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CONTENTS.

	PAGE
TOPICS OF THE WEEK	421
ARTICLE :—	
The Real Issue	424
SPECIAL ARTICLES:—	
Hindu Law in the New Era.—III. By Lex ...	425
The Problem of Female Education. By V. V. Natekar, B. A.	426
NOTE :—	
Boycott of Councils. Mr. Sastri's Speech ...	428
Aurobindo Ghosh on Utilisation of Partial Swaraj	430

TOPICS OF THE WEEK.

THE nightmare of the coal strike in England is still causing intense anxiety to Government and people alike. The two sides have shown a determination not to yield, which comes of a deep conviction that their cause is right. The public is profoundly concerned at the prospect of having to face the winter with no coal or with very dear coal. The miners want an increase of wages at a flat rate and the Government will make this increase dependent on the growth of output. No effort has been spared by Government to reach an agreement and to show that its attitude is perfectly reasonable. Mineowners, Government and the miners are trying to discover a possible way out of the impasse and the threatened strike has been postponed. It is to be hoped that the calamity will be averted.

THE Government of India has announced that the weekly sales of reverse councils will now close and has given the public the assurance that they will be resumed in the future whenever the need therefor makes itself felt. What has the Government accomplished by selling these sterling drafts on London for such a length of time in the teeth of public protests? We are told that the total circulation of currency notes in India has been materially reduced and it is suggested that this process of steady deflation was facilitated by the reduction of the short term securities held in the currency reserve in London. The Secretary of State met the reverse drafts drawn on him by disposing of the treasury bills in the reserve. But did the Government's policy of selling reverse councils for the purpose of raising and steadying exchange attain its object? There is not much point in Government stating that securities in the currency reserve were liquidated because the re-

verse councils could not have been met in London in any other way. The chief function of reverse councils is, however, to raise exchange by correcting the trade balance and that Government did not succeed in doing and no credit can be claimed for the Indian currency system as it has been recently worked for any incidental effects that may have flowed from the sales of reverse drafts.

* * *

IF the cause of strikers wins widespread public sympathy in the case of a dispute between employers and workmen, it is safe to assume that the strikers are right. This is undoubtedly the situation with reference to the strike of postmen in Bombay going on for over a fortnight. It may be contended that the public sympathies in this particular instance are more due to the serious inconvenience caused to people of all classes by the derangement of a department like the Post and Telegraph which touches the every-day life of the community most intimately than to any conviction that the postmen's demand and conduct are reasonable. But no one dare say that public servants like post men who have to do very responsible and wearisome work are getting anything like an adequate wage in Bombay compared to the increased cost of living. Unfortunately neither side in the dispute has so far made a move towards settlement and the strike goes on from day to day without any change, to the great inconvenience of the public. An early settlement of the strike is desirable and we hope Government will realize the seriousness of the present situation.

* * *

THE question at issue between Mr. Gandhi and Mr. Jinnah at the meeting of the Swaraj Sabha is a little obscure. If the meaning of the word "Swaraj" used in defining its objects is not to be extended beyond the creed of the Congress, the expression "to secure complete Swaraj for India according to the wishes of the Indian people" need really have no terror for Mr. Jinnah. The latter observed in stating his objection that the change proposed by Mr. Gandhi meant the declaration of complete independence or severance from the British Commonwealth and also the adoption of peaceful methods but not necessarily constitutional and law-abiding. But it seems to us that there is little ground for this panicky view; for the third sub-clause of article 2, which limits the Swaraj Sabha's activities to the objective and the methods defined

in the Congress creed rules out the interpretation suggested by Mr. Jinnah. The proposed change, however, is distinctly for the worse, inasmuch as the phraseology which has been adopted will only help to obscure the true meaning of the object which the Sabha has placed before itself. It is as much a surprise that Mr. Gandhi has made himself responsible for a change which has this effect as that Mr. Jinnah has made such a small matter which is not one of substance a sufficient ground for secession.

* * *

ONLY the other day Mr. Kelkar complained in the *Mahratta* that the Liberals were "in high glee" at the abstention of the Nationalists from the councils in obedience to the Congress resolution and against their better judgment. He now complains in the *Kesari* that the Liberals are going about in sackcloth and ashes because of the Nationalist decision! Either way it is with him and other Nationalists a matter of grievance. When the Liberals expressed themselves against non-co-operation and urged that no one could really adopt non-co-operation without boycotting the councils, the Nationalists exclaimed that the Liberals were, by assuming such a position, cleverly manoeuvring the Nationalists out of the councils. Now the Liberals are making almost frantic appeals to the Nationalists to follow their own convictions and work in the councils, and yet, even in making such an appeal, the Liberals are represented as being inspired by a diabolical motive—this time that of seducing the Nationalists from loyalty to the Congress. The deceit of the Liberal indeed knows no bounds. And still his position is capable of a simple explanation without the horrid assumptions made by the Nationalists—that he disapproves of non-co-operation as injurious to the country's best interests, and urges that view upon the Nationalists. The position of the Nationalists too is simple enough—they are pledged in all circumstances to impute unworthy motives and use vituperative language, whatever the Liberals say or do.

* * *

THE celerity with which the editor of the *Hindu* and some other Nationalists are changing their orientation in regard to the reforms is something marvellous. They for a time scouted the very idea of making the Reform Act a success and of offering any sort of co-operation with the Government to that end. Naturally the impression got abroad that they were among the wreckers instead of being the workers of the Act. It was soon found, however that this attitude would not serve, and, to notify the change that had come about in the Nationalist attitude, the Liberals were duly charged with falsely ascribing to the Nationalists obstructive tactics of which they never had an idea, when as a matter of fact they were genuine workers of the Act. It became a leading theme in innumerable speeches delivered about the middle of the year. Now, again, the *Hindu* has thought fit to execute

a *volte face*, and again it notifies the change by reviling the Liberals for sedulously misrepresenting the Nationalist attitude as one of *bona fide* workers of the Act while in point of fact it was ever one of wreckers. No one has the least objection to the *Hindu* adding a few to the several changes of front it has so far exhibited in regard to the reforms; our only point is that it may keep the Liberals out of this process of its own evolution.

* * *

THE strong opposition with which his proposal to withdraw boys and girls from schools and colleges has met Mr. Gandhi sets down to a general lack of appreciation of the gravity of the wrongs from which India is suffering. The fact, however, is entirely different; Pandit Malaviya's sense of national injustice is not less keen, but Mr. Gandhi's sense of the value of education is very weak. To continue to keep children in Government schools after all that the Government has done seems to Mr. Gandhi as bad as keeping terms with Anti-Christ. This is no doubt a high line to take; but even his sensitive conscience does not prevent him from participating in some other advantages due to British rule; *e. g.*, he makes full use of the post and telegraph services, railways, coinage. No doubt he does it because to eschew the Government in these matters will entail upon him much too serious disabilities, but this is after all a utilitarian view to take. In that view of the matter it is open to other people, who cannot bring themselves to treat the intellectual destitution of children so lightly as Mr. Gandhi, to make use of the Government schools. It is notorious how little value Mr. Gandhi sets on the furniture of the mind, and the difference which is discernible between Mr. Gandhi and most other leaders in India on the question of the boycott of schools is solely due to their differing valuation of education.

* * *

WHILE there is at least the qualifying adjective "gradua" introduced into the Congress resolution to limit the scope of the boycott of schools and law courts—whatever its exact import—there is none such to restrict the operation of the boycott of foreign goods. The boycott of foreign goods is the one thing in the non-co-operation programme which is almost a physical impossibility, and yet the Congress included it among the first things to undertake as involving "the minimum risk" and imposing "the least sacrifice" upon the people! It is a signal instance of the way in which huge deliberative bodies are sometimes led into an impossible position by the enthusiasm of the moment. The only remedy now left for any sensible person is to own up the mistake and to rectify it at the next available opportunity. The Non-Co-operation Sub-Committee took this line in its report and met the situation created by the Congress resolution squarely by saying that the part of the resolution enjoining an immediate and complete boycott

of foreign goods was an unfortunate interpolation. Technically, it may not have been an interpolation, but it is a mistake which the All-India Congress Committee may take upon itself to warn the people against. But there are precisians on the Committee who would have all Congressmen carry out the letter of the resolution, or at any rate profess academic adherence to it.

* * *

THERE is another class of politicians who protest against the expression used by the Non-Co-operation Committee, because it enables them to twist the boycott of foreign into the boycott of British goods. Mr. Pal, for instance, suggests that Indians should in every case prefer articles of non-British to those of British manufacture, patronise non-British in preference to British banks, and withdraw labour from British industries, thus using the economic lever to obtain redress of political wrongs. Preference is to be given to other countries over England, not really to help the former, but to punish the latter. Mr. Pal no doubt says that we must encourage trade with "friendly" foreign countries, particularly America and Japan outside the British Empire, but it is clear that he is far less anxious to reward the friendship of "foreign" countries than to inflict retribution upon England. This is of course a legitimate means of political warfare, but it is entirely opposed to the underlying principle of Mr. Gandhi's non-co-operation. By no stretch of language can a movement with the boycott of British goods included in its programme be described, as it is described in the Congress resolution, as being "conceived as a measure of discipline and self-sacrifice." Mr. Pal, who is so mightily angry with the Non-Co-operation Committee for expressing its dissent from a part of the Congress resolution, does not hesitate in the least to distort the whole spirit of the resolution. Is not Mr. Pal more bound to preserve the essence of the non-co-operation plan than Mr. Gandhi is to carry out in practice a fragment of it which everyone recognises it is impossible to carry out?

* * *

AGAIN, was America more friendly to India than England on the only question in which she was directly concerned—the Khilafat? America, on the contrary, was much more unfriendly; President Wilson would not even leave Constantinople to the Turks. But since the preference to be shown to foreign countries over England is not in point of fact determined by the right attitude of the former, but the wrong attitude of the latter, we need not inquire too closely into the matter. We fail to see, however, why "a demand for the immediate repeal of all Indian labour legislation which militates against the freedom of man regarding the disposal of his labour" should form part of the boycott campaign. Is it suggested that labour legislation restricting, e. g., the hours of labour of the factory worker, the employment of child labour, etc. undesirable? It no doubt has the

effect of keeping down the competition of Indian manufacturers and thus indirectly helping Manchester; but are we to cut off our nose to spite our face? Even supposing, however, that it was a wise course, are not all "demands" for legislative changes ruled out by the inauguration of the non-co-operation movement? And how is the desired change to be brought about if all non-officials are to abstain from the councils? Perhaps it is expected that though, as a consequence of the non-co-operation movement, the whole legislative and administrative business of the country will soon be paralysed, the beneficent piece of legislation removing all restrictions on child labour, and so on, will somehow be saved from the general wreckage.

* * *

ON the boycott of schools also Mr. Pal makes a suggestion which shows clearly that he is entirely out of sympathy with the governing idea in Mr. Gandhi's programme. As to the former, he suggests that all schools should be boycotted which forbid the political education of their students outside school hours, forgetting that it is not merely college or high school students who are called upon to participate in the movement, but also those in primary schools. Want of political education is not the *raison d'être* of the proposed boycott of schools, but rather the poison which the hapless students are unconsciously made to imbibe along with very imperfect education in Government-supported institutions. Their very association with such schools poisons their minds, and nothing but their withdrawal from those surroundings will save them. If anyone has the first claim to be saved from such a lot, it is certainly the children in the primary schools, and with them the imparting of political education is out of the question. Mr. Pal has maintained from the beginning that non-co-operation in regard to the primary functions of government discharged through law courts is unconstitutional. He does not therefore, support it even in theory; the only constructive suggestion he has to make on this head is to try composition where it is permissible. It does not, however, touch even the fringe of the question, as Mr. Pal himself will allow.

* * *

THE Army Committee's report, a copy of which has not yet reached us, will be received with the greatest indignation by Indians. It takes no account of Indian aspirations in this branch and is practically silent on most of the questions on which the Indians are keen. The Committee makes no recommendations in regard to the appointment of Indians to commissioned ranks, limits the size of the Territorial Force to 12 units and the employment of Indians to infantry units, retains the L. M. S. as a monopoly for Englishmen, etc. etc. The report is founded on utter distrust and re-enunciates the doctrine that India is held by the sword. The Government seems determined to keep India in a chronic state of discontent.

THE REAL ISSUE.

IF there is little appreciation in the country of the far-reaching implications of the doctrine of non-co-operation, there is equally little understanding of the true position of those who are opposed to this movement. It is popularly imagined that those who are sceptical of the policy of withdrawing co-operation from Government as a means of attaining *Swaraj* must be pledged to accord their support to every Government measure, whether it be conducive to the good of the country or not; and of those who do not believe such a gross perversion of facts several still hold that even those who offer strong criticism or downright opposition to obnoxious measures of Government somehow make themselves responsible for such measures and share in the moral obloquy which attaches to them. This is an absolutely wrong view to take. No one who pleads for a fair chance being given to the Reform Act and for the maximum amount of good being extracted from it need or will support Government where to his mind the Government goes wrong; on such occasions, it will be his duty to warn Government of the evil consequences which are likely to follow and to offer stern resistance if it does not heed his warning, and should Government succeed in carrying the measure in spite of his opposition, the responsibility for the untoward results, if any, as well as for the moral guilt rests solely with those who persisted in the wrong policy. It is only on that basis that co-operation can be given, and it is only in that sense that co-operation is invited. Mr. Aurobindo Ghose, in the extract quoted in another column from his "political will and testament," is prepared to offer as much co-operation as is implicit in the utilisation of reforms; no more is desired. It is immaterial to inquire what view Mr. Ghosh takes of the Reform Act—whether it is merely inadequate or thoroughly worthless. It is also possible that his point of view may not have continued in the same stay as before; it may have changed since he left British India. That should, however, make no difference to our reasoning. He was prepared to use partial *Swaraj* as a stepping-stone to complete *Swaraj* and was prepared to co-operate with Government to the extent to which co-operation was necessary to make partial *Swaraj* successful. If education were entrusted to a popular body, as Lord Reay once thought of entrusting it, he would to that extent withdraw opposition and bend his energy to shaping the country's educational policy. On no view of the Reform Act, however prejudiced, will education be in a worse case under the new régime than it would have been under the most favourable conditions that Lord Reay could ever imagine. Again, a fairly large group of provincial departments is to be placed under popular control, besides education. Mr. Ghose's advice would assuredly be, in these circumstances, to make the fullest use of the power now secured, with a view to extending thereby the bounds of self-rule.

But, it is loftily asked, are we to take these "small crumbs thrown from the master's table" instead of boldly stretching our hand to full *Swaraj*? The answer is that if there is another road which will take us sooner to *Swaraj* we shall not be backward in taking it, but we have found none such, and we do not believe that the cornucopia of *Swaraj* is to be opened on non-co-operation. As to accepting "concessions," the mistake lies in looking upon them as boons bestowed by Government in the plenitude of its generosity, instead of as so much of *Swaraj* regained by the people. As Mr. Aurobindo Ghose so aptly puts it, "The refusal of autocratic gifts does not involve a refusal to take up popular rights inalienably secured to the people. It is, on the contrary, with the object of compelling the concession of the various elements of *Swaraj* by peaceful moral pressure and in the absence of such concessions developing our own institutions to the gradual extrusion and final supplanting of bureaucratic institutions, that the policy of self help and passive resistance was started." Mr. Aurobindo Ghose, who is justly regarded as the highest embodiment of idealism in recent politics, did not scorn, it is clear, as some of the neo-Nationalists who spout much spurious sentiment profess to do, to make use of such popular rights as may have been conceded, partial though they be, in order to win full self-government. But, it is urged, is it possible to win self-government by co-operating with a Government whose object, in the nature of the case, must be to withhold power as long as possible? The answer is, co-operation is intended to effectuate the self-government already won; but it does not debar a struggle for further power. Such a struggle, to put it at the lowest, will not be hindered by the presence of our best men in the councils; it would on the contrary be greatly promoted. If British rulers have done any good to India, the *Modern Review* says, "this good has been a by-product, an inevitable indirect result of seeking to gain their own selfish objects. . . . British policy has always professed to be beneficent, but this professed beneficence has never been such as to clash with the selfish object of the governing classes." No one ordinarily expects such disinterested beneficence in the dealings of different classes in the same country; much less reason have we to expect it in the dealings of two different countries. But are not the highest ambitions of Indian nationalism realisable only if England pursues a policy of enlightened self-interest? And is not the whole of our agitation conducted with a view merely to making her conform to a path marked out by her own self-interest on a long view of the matter? All this, however, is entirely irrelevant, as co-operation with Government in giving effect to the reforms need not and does not exclude any other means of constitutional agitation for the attainment of rights not yet surrendered by the Government. The only question is, will home rule be obtained sooner by boycotting the reforms and striving towards the goal from outside than by

working the reforms and fighting for self-government both from inside and outside? Considered in this way, there can be no question as to what the answer should be.

In his recent speech in Lahore Lala Lajpat Rai sought to distinguish between the position of the Liberals and the Nationalists. The Liberals, he said, believed that the constitutional reforms of last year were the fruit of constitutional agitation; they had still faith in the British sense of justice; and they hoped that the present reforms would, if properly worked, lend to full self-government. The Nationalists, he maintained, rejected all these propositions. Now with regard to the first, so far as one could see, there was no difference of opinion between the two parties, for both believed that the present reforms were largely the outcome of constitutional agitation, and the utterances of several Nationalist leaders could be produced for evidence. There were of course many factors which contributed to the result, but popular agitation will take a no mean place among them. The Liberals were represented as putting implicit faith in British justice and waiting for wrongs to right themselves. This is a gross caricature of their view. Mr. Lajpat Rai himself says that no Government, be it national or foreign, would concede one iota of power unless it were made impossible for it not to do so. If this is true even of indigenous Governments, how much more true must it be of a foreign Government! All that needs to be considered is whether it is not possible for constitutional agitation of the normal type to produce conditions which will make a grant of power inevitable. The Nationalists are generally but wrongly represented as having lost all faith in constitutional methods, but Mr. Tilak, it is well known, had still a robust faith in them and discountenanced all talk of non-co-operation. He also felt confident that the constitutional reforms introduced last year would pave the way to full self-government; and everyone who voted against the boycott of councils in the Congress must be held to share this hope. It will thus be seen that the issues raised by Mr. Lajpat Rai are largely false ones, and whatever minor differences in temperament and methods are discernible, the bulk of the Liberals and the Nationalists regard the reforms from the same view-point as regards the use to be made of them, and have nearly the same opinion of non-co-operation.

HINDU LAW IN THE NEW ERA. III.*

THE solemnly plighted word having been thus broken, the legislature no longer entertained any qualms of conscience to repeat the process. It must, however, in fairness to the Government, be admitted that occasions for further onslaughts on the citadel of Hindu Law repeatedly arose as administration gradually proceeded, and that nobody

*Previous articles in this series appeared in the issues of September 9 and 23.

could on such occasions question their good faith. The ancient Hindu Law of the *Rishis* was so crude that at the very first touch of latter-day civilization it began to crumble down in important respects. An insuperable difficulty arose in applying Hindu Law procedure to cases wherein only one party was a Hindu. The legislature had indeed anticipated this difficulty by enacting that the law of the defendant was to be applicable, but this makeshift was not at all satisfactory. Again, Hindu Law procedure was not commensurate with the exigencies of the case in the important matter of suppression and punishment of crimes, and a general code embodying the Criminal Law of India and applicable to all races and religions alike was soon felt to be absolutely necessary; so the great Indian Penal Code was drafted by the Indian Law Commissioners headed by Lord Macaulay. Similar enactments became necessary in other equally important branches of Law and a series of such laws has been enacted by the legislature from time to time. The Hindu Wills Act, Indian Majority Act, Guardians and Wards Act, the Indian Contract Act, the Trust Act, the Transfer of Property Act, the Registration, Stamps and Court Fees Acts have followed each other in quick succession, and on the passing of each of these Acts, the original *shastric* Hindu Law on the matter has been expressly done away with. Another large slice of the old Law was similarly cut off and dispensed with when, the two great Procedure Codes (Civil and Criminal) were enacted and still another when the Land Revenue Code was drafted and passed.

So far, we have dealt with the frontal or direct attacks made by the Legislature on the old *shastric* Hindu Law. Immense as have been the ravages effected by these frontal attacks, the ravages perpetrated by another agency delivering indirect attacks on the same citadel have been no less effective. This agency was the judiciary that always refused to accept the dictums and opinions of the Court *pandits* and *shastris* unless they themselves were satisfied of the justice and ethics of the matter. The judiciary no doubt never openly professed to alter the ancient Hindu Law, but on the contrary always expressed themselves as bound to strictly administer the old Law. But the multiplicity of authors and commentators coupled with the willingness of the *pandits* to substitute new dictums suitable to the taste of the judges enabled the *pandits* to offer as good Hindu Law what was approved of by the judges. This judiciary had at their head the Privy Council sitting in England that finally settled all important law-points in the name of Hindu Law, and when once the Privy Council had declared what the Law was, it was not permissible for the lower Courts in India to put forth any opposite view of the matter, howsoever convinced they might have been of the justice and correctness of their own view. In the very rare cases when the Privy Council believed themselves to have erred

in giving out the former decision, the principle of *stare decisis*, i. e., uniformity of decisions stepped in to prevent correction and to perpetuate the error. And the irony of all this would be patent to the reader when he learns that not a single Hindu lawyer has ever sat on the Privy Council! Nevertheless that august Council composed of lawyers alien to the spirit of Hindu Law interprets, applies and modifies and at times extends that law, and it is only by mere accident that it conforms to the altered opinions of the community for whom they profess only to administer the existing or rather the ancient Hindu Law.

It may at once be gratefully conceded that neither the Privy Council, nor, for the matter of that, any other Court in India, ever perpetrated any change in the Hindu Law wantonly or with a sinister intent. That function was, as we have seen, undertaken by the legislature.

After the legislature and the judiciary, may be mentioned another class of men that greatly helped in the process of the disintegration and alteration of the ancient Hindu Law. This class consisted of practising lawyers—a new creation introduced by the British along with their rule in India. It may well be doubted whether there was such a class of professional lawyers under the Mahomedan and Mahratta or Rajput Rulers in India—lawyers offering their brains for service to the litigant with the longest purse and in at least some instances, not minding whether they were prostituting their powers by helping the spread of injustice. It was this newly created class of professional fighters in the arena of the judicial courts that worked the greatest mischief in uprooting the old Hindu Law. Every case could be taken with their help to the length to which the purse of the litigant could take it, and each time they racked their brains to find out distinctions without real differences and detect flaws by hair-splitting logic and casuistry. It may at once be admitted that the influence wielded by this class was not always pernicious, was not always detrimental, but it was nevertheless a fact that they could crush the righteous, but penniless litigant with the force of their forensic powers placed at the service of the rapacious opponent.

Lastly, we must take note of custom having the authority of modifying the written Hindu Law. No doubt Manu affirmed the importance of custom in his aphorism शास्त्राद् रुद्धिर्बलीयसी, i. e., custom transcends the law. Various peculiar usages and customs inconsistent with the written law were set up and attempted to be proved with varying success. It was a happy coincidence that English Lawyer Judges imported into this branch of the law the English doctrine for the due recognition of custom only when the latter is shown to be ancient, inviolable, peaceful, definite and reasonable. These stringent conditions imposed by Western lawyers in a great manner prevented this branch of the law from assuming mighty proportions at the

hands of litigants and practising lawyers. Were it not for the restraining influence sternly exercised by the English rule as to recognition of custom, one is simply at a loss to realise what gigantic strides this branch would have made in India—the proverbial home of all sorts and conditions of institutions, from the worst right up to the best!

LEX.

THE PROBLEM OF FEMALE EDUCATION.

WHEN the new political reforms are duly ushered into existence about the beginning of the next year, many problems will have to be boldly faced by Indian ministers. Of them the problem of education in its various aspects appears to be the most thorny. A few days ago, a contributor addressed a letter to a missionary paper in Bengal, the *Epiphany*, in which he had made wholesale and reckless allegations against Indian widows. It is not the intention of the present writer to enter into that ugly controversy which has been satisfactorily settled by the submission of an unqualified apology by the writer in question; but the charges, levelled by the writer in the *Epiphany* against an important section of Indian women—women who are objects of pity and commiseration rather than of abuse and vituperation,—are such as would be resented most vehemently by the women themselves, if only they were sufficiently educated to read and answer them. As matters stand at present, a very large proportion of them, unfortunately for themselves and for the country at large is almost wholly illiterate; and that is why writers like the one in question dare attack them recklessly.

Fortunately, however, the Government of India seems to be alive to this deplorable condition of Indian womanhood, and are trying to expand female education by every available means—minus, however, wholesale compulsion. They have been collecting data and opinions bearing on the subject; and it would not be wrong to expect that they would be prepared to launch a scheme for such expansion on a grand scale.

The question of female education in this country resolves itself into two distinct compartments at any rate at the present moment: firstly, education of girls; and secondly, education of women. Education of girls has been receiving a fair amount of attention at the hands of Government, as is evidenced by the steady annual increase in the number of girls' schools as well as in the number of attendance therein. It must, however, be admitted that there is yet ample scope for increase in both. As regards the second aspect of female education, namely, that of education of grown women, we have regretfully to confess that Government have so far done practically nothing, beyond extending some pecuniary help in the form of grants-in-aid to efforts, made by private agencies. In this connection the efforts of the Poona Seva Sadan Society, carried on under the direct initiation and guidance of Mr. G. K. Devadhar, deserve to be

widely acknowledged on this side of India; and a high educational officer, having opportunities to travel throughout India and Burma has testified to them in eulogistic terms. But isolated attempts like these are hardly calculated to reach the vast bulk of women, merged deep into illiteracy and scattered all over the continent. The proportion of illiterate women will gradually diminish, inasmuch as there will not be fresh additions to their number in the future on the same scale as heretofore. But even the present number of these illiterate grown up women deserves to be brought within the sphere of literacy, to the extent practicable and compatible with the existing circumstances.

In the present article I intend to offer a few suggestions that would be worth while considering in the matter, so far as it affects the expansion of education amongst girls; and it is my intention to take up the subject of the education of grown-up women later on. One bold step, if that were practicable, would solve the problem of girls' education at a stroke, and that is the adoption of wholesale compulsion. But even apart from the consideration of the enormous expenditure, involved in such an enterprise, it would be well-nigh impossible to bring round the masses—for, amongst the classes, girls' education has now become fairly popular—to accept the principle of compulsion. We have, therefore, to adopt less drastic measures,—measures that would tend, as far as practicable, to lead us towards the same goal. Even municipal areas yet hesitate to have recourse to compulsion in the case of boys. Time is, therefore, far distant when men's minds will be prepared to consider calmly the adoption of compulsion in the case of girls. Although, however, the time is not yet ripe for applying the principle of compulsion in the expansion of girls' education in rural areas, larger municipal towns and cities, sufficiently advanced in ideas of social reform, and with a population of over 20,000 or so, can be depended upon to make statutory provision of the kind, provided 50 per cent. of girls of school-going age regularly attend school, and Government make a larger contribution to the municipalities to meet the additional expenditure involved. It is a well-known fact that very few municipalities in this Presidency have so far availed themselves of the advantages contemplated in the provisions of the Hon'ble Mr. Patel's Act for free and compulsory primary education. It is high time that the municipalities bestir themselves in the matter, and set a glorious example, to be followed by the several local boards. It is quite pertinent to mention here that even the Government of India, in their Resolution, No. 1078, dated 1st October 1919, express the opinion, in paragraph 9 on page 3, that "*in Bombay and the United Provinces provision for compulsion can be extended to girls.*" (The italics are mine).

It would be advisable at this stage, therefore, that Government and quasi-Government schools, mission and other private bodies, interested in the

spread of girls' education, concentrate their attention on rural areas. At present no separate schools exist in such areas for girls, nor are they desirable until we can confidently hope for a sufficiently large number of girls coming forward to take advantage of such schools. I have every reason to believe that so long as boys' schools in rural areas continue to be thinly attended, there would hardly be any necessity for opening separate schools for girls. Besides, parents and guardians do not at all object to send their girls to boys' schools in such areas. We have, therefore, to devise means for attracting girls to such schools. True, the girls are not charged fees for their schooling; but that in itself would not be a sufficient inducement. In order to popularise elementary education amongst the rural areas,—these are almost wholly inhabited by the agricultural classes—more expensive measures will have to be adopted at this initial stage. The reason why the agriculturists are unwilling to send their girls—and, for the matter of that, even their boys,—to school is not far to seek: it is economic, pure and simple. They are unwilling to lose the numerous economic advantages they derive from their children. These children are an asset of no mean value to them in their field operations as well as at home; and unless and until they are assured of compensating advantages, they would continue to be totally indifferent towards this vital question. It would be idle to expect them to realise the advantages of education inasmuch as their own mental outlook is circumscribed for want of the same. They must, therefore, be shown some tangible benefits—benefits that would, at least to a certain extent, compensate for the loss of labour they would be put to by withdrawing their girls from fields and sending them to schools. What Government will have to do, therefore, is to introduce a system of monetary awards to such girls, say a rupee or two per head, on a large scale. The rates may vary according to local conditions, the most backward localities receiving the largest amounts. These rewards would directly appeal to the agriculturists; and they would themselves try to make up for the loss of labour, occasioned by the attraction of their girls to schools. With the advance of time, girls' education is bound to grow more and more popular and Government can then gradually diminish these inducements. But expenditure on a considerable scale at the commencement appears to be inevitable.

Other inducements of a minor character can also be held out to these girls, in case direct money-awards are not found feasible. I venture to enumerate some of them here as they are calculated to give a push to girls' education to a limited extent in rural areas. They are: (a) distribution of clothes, such as *khans*, *parkars*, etc., (b) distribution of school material, such as slates, pencils, books, papers, etc., (c) distribution of prizes; and (d) maintenance charges or pecuniary assistance to parents of poor girls.

Another point that deserves consideration in this connection is the formation of school committees in villages. There are such committees even at this moment in villages having schools; but their composition has hardly any popular element in it. The Deputy Educational Inspector of the district nominates the members, or the *punchas*, as they are popularly called, with the help of revenue officers. Thus there is no people's voice in these committees; and no wonder they do not appeal to popular imagination. It is, therefore, time that a modest beginning were made in giving these committees a democratic form, two or three out of five *punchas* being elected by the villagers themselves. Moreover, this sort of education would be a desirable thing in these days of democracy, as the village is perhaps the most important unit of the whole structure of local self-government. When such committees are constituted on a popular basis, many of the functions, at present discharged by departmental officers may be delegated to them, especially that of determining the selection of girls for monetary help. At present the attitude of village people towards their school is one of complete apathy. They no doubt muster strong on the day of the inspection of the school once a year; but that is just to enjoy the show. They, therefore, ought to be made to feel a living, genuine interest in their school; and this end can be achieved, at any rate to some extent, by giving the school committees a popular form in the way indicated above.

V. V. NATEKAR.

SELECTION.

BOYCOTT OF COUNCILS.

ADDRESS BY MR. SRINIVASA SASTRI.

UNDER the auspices of the Madras Mahajana Sabha a public meeting was held yesterday, at the Gokhale Hall, to hear addresses for and against the boycott of Councils. The Hon. Mr. Srinivasa Sastri in the course of his speech said:

The subject is one on which I feel very strongly, but I know also that the view that I shall propound is only held by a part of our community and not by the whole. As I believe that the view that I hold deserves greater recognition than it is at present receiving, I venture to put the case for it at its height. Non-Co-operation in the aspect in which we are to consider it to-day, that is, the boycott of Legislative Councils, has a history somewhat older than the time when the Special Congress met in Calcutta. The boycott of Councils is one of the principal items in Mr. Gandhi's progressive Non-Co-operation programme. He had actually brought this programme into operation before the Special Congress. What the Congress did was to give the boycott of Councils, along with other aspects of Non-Co-operation, its own authority, besides that which proceeds from the great name of Mr. Gandhi and the authority of the Central Khilafat Committee. Backed as it is by authorities from different sides, it is not difficult to understand the amount of enthusiasm and loyalty that a resolution of that character is meeting with in all quarters. I propose, however, to indicate my point of view to this extent, viz., that the authority which the resolution is said to derive from the imprimatur of the Indian National Congress is not such as to overpower all other considerations. It has great weight, it is entitled to the respectful consideration of all Indians, but it is not so overpowering in its nature that it can convert wrong into right or an unwise course of

action into a wise course of action. Take the analogous case of a piece of legislation which has been carried in the Council against the united opposition of the country. Supposing a law with all the backing that the resources of a State can give it is enacted, but against the wishes of a very considerable section of the community; suppose further that this section of the community is opposed to this law not merely as a matter of efficiency or of expediency, but as a matter of vital principle; suppose people feel that their dearest feelings have been outraged by the law and that what they consider one of the fundamental moral canons of legislation has been violated, then according to the principle which Mr. Gandhi himself is most devotedly expounding, these people would be justified, if they thought fit, to disobey that law and to set it aside as not binding on them except in a physical sense, as carrying no moral authority, not being based on the wishes of the community affected. If civil disobedience of that character is justifiable in such exasperating circumstances, if where your conscience is concerned you feel free to tell the State: "You may pass the law and enforce it but I will not obey it, but will cheerfully undergo the penalties attending on such disobedience rather than submit my neck to what I consider an unrighteous yoke," if that attitude is permissible even where a positive enactment is concerned, I venture to put it to you whether you would not consider such an attitude more than permissible, obligatory, in a case where people felt that the Indian National Congress had gone wrong. (Cries of no, no.) I understand your point of view, but I venture to think that it is not right. I told you now, and you seemed to follow me, that civil disobedience of an unrighteous Act of the State was justified. Your silence implies that you agree to that proposition.

I do not see any logical halting place between that proposition and this other proposition that I am enunciating, viz., where a certain section of the people feel that a wrong is likely to be perpetrated by the resolution of the Congress (cries of no, no)—you do not feel so, but supposing that there are a set of people who feel that the Indian National Congress has committed a disastrous blunder (hear, hear) from which the country is likely to suffer, if they follow that course—[A voice: India is powerless.] You need not wait very long to hear a view expounded which you will be glad to hear expounded; just possess your souls in patience. I take it that those of you who wish to throw out these interruptions are believers in the doctrine of Non-Co-operation, but to that form of Non-Co-operation Mr. Gandhi prefixes the epithet 'non-violent.' By non-violent Non-Co-operation he means not only that you are to abstain from physical violence to your adversary, but likewise also you should abstain from anything which might appear disrespectful or discourteous to him or calculated to violate his own right to speak frankly and straight from the heart as he would desire. I would ask you to live up to your own doctrine and let me go on. It is, I take it, the opinion of a good many that this step of boycott of Councils is likely, if carried out on a large scale, to impair the efficiency of these councils and to take away from them their national character, so that the laws emanating from them will not represent the united wisdom of all our politicians. It is only when truth struggles against truth, it is only when opinion clashes with opinion, it is only when rival schools of thought combat together in the open that truth comes out. It is only when a Government is subjected to a thorough and merciless scrutiny from people whose ideals are slightly different that the best laws are produced. Supposing that by abstention on the part of Nationalists you allow legislative work, work of questioning, work of moving resolutions in future Councils to be done by people who are under the influence of the same ideas and whose principles of public action are identical, you do not get a healthy interplay within the Councils as you should in order that the work of legislature may be at the highest level. It has been recognised as an ideal condition of legislature that you should have within it representation for all the different schools of political or social thought in the country. That is the *raison d'être* of the scheme of proportional representation. No legislature

is nowadays considered to be perfect unless in it you find represented in their relative strength in the country all the different schools of thought. When I addressed an audience at this very place about the beginning of this year, I told you that in my judgment our next Councils would be best formed if the electors, without looking minutely into the labels of people, returned to the legislature all the best men in the country, no matter what their political evolution for the moment was. I said that if the Legislative Council was so composed for the first five years, we should be working in those ideal conditions of efficiency which will be required to make reforms a success so that our further step in the same direction may be absolutely safe and secure. I said this at a time when the talk all over the Presidency was, "Keep the Moderates out altogether, let none of that species enter the Councils if the voters could help it." The fact that I belonged to the Moderate party did not enter into my calculations then. I thought really that the Moderate party, small as it was, did include a certain number of persons whose views were entitled to representation in the Councils in proportion to their strength in the country. If at that time what I said was open to the criticism that it was somewhat selfishly conceived, a time has now come when I may repeat that observation without incurring that charge. I repeat now that, even if it were conceivable that all the Nationalists stood out of the Legislative Councils and they were filled with people belonging to my persuasion, I do not agree, however loyal I am to the Moderate school of politics, that the Legislative Councils will be composed in an ideal way. Even if we do our best, we ought to be criticised and criticised thoroughly from very different standpoints. The country—never mind my party, never mind the Nationalist party—stands to gain in every way by the mutual inter-action of parties inside the Councils. It would be quite improper for you to send people into Councils if they thought really that going into them was a wrong and was a falling away in their ideals. I ask no Nationalist to go into Councils who thinks that the manly course, the honest course as well as the righteous course was to stay away. I shall have nothing to say where conscience is concerned. But I am speaking, I believe, to the bulk of Nationalist politicians, and I ask them to remember that their objections stated openly in the Calcutta session did not refer merely to small details but went deeper down. Most of them were of opinion that the boycott of Councils was a step dangerous and injurious to the best interests of the country and was a step which, if taken, would really place the country under great disadvantages. Did they or did they not believe what they had been saying for months, before the Special Congress met in Calcutta? They had been filling their papers and saying again and again from platforms that it was their desire not merely to get into Councils but when there so to work the reforms as to yield the utmost good to the country of which the reforms were capable, without forgetting that their principal object was always to make reform only a stepping stone to their consummation. They had repeated this emphatically in the Calcutta Session of the Congress. It was to them a question of the good of the country, a question of the highest patriotism, a question, therefore, of conscience and not merely subordinating judgment. It was to them a question of conscience that they should enter these Councils and make them the vehicle of their political ideas. If it was intended now to abstain from competing for seats in Legislative Councils merely because the National Congress has by a majority so ordered them to do, it seems to me to act under a mistaken idea of public duty. There is no rule of public morality that requires abstention from Legislative Councils because the Congress desires it. The Congress resolutions, I maintain, have never been of that binding character. From the beginning the exponents of the highest ideals of the Congress have only said that it represents and sums up the opinion of the intelligentsia of the country from year to year. It was the glory of the Congress that it was free to move along with the times, that it adjusted itself from time to time

to the imperious call of the moment. If its resolutions arrived at by a mere majority are to have the character of the laws of the Medes and the Persians, the Indian National Congress will be forging heavy chains for itself, and the country cannot move as rapidly as it should in these fleeting times. If I feel bound by the mandate of the Congress and act up to it, how shall it be open to me to say when the Congress meets at Nagpur that it should reverse the decision made in Calcutta? A great many who now abstain from Councils are openly contemplating that step. [Interruptions.] If they wish to make a demand to upset the last decision about the boycott of Councils, what I maintain is that they ought not to obey it as a binding resolution. If they did, to that extent, they will be crippling themselves and would be greatly diminishing the chances of a reversal on which they seem to have set their hearts. In my judgment a reversal is absolutely necessary. Time after time not only Sir Pherozeshah Mehta, whose authority may now be questioned, but many others including Mr. Tilak have laid it down that the Congress is merely summing up at the end of the year all the opinions that have found expression from our platforms during that year. If it is not open to me now to make a propaganda in the country, how can you say that I am free to change the resolution of the Congress at Nagpur? Will you tell me, "Obey for the time being but contest the authority of this piece of resolution and call upon the people to upset it"? Even if that were a legitimate demand to make, I want you to remember that in this particular case it is absolutely inadmissible. You cannot ask people to abstain from Councils as a matter of theoretical obedience to the Congress resolution, and at the same time tell them that they may, if they want to, upset it at the Nagpur Congress. If we now abstain, and the Nagpur Congress reverses the decision and allows people to stand as candidates, what value has that reversed decision? Elections will have been held, men would have gone into the Councils and for another three years you can do nothing. It is, therefore, in my judgment absolutely imprudent—if we only considered this aspect of the matter—to ask people as a matter of theoretical obedience to bend their necks to the yoke of the Congress resolution. But some of you are of opinion, and that view has recently been receiving a good deal of support from quarters where I never expected it, that there is nothing very much to be gained either by the Nationalists or Moderates or by the best of those parties going into the Councils, as these Councils, in the judgment of a few amongst you, are a piece of fraud. If that is the judgment of a few amongst you, I can only say that question does not arise in this case. I am only addressing those who believe in the efficiency of these reforms, thinking that, whether they were altogether satisfactory or unsatisfactory, they nevertheless deserve our *bona fide* working out. I am only addressing those who, holding that belief still, went into the Congress and fought their view and, having lost, have come to think that they are bound by some unexplained law of morality to set aside all their own views and become the means of doing harm to their own country. I cannot believe that any Congress resolution can ask the most loyal Congressman to go and injure his country if he thought that a resolution he followed out was calculated to injure the country. It is in my judgment setting up the Congress on a pedestal where it has no business to remain. It is putting the Congress far, far above the country. It is elevating subordinate considerations above conscience. I cannot but think that the resolution of the Congress, of the Democratic party in Bombay, of a few individual Nationalists in Madras, of the Bengal Nationalists, of some people in the Punjab and the United Provinces to abstain merely in obedience to the behests of the Congress is action taken against their better judgment, against their conscience, against the best interests of the country. I have no hesitation in saying that the decision must be upset. A good deal of beneficent legislation, beneficent resolution, and questioning work is possible to the country only if the best men from all parties went into the Councils. I believe that good as the Moderate party is, sound as are its principles,—[Laughter and interruptions and a voice: "You have said nothing in favour

of co-operation")—I cannot possibly say less than that in regard to my party,—believer as I am in the principles of the Moderate party—I am very strongly of opinion that even that party in the enjoyment of a monopoly of power cannot do full justice to themselves, to their principles or to their country unless they were kept continually up to the mark by vigilant and constant criticism from all parties in the State. There is nothing either as a rule of casuistry or as a rule of ordinary political conduct which could bind a person against his conscience and better judgment to follow the dictates of the Congress. I maintain that it is perfectly open to those who think as I have just now explained to go into the coming electoral contests and obtain those seats which they are perfectly entitled to by their numbers, by their authority and influence and by the weight of their political thinking.—*New India*.

AUROBINDO GHOSE.

ON UTILISATION OF PARTIAL SWARAJ.

THE following quotation from Mr. Aurobindo Ghosh's "Political Will and Testament" issued before he left for Pondicherry, is used with great effect in the anti-non-co-operation manifesto published over the names of Sir Ashutosh Chowdhry, Mr. J. Chowdhry, &c:—

"It is generally supposed that the Nationalist party is committed to the persistent and uncompromising refusal of co-operation until they get the full concession of Swaraj. Nationalist publicists have not cared to combat this error explicitly because they were more anxious to get their ideal accepted and the spirit of passive resistance and complete self-help popularized than to discuss a question which was not then a part of practical politics. But it is obvious that a party advancing such a proposition would be a party of doctrinaires and idealists, not of practical thinkers and workers. The Nationalist principle is the principle of 'no control, no co-operation.' Since all control has been refused, and so long as all control is refused, the Nationalist party preaches the refusal of co-operation as complete as we can make it. But it is evident that if, for instance, the power of imposing protective duties were given to a popular and elective body, no serious political party would prefer persistence in commercial boycott to the use of the powers conceded. Or if education were similarly made free of official control and entrusted to a popular body, as Lord Reay once thought of entrusting it, no sensible politician would ask the nation to boycott that education. Or if the courts were manned by Indian judges and made responsible not to the Executive but to a Minister representing the people, arbitration would immediately take its place as a supplementary aid to the regular courts. So also the refusal to co-operate in an administration which excludes the people from an effective voice does not involve a refusal to co-operate in an administration of which the people are an effective part. The refusal of autocratic gifts does not involve a refusal to take up popular rights inalienably secured to the people. It is on the contrary with the object of compelling the concession of the various elements to Swaraj by peaceful moral pressure and in the absence of such concessions developing our own institutions to the gradual extrusion and final supplanting of bureaucratic institutions, that the policy of self-help and passive resistance was started. The acceptance of popular rights does not imply the abandonment of the ideal of complete autonomy or of the use of passive resistance in case of any future arbitrary interference with the rights of the people. It implies only the use of partial Swaraj as a step and means towards complete Swaraj."

TO INTENDING CANDIDATES.

INTENDING candidates for the reformed Council and Legislative Assembly should be careful not to miss the time and date for the submission of their nomination papers. These must reach the Returning Officers on or before noon on 12th October. It is better to be too early than too late, for lateness will entail rejection, and the nomination forms must be properly filled up,

and subscribed by two electors of the constituency. Nomination forms can be obtained from the Collector. As candidates will object if possible to the nomination papers of their rivals, it is necessary to be careful. Another which should not be forgotten is that every candidate must make in writing and sign a declaration appointing either himself or some other person to be his election agent. This, too, must be done on or before the date on which the candidate is nominated; in fact this declaration and the nomination paper should be submitted together on or before noon on 12th October. Candidates should of course have copies of the Bombay Electoral Rules and Regulations and should study them. They can be obtained from the Government Central Press. All these warnings might be thought superfluous. But persons who intended to enter the Councils have actually failed to ascertain whether their names are on the Electoral Roll or not, and this extraordinary omission has resulted in their disqualification. This is why it has been thought desirable to issue the present warning.

W. F. HUDSON,
Collector, Poona.

POONA, 1st October, 1920.

TOPICS OF THE WEEK.

IT is not unnatural that the public utterances of H. H. the Maharaja of Bikaner who exhibited himself in England in the rôle of a great champion of self-government should be scanned by the public for any indication they may contain of his desire to concede some little measure of self-government to his own subjects. It is a pity that those who do so sustain disappointment every time. The portentous advice which the Maharaja addressed to his eldest son in the public omits the only thing which should have been prominently stated—that the State is a public trust and that when it comes in his charge he must make over the Government to the trusted representatives of the people. The advice which he gave is rather of a platitudinous character and has reference to good government instead of to self-government. The Maharaja also lavished compliments upon the young prince about which one can only hope that they will be somewhere near the verdict which his subjects will form of his administration when he comes to rule over them; for the present one can only attribute them to paternal partiality.

* * *

WHOLESALE arrests and deportations, without any kind of trial and even without warrants in some cases, seem to be matters of common occurrence in America. "At Bridgeport, Conn., 97 persons were taken in November. They were beaten, chained, starved and otherwise tortured. Most of them were kept in jail, generally in solitary confinement—that is, they were buried alive for five months in torment." This extraordinary proceeding is sought to be justified on the ground of getting the country rid of suspected or real Russian Reds and Communists. Meetings of the Communist party and the Communist Labour Party are got up, under instructions from higher authorities, by subordinate officials in the Secret Service, so that it "would facilitate the making of arrests." At least one case is on record in which a young Russian girl was "condemned to fifteen years for distributing a leaflet, which, according to the two most eminent judges of the Supreme Court, she had as much right as anyone has to circulate the Constitution." Be it noted that all this is happening in broad daylight in a country which has the most perfect constitution in the world.

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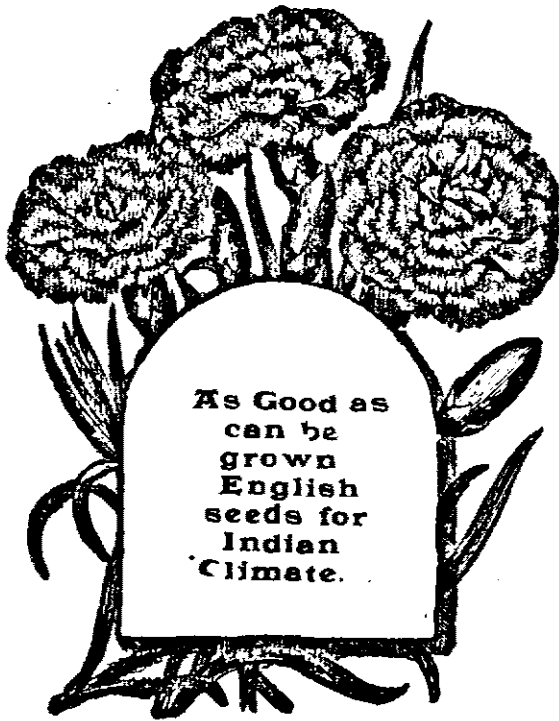
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