April 5 says that the firing, whether justified or not, must have caused death or injury to many innocent men. This is held to be an objectionable and false statement. But it is not unreasonable to assume that, when fire was opened promiscuously upon a vast crowd, among the victims there should be people who had committed no violence or who had gathered with no evil intent. Nor was it claimed by the prosecution, as Mr. Gandhi points out, that all or, in fact, any of the killed or wounded were themselves guilty of any act of violence.

* * *

THE other part of the article to which objection was taken runs thus:—

"The apprehension of a breach of the peace was not so great as to necessitate firing . . . and . . . the people threw

stones and brikkbats at the time when the authorities had already taken the initiative,"

The version, given in *Young India*, is this :

"Generally what we have heard is that the danger of the disturbance of the peace was not such as to justify firing, and that the people threw stones, etc. after the aggressions on the part of the authorities."

The italicised portion in the above, which is omitted in the charge sheet, certainly alters the writer's meaning materially; and the very next sentences, to which the tribunal does not seem to have given due weight, directly negative the meaning which the prosecution has persuaded the court to read into the above sentence. They are as under :—

"It is possible that some person among this immense crowd may have thrown a stone at some police officer. Even allowing this, we say that the wisdom of the authorities demanded that they should have adopted some method other than that of firing to check the disturbance. . . . We cannot say who is in fault or who was on the aggressive. But we cannot help saying that even if the official statement is believed for a moment that the people gave provocation and that there was a danger of an attack by them, there was the possibility of misunderstanding as is proved by another incident, and if more care had been used there would have been no need of firing."

We will also quote below a few sentences immediately preceding the one specified in the indictment, to make the writer's meaning clear :

"The statements of the *Civil and Military Gazette* and the *Associated Press* lay blame (for the Delhi outrage) at the people's door. We are sorry that no reliable statement about the event has yet been published on behalf of the people. Swami Shradhanand's information is based on hearsay and we ourselves have no personal knowledge about it."

* * *

IN our judgment, the passage quoted above proves that it was far from the writer's intention to make a positive assertion that aggression was on the side of the authorities or that firing was not at all necessary. In fact, he expressly disclaims any such intention and refuses to take on trust Swami Shradhanand's statement which, though apparently credible, he believes to have no better foundation than hearsay. He suspends his judgment till a "reliable" and authoritative statement is forthcoming, argues that it is possible (he does not put it higher) that the provocation on the part of the people, if any, was not such as to justify the use of the force which was actually employed, and then pleads for an independent and searching investigation into the incident. No other conclusion as to the writer's meaning is possible if the article is read as a whole.

* * *

ANOTHER statement to which exception was taken was that firing resulted in the death of forty men. It appears in a communication from a correspondent, and there was reason, at the time when it was published, to believe in its correctness. The court puts the figure at 10, on what evidence it is not known. We do not know if even yet the number of deaths has been officially given. But when an *Associated Press* message gave a lower figure,

the *Pratap* not only quoted it, but warned its readers that the figure given by its correspondent lacked confirmation. Such was its sense of fairness that it quoted the *C. and M. Gazette* version in a conspicuous place. This will generally be taken to prove the *bona fides* of the writer, and if the statement to which he gave publicity was false, at any rate it has not been proved, as the law requires it to be proved, that he had no reasonable grounds to believe it to be true. Rule 25 of the Defence of India Act requires both that the statements complained of should be false and the writer should have no reasonable ground to believe them to be true. The court, believing that the statements were false, proceeded forthwith to convict the accused, without pausing to see whether the writer had any ground to believe them to be true. The readiness with which the accused corrected a possible mistake in the allegation of the correspondent, the judgment says, was taken into account in awarding sentence, but it should have been taken into account while recording a conviction.

* * *

IN sum, two of the statements complained of as a misrepresentation of facts have, by reason of the suppression of the qualifications to which they were subject, been so distorted as to convey an entirely different sense, to that which they were intended to bear, and the third, if inaccurate, ample evidence was adduced to show, was made in good faith. Every dispassionate critic will thus agree with the considered judgment of Mr. Gandhi that the conviction of Lala Rada Kishan is a travesty of justice. We do not wish to characterise the sentence. This case too must be taken up by the public and justice sought in all possible avenues.

* * *

THE full text of the judgment in the Lahore and Amritsar conspiracy cases is not yet available, and so it is not yet possible to pronounce a considered opinion on it. But such extracts as have been so far published go to confirm the first impression based on antecedent probability. If the extracts given by the *Pioneer* in the Amritsar case have not omitted any material points, we have no hesitation in saying that the Martial Law Tribunal has failed completely to appreciate the true significance of the doings of the Punjab leaders in the anti-Rowlatt Act agitation. Their offence is said to be that they formed a criminal conspiracy in conjunction with conspirators elsewhere (Gandhi?) to overawe Government and to secure the abandonment of the Rowlatt Act. Conspiracy of course there was, in so far as concerted action was taken by several people. They conspired with a view to securing the repeal of the Rowlatt Act as Mr. Montagu and Lord Chelmsford conspired with a view to reforming the government of India. What we are concerned to know is: was the conspiracy criminal? The judgment, or the portion of it which is before us, does not cite conclusive evidence to prove that the conspirators resorted to

unlawful or unconstitutional methods. Protest meetings were held, indignant speeches made, *hartal* organised, but all these can be done in the way they were managed in Bombay, for instance. Why is the existence of a 'criminal' conspiracy to be presumed in this case?

IT is said that seditious speeches were made in that the speakers dwelt "on the tyranny of Government and its harsh and repressive measures." While speaking on the Rowlatt Act, they must have often characterised it as an extremely harsh measure, and that cannot in itself be sedition. And the contention of the prosecution that speeches even more moderate in tone than those delivered in the Indian Legislative Council could be taken exception to gives one an idea of the probable character of the speeches which the Martial Law Tribunal characterise as seditious. The tribunal state that the 'conspirators' made seditious speeches with the intention of bringing Government into contempt, so that when contempt for Government was created people could be induced to practise civil disobedience. Well, if the frame of mind in which one is prepared to civilly disobey an immoral law passed by Government is to be regarded as contempt of Government, then all passive resisters may be stigmatised as seditious-mongers. The Commission thus argue: The speeches at meetings produced excitement, the excitement led to disturbances; therefore, the speakers are responsible for, or the authors of, the disturbances—a dangerous solecism. One may as well argue: The deportation of the leaders produced excitement, the excitement caused disturbances; the disturbances were thus caused by those who issued the deportation orders.

THAT Drs. Kitchlew and Satyapal were considered leaders, were present at meetings held on 30th March and 7th and 8th April, took prominent part in the Satyagraha movement and *hartal*, and also participated in or originated other public movements is nothing to the purpose. There is nothing criminal in this. Of Dr. Kitchlew the Commission believe that he did not incite people to wage war; on the contrary, like a true Satyagrahi, he was averse to the use of force; evidence has been adduced to prove it. A dispassionate attempt on our part to understand the nature of his offence as well as those of the co-accused from the judgment of the tribunal has failed to give us any definite idea. It would certainly have been better if some portions of the speeches regarded as seditious had been quoted, or some of the criminal acts committed by them had been mentioned. In default of the them, offences of which the Martial Law Commission have convicted the accused remain unestablished, to the general reader. Only in the case of Dr. Bashir is it mentioned that "he was present at the attack on the National Bank and incited the mob to take revenge for those injured by firing." This is a specific allegation of

a serious nature, but we do not know what evidence was produced before the commission to prove it. For the rest, that he was regarded as a leader and organised meetings and so forth does not count for anything. And on Dr. Bashir the sentence of death has been imposed.

THE judgment in the Lahore case is of a like nature. The Commission arrive at the conclusion that the opposition to the Rowlatt Act in Lahore was due to the accused, that the latter advocated passive resistance, though they did not take vows, that they organised *hartal* and supported *langar khanas* established for the purpose of feeding those who could not get food, &c. It was contended on behalf of the defence that the accused used their influence to put an end to *hartal*, which plea the Commission reject. But even supposing that they did not lift their little finger to stop *hartal*, nay organised it themselves, do they become guilty of any offence? The fact that even prosecution witnesses gave evidence favourable to the defence is explained away in a manner that does not enhance one's confidence in the competence of the tribunal to weigh the evidence with perfect impartiality. It has been said that the accused "brought about various outrages;" we should very much like to know what specific outrages were committed by them and what evidence was produced to support the charges. That some among the mob destroyed pictures of Their Majesties and a railway Khalasi shouted he had himself killed a number of British soldiers, if true, shows that a few persons among the multitude were in an ugly mood, but it does not show that any of the accused were implicated in any serious crime.

"IT would be better, I have always thought," says the London correspondent of the *Bengalee*, "for the different parties represented here to jettison that part of their respective cargoes that they do not carry in common and unite—if only on parallel lines—in advocacy of those features of their programmes that are common to all of them, and these are neither few nor unimportant. If the Congress deputation feels that public opinion in India, in view of the Delhi proceedings, would be hostile to such a procedure on its part, it may as well be recognised that their visit here, so far as the Reform Bill is concerned, will be an utter failure. It will carry no weight, it will influence nobody that counts, and it will fail to impress anyone with the political capacity of Indians." Mrs. Besant is for such a unity and that is why she is working "hand and glove with the Moderate deputation," to the great anguish of Nationalists. It is clear that Mr. Tilak's reactionary views in social matters are becoming known to Labour leaders who are consequently growing cold to him and veering round to Mrs. Besant, whose views on reforms coincide with the views of the Moderates in all essentials.

THE BOMBAY LEGISLATIVE COUNCIL MEETING.

THE last meeting of the Legislative Council was not of transcendental interest, though the work deserves notice and enables one to judge what will happen in the reformed councils of the future. The Council business opened with a loyal resolution moved by the Hon. Mr. Parekh, congratulating His Majesty on the conclusion of a successful war and the signing of just peace. His Excellency the Governor made a stirring speech before putting this resolution, emphasising the importance of the peace to the Empire and referred to the forthcoming reforms. The first regular item was the general discussion on the budget—an item which will no longer figure on the programme in future as the budget will be passed in detail by the reformed legislative councils, and the points made by the various speakers will naturally be raised on the various heads of the budget as they come up for sanction. The last budget was satisfactory on the whole in spite of the state of famine and scarcity. The excise revenue has come to the rescue and the proposals for expenditure show quite a healthy spirit. The expenditure on education shows a satisfactory rise and this department bears the impress of energy and zeal of the member in charge. Complaints were made in the speeches on the inadequacy of the pay of teachers, especially in the primary schools, who have not been paid even a living wage, the insufficiency of accommodation in the Engineering and Medical Colleges, and the small expenditure on industrial and technical education. The expenditure on the police came in for some criticism, but one can hardly grudge the men in the police force reasonable conditions of wage and housing, and the public is only interested in seeing that the money spent is properly utilised. It is in this direction that comments should be directed. The recent raising of the pay of the men in the higher European grades is also greater than that in the case of the humble constables. Complaints about the inadequacy of the pay of the subordinate staffs of all departments were also frequent, and in fact this question of the adequate payment of the lower paid servants of Government is likely to prove a very difficult job for the ministers of the future as they will have to find money for the purpose.

The Hon. Mr. Purshotamdas who has taken such a keen interest in famine relief raised the question of fodder preservation to meet possible famines, and Government promised to take immediate measures on a large scale. The question of a fodder supply is one of the acutest in Indian agriculture and has to be satisfactorily solved in the near future if our population is to be free from the risk of a fodder famine at a very short notice. Mr. Purshotamdas also advocated the development of our sea communications as in times of stress the railways will not be able to meet every demand.

The bills before the Council were most of them

merely formal. The Juvenile Smoking Bill introduced by the Hon. Major Fernandes was postponed, as he wishes to get public opinion on it. The bill, one gathers, does not recommend itself to a large number of people, for though its principle is sound, it is likely to give a good deal of power to subordinate police officials. Another bill to regulate the dealings in tobacco in Bombay and to take the place of the old Act which is now out of date was read a first time and referred to a Select Committee for report. It is understood that it will come up for final disposal at a meeting in September, at which, one understands, an important bill on village panchayats is likely to be introduced, as also perhaps another bill dealing with local self-government. These bills will, it is hoped, bear the impress of the reforming zeal of Sir Ibrahim Rahimtullah.

There were seventeen resolutions down for discussion of which about half a dozen produced very lively debates. Two of them referred to the depressed classes. In one Principal Paranjpye asked that Government should instruct the local officers to appoint members from these classes to local bodies whenever suitable men are available. This was opposed only by Mr. Manmohandas Ramji and Rao Saheb Harilal Desai, who brought forward the inevitable argument that the time for reform is not yet. Heaven knows when it will come if we are always to sit with folded hands! The resolution was supported by Government in spite of some hypercritical remarks by Mr. Mountford, Commissioner, C. D., and it received the approval of the Council. The Hon. Mr. Belvi next proposed that the wells and Dharamsalas maintained by local bodies should be open to the depressed classes, or, in the alternative, that separate wells and Dharamsalas should be maintained by the local bodies for such classes. The statistics furnished to the honourable member by Government disclosed a lamentable state of affairs, and immediate action is obviously called for. He as well as his supporters urged the reform in the name of justice, for these classes contribute towards the revenue of these bodies and should therefore have the benefit of all the public services maintained by them. To several of the non-official members the proposal seemed too rash, many conjured up visions of riots if the depressed classes were allowed these facilities, and it was also contended that the demand had not come from these classes at all. Sir Dinshaw Petit wanted to go even a step further than Mr. Belvi and do away with the alternative mentioned by him. The non-official opinion appeared to be approximately evenly divided, and Government decided to remain neutral. Sir Dinshaw's amendment was decisively lost and Mr. Belvi's original proposition was lost by 14 votes to 20. It is worthy of remark that in spite of Government's neutrality every official member that did vote at all voted against the resolution, thus showing, what has often been seen before, that opposition to social reform is to a certain extent encouraged by European officials. Still we are always twitted with the remark that

Indians are not doing much for their depressed brethren and that the British Government can be their only guardian.

Two other resolutions of Principal Paranjpye evoked a very heated debate, and as Government assumed an antagonistic attitude they were both lost. One referred to the method of appointing subordinate judges. He advocated that two of these places should every year be filled up by the two men who are placed highest in the LL. B. examination. He described the present system of filling these posts, and spoke of the patronage, the police reports, and other evils they inevitably lead to and showed the inadequacy of the condition of three years' practice at the bar, which is supposed to train them for their work but which in these days is hardly adequate as the legal profession being greatly crowded, no pleader can acquire any appreciable practice in three years. In his speech he made it clear that a suitable training while serving apprenticeship was necessary. R. B. Sathe gave his opinion that the present system was lowering the standard of our subordinate judiciary, and the resolution was supported by many members from the mofussil, but the Government view prevailed with the official members and several non-officials from Bombay. We hope, however, that the discussion will do some good by minimising the evils of the present system. Principal Paranjpye's other resolutions called attention to the overcrowding and want of adequate accommodation on the steamers plying to the Konkan parts and asked Government to take steps to remedy the grievances. Government spokesmen practically admitted the evils complained of, but followed the now usual practice of attributing every evil to the war. They and others said that it was a matter for private enterprise, and the only way to remedy the evils was to start a rival concern. But one of the main points made by the mover was about the cut-throat competition, and to prevent it some legislation is necessary. The world, said the mover, is now not wedded to the pure doctrine of free trade, and in case of monopolies which affect large sections of the public the State has often interfered for the protection of the people as by means of trust laws in America. We hope that the honourable member will not allow the matter to drop, but will take an early opportunity to propose a bill, giving the necessary legislative powers to Government.

The Hon. Mr. Upasani proposed two very important resolutions, and on one of them he was defeated by only one vote and the other he withdrew after getting satisfactory assurances from Government. The first asked that revisions of assessment of land revenue should not be made till each settlement had been in force for thirty years. He brought forward cases of three talukas in East Khandesh where the revision had been made after a much shorter period. The popular view was altogether the same as that of Mr. Upasani, but Government brought its full battery

to bear upon the members, and he was defeated by only one vote. The other resolution of the member referred to the imposition of the punitive—no, "additional," in the legal phraseology insisted upon by Government spokesmen though one cannot see any essential difference—police on the 30 village of the Akola Taluka in the Ahmednagar District, when last year there was a riot ending in the murder of an unpopular and tyrannical mamlatdar. Government had appointed a special commission of inquiry which condemned one man to death and several others to transportation and various terms of imprisonment. But before the Commission could report, the order imposing the punitive police was issued. The Commission makes very strong remarks about the conduct of the mamlatdar in his war loan and recruiting campaigns and even expresses sympathy with the accused. Is it fair, is it just, to punish the people in general in this way? asked the honourable member, and the same question has been asked by thousands of people in the presidency. In any case it was eminently a case for mercy. In face of this judgment of the Commission, Government could hardly take a strong line. They said that they would reconsider the matter and all but promised to act on the resolution, although it was not formally passed. The feeling in the Council on this matter was obviously very strong, and nothing but this promise would have saved Government from a defeat, for many of their usual supporters would have deserted them here. We hope that no time will be lost in making a public announcement on this question and allaying the irritation of the people.

During this meeting the Mahomedan members of the Council elected Khan Bahadur Ibrahim Haroon Jaffer in place of Mr. Jinnah to represent them on the Imperial Council, the other candidate being Mr. Faiz B. Tyabjee. If this is the best choice that the members could make, what would the thirty Mahomedan members on our reformed councils be like?

THE TRANSVAAL CRISIS.

THE *Indian Opinion* of June 20 has arrived in this country, which gives the news that the Asiatics Bill, shorn of the amending clause inserted in the House of Assembly, which extended the prohibition in the matter of granting new licenses to the whole of the Transvaal, passed the Senate on June 10 and was referred back to the House of Assembly on June 12. The Assembly finally agreed to the deletion of the clause, but the Government were hard put to it to coax the Nationalists into anything like a conciliatory attitude. The Government on their side employed arguments which will bring but cold comfort to Indians. Their only plea was that the clause was not considered by the Select Committee; on the contrary, witnesses were told that the question of licenses outside the proclaimed mining ground was not referred to them; and it

would on that account be wrong to add such a clause to the Bill at that stage. But the Acting Prime Minister had also to announce the appointment of a commission which would have "wider powers" to go into the whole question. Even this failed to placate the Nationalist members, and nothing less than a threat that the retention of the clause would kill the entire Bill was enough to induce them to drop their opposition for the time being. Col. Collins, on whose motion the amendment was adopted, said that the argument about a wrong being done "left him cold, but he realised that if the clause was passed the Bill would be killed. He was not prepared to see the whole Bill wrecked, and of the two evils he chose the lesser."

The Bill, which now only awaits the Governor-General's assent to pass into an Act, thus deprives the Indians of the trading and land-owning rights which they enjoyed even under the Boer regime, but they are also faced with another commission with "wider powers," and one can easily imagine what they have in store for them. It must not be understood, however, that the Bill, because the worst feature of it has been omitted from it, is the less unacceptable to the Transvaal Indian community or that the whole community does not stand in imminent peril of being absolutely crushed out. The effect of the Act will be more serious than it may at first be supposed. The *Indian Opinion* thus describes it:

"Take the case of one of those merchants who is in possession of a license. He occupies business premises for which he pays rent. His landlord, knowing that he cannot by any chance purchase a piece of ground whereon to build a store, raises his rent year by year until he is starved out. Again, a European trade rival finding an Indian's business across the way flourishing, buys up the premises occupied by the Indian and proceeds to squeeze him out by exorbitant rents. And it should be remembered that when an Indian fails in business his license goes for good. Every business man knows that, unless he owns his business premises, he stands a poor chance against his trade competitors who do. . . . It seems very much like binding a man's limbs and then robbing him."

Again, it should be remembered that the majority of Indians in the Transvaal reside in the mining areas, and so the deletion of Col. Collin's amendment is not much of a concession. Thus the embargo put upon Indian trade in gold fields must, as a necessary consequence, end in the virtual extinction of the Indian community.

The Transvaal British Indian Association, has appealed, as several public bodies in this country, to the Governor-General to veto the measure, and the appeal goes forth most appropriately to him, for, as the *Indian Opinion* points out, the Act of Union, Section 147, leaves the control and administration of matters specially or differentially affecting Asiatics within the province of the Governor-General in Council. It is thus competent to him in his discretion to withhold his assent or reserve it for the signification of the King's pleasure. The certain disaster which threatens the Indian community certainly justifies the exercise of the power, which is no doubt very sparingly

used, of refusing to give assent to the measure passed by the legislature. As a special provision in the Act of Union leaves the decision of such matters to his discretion, he has every right to call it into exercise on this occasion. But what if the Governor-General fails to intervene and the Bill becomes an Act? The *Indian Opinion* thus answers its own query:

"The chairman of the British Indian Association has anticipated that possibility, and he and those assembled at a great mass meeting have solemnly vowed that they will resist its enforcement by every constitutional means. The Indian community are, through years of suffering, well aware of the full meaning of a vow of that kind. And the Government have reason to know it too. It means simply this that the Government, if they were to attempt to put into force an act of that kind, would raise such a storm that would shake the foundations of the British Empire."

These are strong words, but the South African Indians are not known to indulge in idle threats. They are on the contrary known to be as good as their word, and, firm in their faith in constitutional agitation, they can be trusted to fulfil it to the letter.

THE GOVERNMENT OF INDIA BILL.

(Concluded from issue of June 26.)

I have said in my previous note that the Government of India's recommendation for two distinct purses for the two branches of the administration (reserved and transferred) has not been followed. It would appear from the memorandum presented in connection with the Bill and which has just been received in India that my construction is not correct. The question has been left open for decision by the Joint Committee of the two Houses. It is to be hoped that the proposals contained in paragraphs 255-257 of the Joint Report, under which there is to be only one purse and its allocation between the two branches of the administration is to be settled by the Government as a whole, the Governor being the final deciding authority where there is a difference of opinion between the members of the Executive Council and the Ministers, will be pressed for adoption by our delegates. If the official branch is to have its own separate purse and raise its own revenue with the consequential power to bring forward proposals for taxation, then this, operating concurrently with the Governor's unfettered power of certification in regard to such proposals, will practically take away from the popular element the controlling power over the finances of the province as a whole, a power which has been conferred on it under the scheme of the Joint Report. This power is the crux of the whole financial arrangement, and if it is not to be given then the position and status of the popular element will be substantially weakened, with the result that the attainment of real responsible government will be considerably deferred. Moreover, under this system, the Minister's position will be most unsatisfactory. He will have two masters. His one master will be the Legislative Council, whose adverse vote would necessarily lead to his

resignation. He would also be liable to be dismissed by the Governor, who would act in the matter on the advice of his official advisers.

The memorandum further makes it clear that the Governor's power of certification is to be absolute. There is to be no appeal to the Government of India as proposed in the Joint Report. It is not clear why this right of appeal is taken away, seeing that the Government of India can be fully trusted not to give way to the popular view unless it is clearly for the public interest that they should do so. This is rather inexplicable, seeing that the constitution of the Government of India remains practically untouched under the Bill.

Regarding the constitution of grand committees, under the scheme as laid down in para 252, of the Joint Report, the non-official element would be 26 or 27 strong in a body of 40 or 41 members, excluding the Governor. The Bill merely says that the majority of the members shall be nominated members selected by the Governor. Nothing is said about the strength of the elected members who are to be on it. The memorandum throws no light on the matter. All that can be made out is that the elective element is to be reduced, as proposed by the Government of India. This cannot be regarded as satisfactory. Our delegates must try and have the scheme of the Joint Report, which sufficiently safeguards the Governor's responsibilities, restored.

Clause 10 deals with the question of assent to bills passed by local legislatures. It allows a bill to be returned for consideration either in whole or in part together with any amendments which the Governor may recommend. This is an improvement on the existing law, under which a Bill must either be assented to or rejected as a whole.

Clause 11 puts an absolute bar to an official standing as a candidate for election, and if any non-official member accepts any office in the service of the Crown he shall cease to be a member. This provision will not, however, apply to a Minister. In this connection, attention may be drawn to clause 32, which defines the meaning of the expressions "official" and "non-official." A proviso is added enabling exceptions to be made by rules with regard to certain appointments. The memorandum explains that this is intended to meet a difficulty with regard to certain appointments, such as that of Government Pleader, which, carrying no position which can reasonably be held to constitute a disqualification for election, may, unless specially excepted, be regarded as bringing their holders within the definition of "official." I think Government Pleaders and similar law officers of Government should be eligible for election. They are generally leading members of the Bar and should not, as now, be disqualified.

Clause 28 gives legislative sanction to the appointment of statutory Commissions and express provision is made for the appointment of the first Commission ten years from the date of the passing

of the Bill. It is to be noted that the scope of the enquiry is limited to the system of government existing in the Provinces. The Commission is to have no jurisdiction to enquire into the constitution of the Government of India. This is no doubt in keeping with the object of the Bill, which is stated in the preamble to be the gradual development of responsible government in the Provinces. But, as already stated, the entire exclusion of the Government of India from the scheme is not in accordance with Indian public opinion. The possibility of its participating in the general advance towards responsible government, if not now, at some future date, should be recognised in the Bill.

I shall conclude this note with the following extract from the Government of India's Despatch of March 5th, 1919:—

"We regard it as beyond question that the first stage of advance must be a generous one, undertaken at the earliest possible moment. To postpone it now would be a confession of mistrust of our own work and would alienate those classes in the country to whom we must look for the leadership of the movement. We should particularly deplore any argument for delay, based on disclosure of revolutionary conspiracies, which are utterly foreign to the real life of the people and confined to an inconsiderable section. We believe indeed that, while it is necessary to deal firmly with crime arising out of these conspiracies, repressive measures, unless coupled with definite steps in the direction of political advance, can provide only a temporary remedy."

The case for reform cannot be more finely expressed. The people desire nothing more than that these admirable principles should be fully and fairly given effect to.

B. K. BOSE.

CASTE CHRISTIANS & PARIA CHRISTIANS: ANOTHER SOUTH INDIAN HISTORY.

IN concluding my previous article on this subject (*vide* SERVANT OF INDIA, April 24), I observed rather inadvertently that conversion to Christianity was a short cut to social elevation for low caste Hindus. With whatever truth this rule may apply elsewhere, I noticed some very awkward exceptions to it in my last sojourn in South India. I found in the Tamil country that the unlucky Pariah who had become a convert to Roman Catholic Christianity did not, speaking generally, strike me as having made any profitable bargain from a worldly social point of view, whatever might be his spiritual acquisition, which is beyond the purview of this article. In other words, the Catholic Pariah convert in the far South, as far as I could observe his external conditions, did not in general indicate to me any the least sign of betterment or, for that matter, of any change at all in spite of their change in faith. The evils of caste are rife within some Christian folds in South India just as much as amongst Hindus, and the Christians have now even ceased to be scandalised by the presence of caste which is now recognized as "a settled fact" by the church

government of the denominations concerned. How far some Jesuit denominations, in their well-meant aspirations of being "all things to all men," have travelled from the true meaning of Christianity, can be easily realized by entering a few huts at which a Pariah convert resides, or more vividly by observing the scene in the hovels used for worship in or about Trichinopoli or Madura at which he is supposed to perform his adoration to the "Lord in the truest and highest" and which present such a sad contrast to the most gorgeously equipped chapels and other places of worship, study or amusement, meant for the caste Christian converts. The sigh chokes the throat that whatever be the native inspiration of a religion, ancient or modern, ethnic or revealed, the process of its growth and success in this world is doomed after all to be only a compromise with pelf and power!

I concluded an evening walk at Bangalore by a peep into a vast cathedral-like building, still in the process of erection. The aisles, the nave, part of the roof, in fact, the whole framework and the spacious compound around it, had reached a stage advanced enough to give one a glimpse of the august place it was designed to be. While my guide was explaining to me the portions where Europeans, caste Indians and plebeians would be accommodated at a future grand ceremonial, I was thinking of the distance at which a new Pariah convert would be allowed to approach the great pile. For we must remember, as I explained in my last article, the caste rules in South India render a Pariah not only untouchable but unapproachable up to a certain distance. How far Catholic Christianity has been able effectively to loosen the shackles of caste in its folds and given relief from the humiliation of the Distance Pollution to its Pariah protege, both in practice and in theory, is more than I can say. But from what I saw of the scrupulous regard of the Padri for his Pariah flock and the separate provision made by him for his spiritual ministrations, I could gather that Madras was a land most eminently fitted for the cry for separate communal representation all round, which was then so thick in the air there.

The localities that are set apart for Pariahs and other "untouchables" for residential purposes are called Parcherries in the Tamil country. The sites are mostly owned by private owners who either also build the huts and rent them to the Pariahs or, what is commoner, rent the plots of ground only. These settlements are at the mercy of the landlord. Even in big and prosperous industrial centres, such as Madura, Trichinopoli, not even excepting the metropolis of Madras, the "untouchable" populations are confined to these Parcherries, not to speak of their rigorous relegation to these exclusive quarters in towns more orthodox or medieval. But worse. In the Tamil country the Pariah Christians too share the shelter of the Parcherries with their Hindu fellow-countrymen, rather than claim residence with their fellow-believers. In other words, while in other Provinces

the cleavage can be marked between Hindus and the new community of converts to Christianity, in the Tamil country one could mark it rather more clearly between the Pariah Christians and the caste Christians than between the caste Christians and caste Hindus. It seems, therefore, that while in other provinces religion marks the boundary line of the residential privileges as well as other social intercourse between communities, in Madras the caste forms the boundary, and religion, whether inherited or adopted, meekly submits to this domination of caste. The result is that the Pariah convert, with his opportunities for choice of occupation thus completely barred, has had to follow the same despised trade as that of the Pariah Hindu and can therefore hardly be distinguished from him except in the census report. He is the same untouchable and unapproachable a generation after his first convert forefather as he was before.

During my investigations at the Parcherries of Trichinopoli, I came one afternoon across a municipal cart laden with rubbish from the dust bins drawn by a buffalo and bullock yoked together. The incongruity of the picture led me into a conversation with the two municipal servants who drove the cart. They said both of them were of course Pariahs, but while one was a Hindu the other was a Dnani, meaning thereby a Christian. (I remember, in Gujarat the low caste Christians style themselves Wishwasias, to distinguish themselves from low caste Hindus.) The picture that stood out before me was a symbol of vicarious suffering, a sacred mystery of the Christian theology. The municipal cart was the instrument of physical cleanliness and tidiness of the locality to which it was meant to minister. Be it a bullock or a buffalo, a Christian Pariah or a Hindu Pariah, either dragging or driving the car of physical salvation, the whole spectacle was a moving, living, and sentient symbol of vicarious suffering to me. Providence may or may not have ordained it: human society has been conveniently benefiting itself, all the same, by this doctrine for ages past in actual practice. As this society becomes more intellectualized, the mystery may grow less spiritual, but yet more social. At any rate so I found it in South India.

I have referred above only to converts to Catholic Christianity. Perhaps the condition of converts to Protestant Christianity may be better. On January 1919, while I was touring in South Malabar, I heard a thick rumour that the great Basel Mission of South India was to cease from that day to be known by that appellation and that the responsibility of its secular management was to be distributed among several other denominations, approved by Government. Whatever be the political significance of this change, I noticed a great stir among the denomination. Yet the Pariah convert appeared to be as little concerned by the change as his next-door Hindu Pariah. The Pariah is no doubt the least politically-minded

human being in this country, for the simple reason that he is the least educated and most neglected, whatever his nominal religion—Hinduism, Catholicism or even Protestantism. On this point I cannot do better than quote the candid confession of a Protestant Christian Mission of Bangalore, Rev. G. E. Phillips. He observed in his lucid booklet "The Outcaste's Hope" (p. 115):

"The needs of the outcaste Christians (note, outcastes are recognized even within the Protestant Christian fold!) have not yet been supplied. Thousands of these people who have been admitted into the fold of the church are yet unsheltered and untaught. Think again of what is involved in sentences like the following from recent Mission reports: 'The number of villages in which our people dwell is 300, and in 164 of these there is no resident teacher.' 'There are more than 700 new disciples baptized during the year for whom now teachers are ready.' There are baptised people in many places, who will answer the question, 'Who is Jesus Christ?' with 'How should I know?' The church ought never to have baptised them if it was going to leave them in this condition."

Poor ill-fated Pariah! Bad luck maketh even thy deliverer repent!

V. R. SHINDE.

A LETTER FROM LONDON.

(FROM OUR OWN CORRESPONDENT.)

LONDON, JUNE 19.

SIGNING OF THE TREATY.

WE are busily occupied with two important considerations. The one is when the five weeks' old drought, that is doing so much damage to the crops, will break. The other is whether Germany will sign the Treaty. There was, until a week ago, a third, namely, whether Britain would have the honour of being the first to fly directly across the Atlantic. That doubt is now solved in our favour, so we are no longer worrying about the matter.

The German difficulty, however, remains. On Monday evening, after a series of irritating delays, rumours and suspicions, the final reply to the German counter-proposals was handed, on behalf of the Big Four, to the German Peace Delegation, who have now returned to Germany with the text of the documents, and Germany's reply is now awaited not later than seven o'clock on Monday evening next. As the Germans left Versailles, a number of French irreconcilables, who had gathered to witness their departure, joined in a violent demonstration against them, to the no small disgust of M. Clemenceau, who had dismissed the Prefect of the Seine et Oise and tendered a written expression of regret on behalf of the French Government. But the incident, unpleasant as it is, clearly shows that, even under the most favourable circumstances, it will take many days to overcome the implacable hostility against Germany that resides in the hearts of large numbers of people in the belligerent countries. Last week, at the great League of Nations demonstration in London, Lord Robert Cecil, whose *bona fides* cannot seriously be challenged and who makes the necessity of a

League an article of political faith, was publicly insulted by some members of the audience. There are, in fact, quite a number of people, here and elsewhere, who will not believe in Germany's good faith and who will die in the certainty that Germans are a treacherous, dangerous, and villainous offspring of the Devil, with whom one cannot and ought not to have any dealings of any kind whatever.

As opposed to these people, there are the idealists, the sentimentalists, the theorists, and the pacifists, who declare that the Treaty that Germany is being called upon to sign is one of violence, that the Peace will be more cruel and tragic than the War, and that Germany is entirely regenerate, or, if not, that the terms of peace are such as to prevent that much-to-be-desired change of heart. There has undoubtedly been a great deal of pro-German propaganda here and other Allied countries during the last few weeks. All sorts of unfair and alarmist suggestions of capitalist domination and imperialism have been thrown out, but no-one here really knows what the conditions of peace are or the motives underlying them, as the text of the Treaty has not yet been published in this country, or, in fact, any of the European Allied countries, though it has been published in neutral countries and in America. People here are already beginning to forget the horrors of war, that have never been brought home to them as they were to Belgium and France. Commercial interests are believed to be not altogether undesirous of re-establishing business relations with Germany. There is still a lurking fear that she may yet devote herself to Bolshevik propaganda if she is thwarted, and there is an undoubted longing for peace, after the apparently unaccountable delays at Versailles, which have, after all, not been unreasonably great, when all things are considered.

A perusal of the letter of reply handed to the German Peace delegation on Monday, on behalf of the Allies and America, ought to satisfy all reasonable people, especially in the complete absence of any reassuring news of a real change in German psychology and German forms of government, that, having regard to Germany's hideous crime against humanity in seeking world-domination by War, the most stringent means must be used to prevent a recurrence of this black episode in world-history, whether by Germany or another. The language of the letter, which bears the impress of the great influence of President Wilson and Mr. Lloyd George, is serious, dignified, and remorselessly logical, and in the light of the arguments addressed by its authors, it is difficult to say that a stern peace of justice is not the highest desideratum at the moment. In any case, by Monday we shall know if diplomatic relations are to be resumed by the signing of the Treaty or whether an advance into Germany by the Allied armies will be necessary in order to compel her signature. It is generally hoped that the letter will be rendered unnecessary by her re-

cognition of the impossible position in which she will have placed herself. Her Government are in two minds as to what to do, but the latest advices indicate that she will sign amidst many protests against *force majeure*. All this, however, is in the nature of prophesy, and it would not be wise to count too much upon the messages that are being sent round the Press, which contradict each other hour by hour.

THE JOINT SELECT COMMITTEE.

Indian affairs here are for the moment quiescent. Now that Sir Michael O'Dwyer has retired from the Punjab, martial law has been relaxed, the danger on the frontier has been relieved, and the Reform Bill has been given its second reading, people here are looking forward to the holidays. But nevertheless, a lot of quiet work is going on behind the scenes. The appointment of the Joint Committee should be announced upon the re-assembly of Parliament, and it should get to work almost at once and report early in September. Its personnel will be seven members for each House, many of whom are well-known in India, and it is believed that its proceedings will be presided over by Lord Salisbury. This, if true, will be an advantage, for he and his followers will then have a greater sense of responsibility than if he were an ordinary member of the Committee, and without the support of the Salisbury peers Lord Sydenham will have very little influence in the House of Lords. With a view to speed up its work, it is believed that the Joint Committee will limit the number of witnesses that it will call from the various interests that are anxious to be heard, and it is doubtful whether more than about twenty witnesses will be examined.

TASK OF THE DEPUTATIONS.

Meanwhile, the Crewe Committee has practically completed its report, which should be in the hands of the public next week. Its recommendations are likely in some respects to be controversial, but it will probably make recommendations on important points of a character that will be generally welcomed. Another Committee has been appointed of which Mr. Surendranath Banerjee is a member, to examine into the working of the Local Government Board here, with a view to the application and adaptation of its principles in India. As to the work of the deputations, I doubt very much whether they will be able to do much to influence the principal features of the Bill, especially as two different and mutually conflicting (in many respects) sets of proposals will be put forward by them. But there is a considerable substratum of agreement among them on a number of important points, and this should carry weight with the Committee. And the deputations would be wise in giving fullest attention to the need for full control over the rules and their framing here before the measure is passed and without leaving that vital part of it to be irreparably damaged by bureaucratic intrigue. If the deputations can impress upon the Committee the deep-lying distrust

by Indians of the good will of the bureaucracy, it will probably be their most useful and constructive task here, beyond that of generally creating a better atmosphere in this country for the discussion of Indian affairs in a sane, temperate, and sympathetic spirit. Of all the delegates, none is likely to carry greater weight than Mr. Sastri, who is invited to address the Leeds Luncheon Club on the 30th on "The Need for Constitutional Reforms in India," when he will be the guest of Sir Michael Sadler, the Vice-Chancellor of the University.

SELECTION.

THE JOINT COMMITTEE AND PROSPECTS OF REFORM.

THE London correspondent of the *Leader* writes as follows under date June 19 :—

In five days' time Parliament resume its sittings, and it is anticipated that the personnel of the Joint Committee will be announced, whilst it is hoped that it will get to work within a couple of days thereafter. I understand that it will consist of fourteen members, seven from each House, but the chairman's name has not yet been suggested, though I have a shrewd suspicion that it will prove to be Lord Salisbury, or perhaps Lord Selborne. If the first selection is made, it will be very much more helpful than to have the noble Marquess as a free-lance member on the Committee, for he cannot reasonably be excluded. He is the leader of a very important group of Unionist peers, which includes his brother-in-law, the Earl of Selborne. If the Salisbury peers can be conciliated, the Bill will certainly have a smooth passage in the Lords. In the Commons there is very little danger. Lord Sydenham, without the Salisbury backing, is a spent fire. But to secure a practically unanimous report in September, it is impossible to expect anything very substantial in the way of concessions on the Bill from the Unionist peers. As it is, in some respects, the Bill falls short of the Montagu-Chelmsford proposals, and it will have to be amended accordingly. But to secure amendments of a more far-reaching character is a very different matter, and I doubt very much whether anything much better than the Bill is to be hoped for.

THE DEPUTATIONS.

The deputations themselves are at work preparing their memoranda to be placed before the Joint Committee, which will have its work out if it is to report by September, as it hopes to do, if the Bill is to go through this year. I hear rumours of an early dissolution. I shall be very much surprised if there is any truth in them. The wish, in Radical and Labour circles, is father to the thought, and it is encouraged by the result of recent elections. But Mr. Lloyd George is, I think, at present too firmly seated in the good opinion of the mass of his countrymen to feel the need for a dissolution. It is hardly likely that the Unionists will want to risk another appeal to the electorates, for they cannot hope to return in such powerful numbers as they can now array. The tide, I think, has definitely turned against Unionism, and the next election will not be a khaki one. For that reason I think that the Bill is safe to pass this year, and the Committee will therefore make speed to present its report by September. During the next few weeks the deputations will be hard at work, and it seems to me futile for them to go with different stories before the Committee. They have certain requirements in common, the most important of which is that of dyarchy in the central Government. It is on these points of agreement that, in my opinion, they should concentrate. If they find that they cannot co-operate, by reason of an unfortunate his-

torical past or of incompatibility of temperament, they can very well put forward independently the major requirements upon which they are agreed, even though they may differ on minor matters. But if they are going to nullify each other's representations on important matters, I hardly see how the Committee can come to any conclusion favourable to India.

CONGRESS MANDATE TO BE THROWN OVER.

I understand that the Congress delegation's position has altered considerably from the hard and fast line that they were at first inclined to adopt. Mr. Tilak, in this respect, has learnt a lot since his arrival here and, save in name, the Congress delegates will throw over their binding mandate, work for the utmost that they can obtain, accept what they can get, and then proceed, through what they have secured to agitate for more. In this respect, therefore, they will not differ in essence from the Moderates. I am confident that, if there is no likelihood in the near future of a change in Parliament that would promise the possibility of more extended reforms, the delegates, to whatever party they may belong, will decline to take the responsibility of jeopardizing the early realization of some at least of India's aspirations, by assuming an attitude towards the Bill that would induce Parliament to say: "Well, what is the use of proceeding with a measure to which all parties alike, for one reason or another, are opposed? Why not drop it? Why not wait and see?" I do not say that Parliament would inevitably adopt this standpoint in such a case, but there is serious risk that it may, and I do not think that Messrs. Kelkar and Patel, at any rate, would be prepared to take so grave a risk. The note struck by the latter is not nearly so aggressive as it was in the early days of his arrival here, when he seriously thought of hurling an entirely new Bill at the heads of the Joint Committee, in order to comply with the strict letter of the law declared in the Delhi resolutions.

MRS. BESANT'S LINE.

As to Mrs. Besant, she is taking a line running very close to and almost parallel with that of the Moderates, and she will carry with her the Labour Party, who, inexperienced as they are in Indian affairs, have yet not entirely departed from their natural caution and will be very careful lest they place upon Indians a heavier burden than they feel they are ready to bear. Moreover, they are not enamoured overmuch with a great deal that they have seen and heard of Mr. Tilak's social tendencies and political activities. However much the left wing of the Labour Party may theoretically sympathize with the spirit of unrest that that many-sided patriot embodies, the party as a whole is not likely to allow itself to be run away with by him. For that reason, if for no other, Mrs. Besant's resumption of activities here may be productive of much good, and it will in any event help to educate the party in the facts and needs of the Indian situation. It is badly in need of intelligent direction on these matters. Theoretical sympathy needs a lot of transmuting before it can be usefully translated into action.

THE MADRAS LIBERAL LEAGUE.

RESOLUTIONS ON THE PRESENT SITUATION.

A GENERAL meeting of the Madras Liberal League was held on Sunday, the 6th instant, in the premises of the Servant of India Society, with Dewan Bahadur L. A. Govindaraghava Aiyar in the chair. Mr. N. Subba Rao Pantulu, Hon. Mir Asad Ali Khan, were among others present. The following resolutions were passed:—

I. That the Madras Liberal League offers its respectful and loyal congratulations to His Excellency the Viceroy and Governor-General on the signing of the Peace Treaty vindicating the paramountcy of right and justice and assuring the position of the British Empire with India and the Dominions as a world-factor for the general peace and the development of humanity.

II. That the Madras Liberal League prays that on this occasion of universal rejoicing and thanksgiving amnesty be granted to all political prisoners, whether convicted, interned or under trial.

III. That the Madras Liberal League has learnt with grave apprehension of the refusal by His Excellency the Viceroy to postpone the execution of death sentences imposed by the Martial Law Commission in the Punjab and is emphatically of opinion that such postponement is imperatively demanded in the circumstances of the case and will also be in the interests of justice pending the enquiry into the disturbances in the Punjab by the Committee promised by the Secretary of State for India or at least pending the proceedings to be taken before the Privy Council in connection with these sentences.

IV. That the Madras Liberal League is of opinion that now that Martial Law in the Punjab has been abolished except in a few specified areas and it is recognised on all hands that trial under Martial Law is in any circumstances unsatisfactory and that the situation in the Punjab no longer needs any special or expeditious method of trial to restore or establish peace and order, the present Martial Law tribunals be abolished and the accused may, if necessary, be tried under the ordinary law especially as the offences with which the accused in the pending trials are charged require for the administration of justice trial by experienced Judges under the ordinary procedure.

V. That the Madras Liberal League places on record its opinion that summary trial by the Martial Law Commission was altogether unsuited to the charges preferred against Kalinath Roy, the late Editor of the *Triibuna*, that his difficulties in the case were increased by his being deprived of his services of the counsel of his choice and of the right of appeal to which he would have been entitled under the ordinary law, and that the conviction was unjustified by the writings attributed to him.

VI. That in the interest of justice the Madras Liberal League is of opinion that it is necessary that, before the Madras Government directs that steps should be taken to enforce the deposit of security by owners of presses, due warning should be given to them setting forth with reasonable definiteness the articles or the matter to which objection may be taken so as to enable the persons concerned to set themselves right if possible and to obviate the need for further warnings or steps against them; and that the above course is necessary to remove the uneasiness in the minds of the general public that is prevalent in consequence of some of the recent proceedings of the Government that ended in the demand of security.

VII. That the Madras Liberal League affirms its previous resolution objecting to the adoption of the Satyagraha movement against the Rowlatt Law and appeals to Mr. Gandhi not to renew it.

VIII. That the Madras Liberal League views with great alarm the action of the Union House of Assembly of South Africa in taking steps to pass a law forbidding Indians to hold mortgages, except in certain cases, on property and the issue of trading licenses to Asiatics whose predecessors in title have not held them and is emphatically of opinion that the action of the Union Assembly is unjust and confiscatory of the undoubted rights of the Indian in South Africa, opposed to the compact of 1914 and contrary to the duties owed by the South African Union to a sister Dominion in the British Empire and calculated to evoke great discontent, bitterness of feeling and irritation in the minds of the Indian people particularly at a time when harmonious and conjoint action is required in the interests of the Empire among its component parts.

IX. That the Madras Liberal League offers its cordial welcome to the Maharaja of Bikaner on his return to India after meritorious services rendered to the country and the empire.

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