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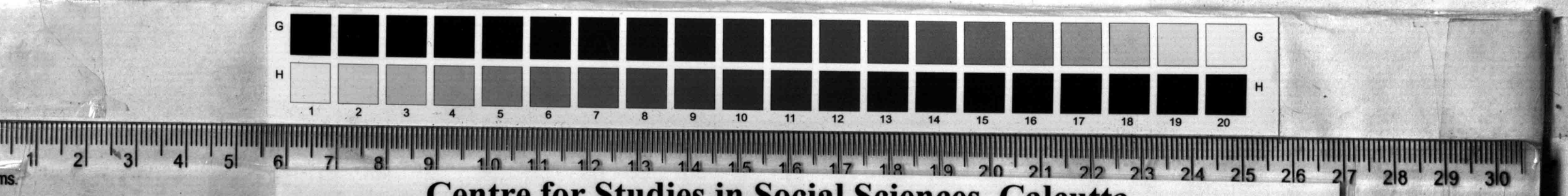
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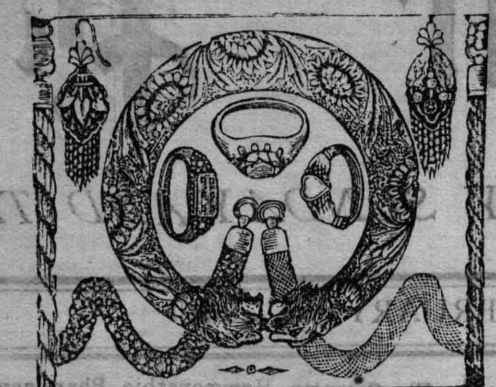
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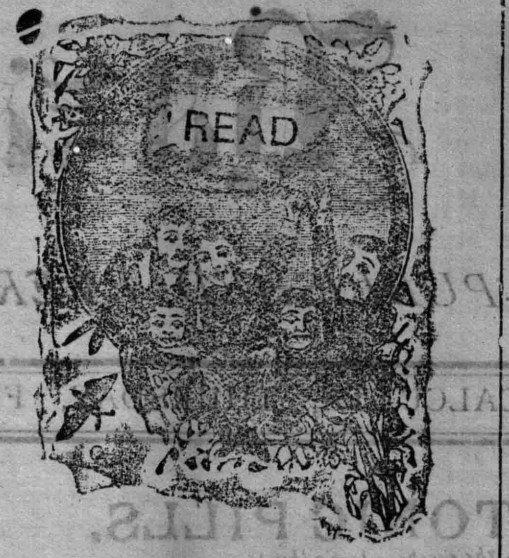
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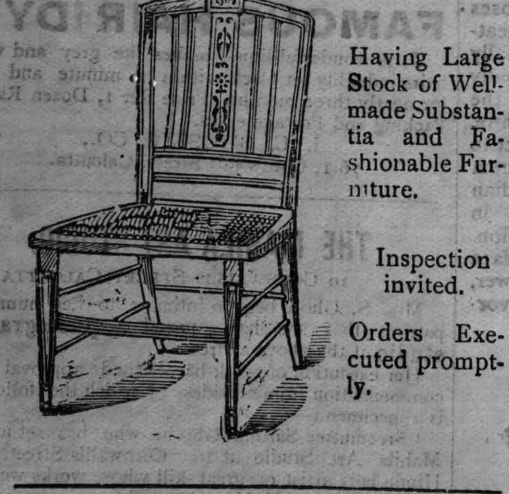
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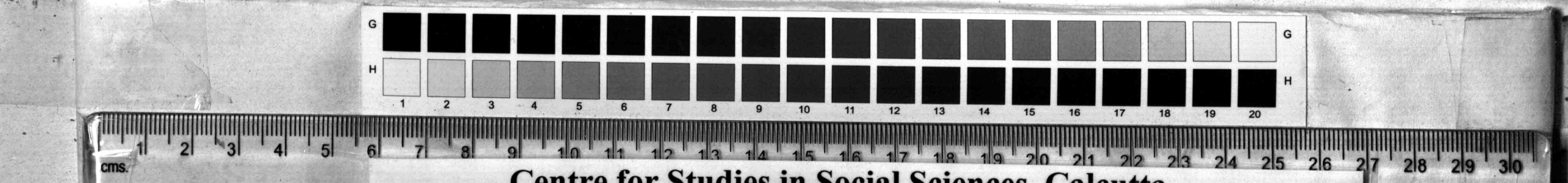
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THE Amrita Bazar Patrika.

CALCUTTA, FEBRUARY 24, 1908.

SEDITION LAW IN PARLIAMENT.

The result of Mr. Roberts' motion in the House of Commons on the Sedition Law is most significant. The Tory Ministry has a standing majority of 160 members. Backed by these overwhelming ap-peals, the Government can carry any Resolution of its own in Parliament, however absurd it may be. Indeed, if they like, they can establish to-morrow by a Parliamentary vote that the sun rises in the west and not in the east. When Mr. Roberts, therefore, moved his amendment against the Sedition Law, it was a forlorn conclusion that it would be lost. But even the most sanguine amongst the optimists had not expected that so many as 100 members would vote with him. In other words, the standing majority of the Government came down on this occasion from 160 to 73.

The incident is all the more significant from some other points of view. On the evening of the 17th instant that is, two days before, Lord George Hamilton, when challenged by Sir William Wedderburn, replied that he did not shirk responsibility in the matter of the Sedition Law. Further, he declared that he was advising the Crown on the subject. Here let us remark en passant that there is an apparent contradiction between the statements of Mr. Chalmers and Lord George Hamilton. The Law Member says in his statement that because the high officers who are responsible for the peace and good government of the provinces, under their charge, considered that these provisions were required, therefore, the Sedition Law was enacted. But Lord George Hamilton, on the other hand, observes that it was he who was responsible for the legislation, and he would not shirk his responsibility in this respect. Whom to believe?

Debat as it may, when Lord George Hamilton accepted the challenge of Sir William Wedderburn, he was quite sure of the support of the huge majority who at the bidding of the Ministerial leaders, would vote solid against any motion that might be brought forward against the new sedition clauses. Indeed, he knew perfectly well that the Liberals would try to make the most of this retrograde measure in India, and was thus fully prepared for the attack.

On the other hand, the Liberals were not in the best of spirits. They had expected, if not to give a beating to the Government, to bring down their majority at least below 100 on the division on the Frontier policy question. But, in spite of all their efforts and the help of the Front Opposition Bench, the motion of Mr. Lawson Walton was rejected by a majority of 103 votes. The Indian Sedition Bill had not however, roused one-tenth the enthusiasm in England, evoked there by the policy of the frontier question. Then, again, in a matter affecting the prestige of the executive authorities in India, Sir Henry Fowler and many of his colleagues were not expected to vote against the Government. It was thus a venturesome task on the part of Mr. Roberts and others of the Indian party when they undertook to move the amendment.

The outcome is, however, very encouraging. It shows that at least a large body of the members of Parliament will not allow the new Sedition Law to remain on our statute-book without a strong protest. It also shows that most of the 100 members who voted against the Sedition Law, did so not from party feeling but from an innate sense of justice. Indeed, English instinct, unless it is warped by considerations of interest, can never declare in favour of a piece of legislation which is calculated to deal a deadly blow at liberty of speech. It is quite true that the House was not so largely attended on the present occasion as it was when the debate on the Frontier policy question took place. But this only proves that many Tory members deliberately absented themselves and thus abstained from voting for a measure which is un-English in its character.

Lord George Hamilton, when defending the Act, was pleased to remark that it was not a measure of repression. We are not at all surprised at this statement; for, His

Lordship has the privilege of saying many things which ordinary mortals have not. It was His Lordship who declared in Parliament that the Natu brothers had been deported, because of their complicity with the murder of Mr. Rand. Nothing, however, transpired during the trial of Damodar Chapekar, to support that assertion. His Lordship says that the Sedition Law is not a repressive measure, but the members of the Calcutta High Court Bar, who ought to know more about law than His Lordship and who have a reputation to maintain have given it as their deliberate opinion that it is more than a repressive measure. This is what they said in their representation on the Bill, when it came out of the Select Committee.

The result of this Bill, if passed into law, will make it penal, amongst other things:— 1. Effectively to criticise the policy of the Government with reference, for example, to the present war beyond the Frontier. Effectively to oppose, and to give true utterance to the feelings of the people, or a section of the people, against a proposed tax that may be considered oppressive. 2. To present a petition for the redress of serious grievances, showing the existence of such grievances hitherto unredressed; and to leave it in the discretion of the Executive Government to prosecute or not.

But more than this. In para 5 of their representation, they thus describe the possible disastrous effects of the proposed law:—

Though the Bar think that the amendments of the Penal Code, introduced on the 21st December, 1897, have no relation whatsoever to the original Bill, yet I am directed to point out, that under the Bill, as it has left the Select Committee, any Native Indian subject of Her Majesty, who petitions British Parliament for the redress of grievances or against alleged oppression, and thereby excites or attempts to excite any feeling of enmity against the Government of India as by law established, would, though his petition were in such terms as were allowable according to the procedure of British Parliament, be liable to transportation for life, when found in British India. This appears to be in this respect a measure which may affect the authority of Parliament within the meaning of the last clause of sec. 22 of the India Councils Act, of 1861; and the putting of it in force in such a case, would undoubtedly constitute a breach of the privileges of Parliament. Further such a law, in so far as it rendered penal the presentation of petitions to Parliament in any way and, in any terms authorised by Parliament, which is the birth-right of every subject of Her Majesty, would seem to contravene the same clause, for that it may affect the unwritten laws or constitution of the United Kingdom of Great Britain and Ireland, whereon may depend in some degree the allegiance of persons to the Crown of the United Kingdom.

The matter has now practically gone out of the hands of the people of this country. They did their very best to dissuade the authorities here from fastening a law upon them which, in their opinion, is fraught with unmitigated evil. Their voice was, however, not heard, and the Government had everything in its own way. It is now for Englishmen to defend their own rights; for, according to the Calcutta Bar, the new Sedition Law is an attack against the very constitution of Great Britain and Ireland. We have every hope that when the people of England will fully realize the real character of the measure, they will rise to a man to oppose it and have it repealed for the benefit of the Empire. What our countrymen have to do is to send thousands of petitions to Parliament, praying for the withdrawal of the Act. That is the only constitutional step they can now adopt in this connection.

LEGITIMATE CRITICISM.

On Friday last, some of the legislators clearly explained why they had introduced this sedition measure into the country. They said that the protection of the Government made it necessary and that it would not in any way interfere with legitimate criticism. Sir A. Mackenzie spoke most frankly of all. His Honour said:—

The first duty of every Government, especially of foreign Government, is self preservation. The honest journalist has nothing to fear. Now this is a despotically-governed country, that is to say, the people have no voice in the administration of their country. That being the case, the rulers are bound not only to look to their own interests, but also to the interests of the people, the governed. Have they taken note of the blighting effects of the measure that they have introduced, upon the progress of the country?

We object to the doctrine in toto, namely, that the first duty of the Government is self-preservation. That may be its most ardent desire, but certainly not its first duty. Its first duty is to secure the happiness and growth of the people, entrusted to its care by a wise Providence. Has it realized the nature of the disastrous results

which the new Sedition Law will bring up on the progress of the Indian nation?

Of course, it has been urged more than once by the Government that the measure will never interfere with legitimate criticism. This is a point which is very difficult of settlement, in a country governed by a body of officials. A Poona editor, seeing that the plague operations are creating disaffection in the land, may give publicity to it in his paper in the interests of Government, and may express himself in strong language from the best of motives; yet his writings may hurt the susceptibilities of even a sensible ruler. When such is the case, what may be considered legitimate criticism by the editor of an independent newspaper, may be considered sedition by a ruler of the land. Have not leading men of India expressed sympathy for Mr. Tilak? The safest course would be thus for the journalist to avoid criticism altogether, or to make his criticism purposeless, valueless, incoherent and ineffective, in order to save his neck.

There is a good deal of difference between one who is privileged to send his fellow-beings to jail and the other who can be sent to jail at any moment. The first will never understand the difficulties of the second. If Lord Elgin had been a native of India and if he had been in charge of an independent newspaper, he would have then seen the difficulties in indulging in what they call legitimate criticism, without defining what it really means. They risk nothing by declaring the opinion that their sedition measure does not interfere with legitimate criticism; but the Indian editors risk much by putting faith upon that opinion and acting accordingly.

As it will be a risky business to indulge in what is called legitimate criticism, and there is no risk in giving up criticism altogether, people will naturally prefer to adopt the latter, and not the former, course. And thus, when the people, wrongly or rightly, feel themselves aggrieved, they will now groan in silence, and not be able to give free play to their feelings.

Thus in spite of the declaration of the Viceroy and his wise Counsellors, and in spite of their assurance that the Government would never undertake frivolous prosecutions, the inevitable effect would be that the newspapers in India and others who interpret the grievances and aspirations of the people to the Government, would feel themselves as if paralyzed.

And the result would be disastrous both to the ruled and the rulers. We have, however, no business to point out the difficulties of the latter; for, they understand their own interests very well, and it was frankly admitted that the measure had been introduced mainly in their own interest; but we have to point out how it will affect the country.

As for "legitimate" criticism, whatever that may mean, we don't see what we gain by the privilege. We all have very freely indulged in criticism about the sedition measure, and with no result. The beginning and the end of the measure have shown us that not only the Indians have no voice whatever, which, however, we knew before, but also the Europeans, in shaping the policy of the Government. What is this criticism worth, legitimate or illegitimate? Have we ever gained anything by it? So we do not object to the measure at all because it will stop legitimate criticism, as it will surely do.

We object to it, because it will tell upon the spirit of the people and retard their growth. Alexander Selkirk, forgot speech after a few years of silence. If the people are prevented from expressing themselves freely, they would cease to grow. That is the objection to the measure of the Government. The newspapers created ill-feeling against the Government; is it so? But will the measure, and the speeches delivered by some of the members of the Council, promote good will between the ruled and the rulers?

WHAT WE SHOULD DO NOW.

It would not do to whine like a cur under afflictions. We must bear up with them like men, and try to remove the disability which the Sedition measure has brought upon the Indian subjects of the Crown. The Bengalees have been accused of timidity; but they have their courage, too. A British soldier, who will spike a cannon, will fly from the town if he finds a cholera case

in his neighbourhood. But a Bengalee will tend a cholera patient quite unconcernedly. That is, however, neither here nor there. We do not subscribe to the charge that the Bengalees will not stand to their guns when duty would require them to do it.

Of course, hope refuses to come, but yet, the Press Act of Lord Lytton was repealed. No one ever expected that it would be knocked on the head. If anybody had then suggested the possible repeal of the Act, he would have been laughed at. In the same manner, the suggestion that the repeal of the Chalmers measure is not at all beyond the bounds of possibility, may be thought ridiculous. To them we reply that Beaconsfield was as strong a Minister as Palmerston; that it was believed that Gladstone, with the Liberals, had been annihilated for ever when Lord Lytton ruled India under the dictatorship of the first-named Minister. Yet it was seen that the old statesman, supposed to be dead, emerged out of his retreat and carried everything before him. The strong Government of Beaconsfield fell to pieces before him.

In the same manner, we have now a strong Tory Government and a disorganized and demoralized Opposition. The former have now everything in their way. Of course, the Government is not willing to exercise its power amongst the English people who have votes, and therefore do so amongst us Indians who have no votes. The Sedition measure was introduced because there is now practically no Opposition. The principles of the Sedition measure are, however, obnoxious to the notions of the Liberals. This they have shewn unmistakably. If they come to power, this Sedition measure is sure to be repealed, why, we shall presently explain.

Of course, it is possible that the Liberals may never again be able to gather their scattered forces for the purposes of any substantial opposition. Indeed, there is such a chance, and that we confess sorrowfully. But if it comes to that, then, Englishmen and Indians would all be in the same position.

But if the Liberals come to power, they come, bound to repeal or modify the Sedition measure. Firstly, they are sincerely of opinion that liberty of speech in India is essential for the same protection of the Government for which, according to Sir A. Mackenzie, liberty of speech has been withdrawn by the present Administration. Secondly, there is a precedent before them, viz, the Press Act was thrust by the Tory Government and repealed by them. And thirdly, the English conscience will sooner or later come to recognize that the Indians are not Carolina slaves, but as much the subjects of the Queen as any Londoner is. And they, the Indians, have done nothing to deserve the disability voted to them.

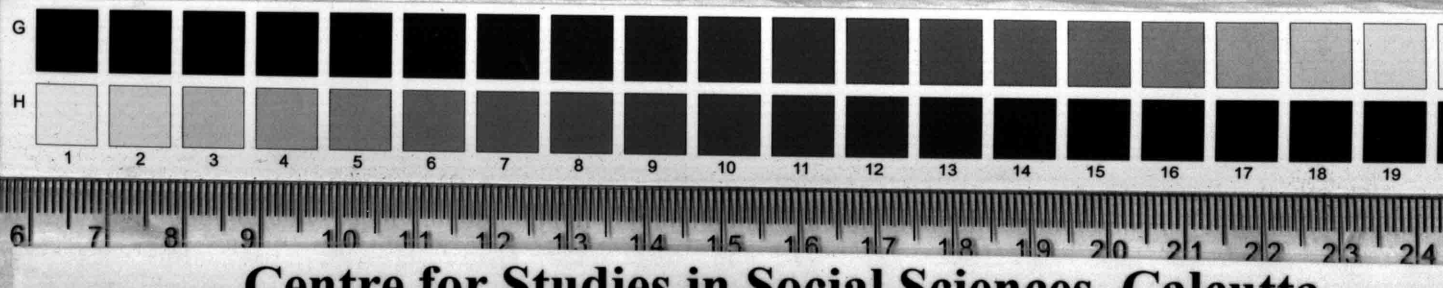
We must, therefore, keep up the agitation. Of course, there is the Sedition law hanging over our head. But we are not going to change our methods, come whatever may. There was a proposal of stopping all papers, if the Sedition law were passed. But we demurred to the suggestion. We know our own heart; we know that English rule is essential in India. We have the highest opinion of British character. We have enjoyed, and do even now enjoy, the confidence of some of the highest of Englishmen. Of course, we cannot bear to see oppression and injustice. Whenever we see that, we shall never fail to do what we consider our duty. In going to do our duty honestly and loyally, if we come to grief, it must be borne in mind that even the best of us are liable to get cholera.

A somewhat delicate matter, we understand, is just now pending before the Hon'ble Mr. Risley as Municipal Secretary of the Bengal Government. From a memorial of some Commissioners of the Chupra Municipality, published in our Friday's issue, it will be seen that Mr. Bourdillon, the Commissioner of the Patna Division, has refused to sanction the election of Mr. R. Ghose, the well-known Barrister practising in that town, as Chairman of that Municipality. The contest lay between Mr. Ghose and the Magistrate of the District. Of the 15 Commissioners, 9 voted for the former, and he was thus elected by a majority of three votes. The Divisional Commissioner, to the surprise of all, asked Mr. Ghose to resign in favour of the Magistrate; but, as the matter lay in the hands of the Commissioners who had elected him, Mr. Ghose was unable to accede to the request of Mr. Bourdillon.

The result is, the latter has placed the whole case in the hands of the Bengal Government, with a recommendation to have the election cancelled. Of the nine Commissioners who voted for Mr. Ghose, seven have submitted a petition to Government, praying that the election of Mr. Ghose be sanctioned. Mr. Bourdillon is an experienced officer; and, we are sorry, he was led to commit such a blunder as to oppose the election of such a man as Mr. Ghose who, he is perfectly aware, gave great satisfaction, for about 8 years, to the people and the authorities, in his capacity as Chairman and Vice-Chairman of the Municipality. It is quite true that, owing to the bad state of his health, Mr. Ghose could not attend to his duties properly for one year; but, as he is now in good health and willing to serve, we cannot understand why his services are not to be availed of. The District Magistrate is already hampered with numerous duties. To throw upon him the additional duty of administering the affairs of the Municipality, is not only an act of cruelty towards him, but also an act of injustice to the rate-payers whose affairs can never be managed by him, over-worked as he is, as efficiently as by Mr. Ghose. Then again, Mr. Ghose, being a native of the soil, is more accessible to the general body of the rate-payers than the lord-of-the-district, who is naturally held in great awe and therefore not always approachable. But, above all, unless local self-government is an absolute farce, how can the Commissioner object to the election of a deserving man, when he was duly and legally elected? Mr. Risley is not only an officer of strong sense of justice, but a sincere friend of local self-government. He has also the reputation of being a man of tact. We hope, therefore, he will be able to manage the matter in such a way as to leave the cause of local self-government unhurt, and, at the same time, make a friction between Mr. Ghose and Mr. Bourdillon impossible.

ONE of the wisest members of the Viceregal Council, Sir James Westland, whose speech is published in another column, was very angry, because he had to go through a large number of representations on the Sedition Bill, submitted by various Associations and public bodies in the country; and he took his revenge upon them by calling them all "three tailors of Tooley street" who sought to speak on behalf of the English nation. Of course, they were nobodies; for, if they were anybody, how could he and his colleagues pass the Bill against their unanimous voice? There are two ways by which the members of our Council dispose of disagreeable objections to their measures. One is to ignore them altogether, on the well-known principle, "speech is silver, silence is gold." The other is to ridicule or belittle the parties from whom the objections came. Both these methods were adopted when passing the Sedition Bill. The official members read speech after speech—long, dreary speeches, not to explain why they were going to enact a new Sedition Law, or how it would be possible for writers and speakers to know what "contempt" or "hatred" meant unless the words were clearly defined,—but to show their ardent love for the people of this country by choice expressions. Sir Alexander Mackenzie had to take the help of even poetry to give vent to the depth of his feeling in this respect. Sir James Westland began his speech in this happy vein: "My friend Mr. Chalmers will speak about the measure; I have nothing to do with that, I am here to perform another duty; and that duty was to bring contempt upon the Indian 'three tailors of Tooley street.'" Some of the arguments of the Finance Minister are, however, too transcendental for our dull apprehension. For instance, he takes exception to "the humble memorial of the inhabitants in Calcutta in public meeting assembled." He says that those who sent this memorial had no right to represent the whole population of Calcutta. "I entirely deny their right to represent me," says Sir James indignantly. But, Sir James, please don't lose your temper. Nobody represented you or your friends, or all the inhabitants of Calcutta. In the memorial they embodied the views and sentiments of only the four thousand men who attended the meeting and the many hundreds who came to attend but who had to go away for want of space. Indeed, their memorial is "the memorial of the inhabitants of Calcutta in public meeting assembled." Referring to the memorial of the Conference, presided over by Maharajah Sir Jotindra Mohun Tagore, Sir James is pleased to remark:—

The document which has been given to us with the great name—I call it a great name because it is that of a man who is above all suspicion—of Maharajah Sir Jotindra Mohun Tagore, announces to us the conclusions of a Conference assembled in Calcutta. From beginning to end of that document there is not the smallest hint of who that Conference was. But is not Maharajah Jotindra Mohun a host in himself? A representation signed by him, may be, treated with contempt, by Sir James Westland and his colleagues; but, it would have been received in another light by such high-minded English noble men as Lord Northbrook, Lord Ripon, Lord Dufferin, and Lord Lansdowne. Times are, indeed, now out of joint. Our public men and public bodies, held in the highest esteem by successive Viceroys of world-wide celebrity, are now no



bodies to a Finance Minister! As regards the Conference, a little enquiry on the part of Sir James Westland would have satisfied him that it was attended by all the prominent men in the town.

The Indian Daily News concludes its yesterday's leading article with this sentence: "To hold a mandate from a Secretary of State, may be a comparatively respectable office; but to merely hold a power-of-attorney from Sir Phillip Hutchins, is a trifle ignominious, and that is what the Viceroyalty is at present."

The reply to the representation of the Plague Conference, held in December last and presided over by Maharajah Sir Jotindra Mohun Tagore, coming as it does from the Hon'ble Mr. Risley, is couched in the most courteous language. It goes without saying, however, that none of the chief prayers of the Conference have been granted.

It may be remembered that several weeks ago we published a paragraph to the effect that Mr. Tilak was allowed to read the Vedas in the jail on Sundays. The attention of Professor Max Muller having been drawn to the paragraph by some Indian gentlemen in England, he expressed great sympathy for Mr. Tilak and caused a complete set of his edition of the Rig Veda to be sent to him as a present.

OUR London correspondent, in his letter, speaks highly of the services which Babu Ananda Mohun Bose and Komesh Chander Dutt are doing to India and the Liberal cause. It is gratifying to learn that Mr. Richardson, whom Babu Ananda Mohun Bose went to support in S. E. Durham, and who was elected by a large majority of 275, owes his success, to a considerable extent, to the powerful speech of our distinguished countryman.

THERE is one ruler in India who does not smell sedition in his Province. Replying to the Municipal address at Nellore Sir Arthur Havelock said:

I am very glad to receive from you your assurance of loyalty to Her Majesty. Such an assurance is unnecessary, as one knows your loyalty is sincere and devoted, but it is satisfactory to receive from Her Majesty's subjects such feeling towards her person and throne.

But if Sir Arthur Havelock is so satisfied as to the loyalty of the people entrusted to his care, how could he give his support to the Sedition measure?

SIR SALTER PYNE who, as the reader is aware, arrived at Peshwar on Friday, reports that Jellalabad is full of fugitive Afridis. These, says he, arrived without pre-arrangement, and as such, by the laws of Mahomed, the Amir was bound to countenance them.

THE Englishman understands that Government has resolved to set on foot a magnetic survey of India in connection with the Kodakal Observatory. There is a report that Dr. Lockyer, a son of Sir Norman Lockyer, who is now on a visit to this country with his father, will be placed at the head of the proposed department.

A serious fire is reported from Bombay. On Saturday afternoon, a hut, lying immediately to the south of the European Plague Hospital, was in flames. The strong wind prevailing at the time, carried some sparks on to the roofs of the Plague Hospital, which were ablaze. There were twelve inmates

in the hospital; and the nursing staff and attendants had to make great efforts in order to secure their safety by removing them into an open. In the meantime, the fire spread over to the Hindu and Parsee Plague Hospitals, where also it was with the greatest difficulty that the safety of the inmates was secured. The sheds of all the hospitals have been considerably damaged, the nursing staff have lost nearly all their property, and nine patients have died of the shock, while being removed.

It will be remembered that Mr. Crawley submitted to the Government of India a report in which he sought to attribute the present financial embarrassments in the State of Hyderabad to the extravagances of His Highness the Nizam. Quite recently, an assembly of leading men of Hyderabad, called the "Mujlis Oomira" sat to consider the question of the financial condition of the State. This assembly had occasion to criticise Mr. Crawley's report, and they have just passed a Resolution, giving it their unanimous opinion of the "Mujlis" that Mr. Crawley's conclusions were not based on facts, and vindicating the Nizam. Copies of this important Resolution have been sent to the Minister, as also to the Viceroy through the Resident. It is to be hoped that the significance of this Resolution will not be lost upon those high authorities who are now engaged in considering the question of the Nizam's finances.

THE Commissioner of the Patna Division has recommended the grant of a bonus of half a month's salary to each of the clerks employed in his office for the heavy increase of work they had to cope with during the late famine.

THE sudden and very marked fall in the temperature since Saturday is to be accounted for by the many snow-storms in the hills. A foot of snow is reported to have fallen at Mussoorie. There has also been a heavy fall of snow at Chitral.

A SHORT time ago, the Government of Bombay proposed to the Government of India the amalgamation of the office of Inspector-General of Prisons with that of Inspector-General of Police, and suggested that both Departments should be worked by the Inspector-General of Police. The Government of India has just vetoed the proposal as a retrograde step.

THE Hon'ble Mr. P. M. Mehta abstained from taking part in the debate on the District Police Amendment Bill, now under the consideration of the Bombay Legislative Council. He gave reasons why he did so. He said that when a similar Bill was on the anvil at the Supreme Council, three years ago, he fully expressed his views on the subject. But that produced no effect. Such being the case, it was not worth his while, said he, to repeat the same arguments over again. Mr. Mehta's reasoning may not commend itself to many; yet, it is pretty clear that public-spiritedness in the country is being indirectly sought to be damped by being ignored or snubbed.

ON Monday Mr. Barclay, on behalf of Damodar Chapekar, applied before Justices Parsons and Ranade, for further adjournment of the hearing of the appeal, on the grounds that the case was an important one and that the papers of the proceedings came into his possession only on the previous day. In a long petition, Chapekar said that neither he nor his brother Balkrishna committed the murders, and re-iterated before the Hon'ble Judges the statements which he had made at the Pooná Sessions Court, as to how the Police had concocted the whole evidence and tutored the witnesses, and concluded with a prayer for justice and acquittal. Their Lordships have fixed the hearing of the appeal for Wednesday, the 2nd of March.

SIR A. S. LETHBRIDGE, head of the Thagi and Dacoity Department, has been granted an extension of furlough for six months, at the end of which he will retire from the service.

RARELY, writes the Madras Mail, is so much trouble experienced in getting jurymen together for the Madras High Court Sessions as has been the case during the past week. One case has had to be adjourned and two cases part heard to be retired owing to the illness of jurymen in the middle of the cases. This morning five jurymen were absent from the Court when the roll was called, and His Lordship, Mr. Justice Sheppard, in the exercise of his powers, imposed a fine in each case of Rs. 100.

NEWS has reached Allahabad by telegram that on Friday last the Judicial Committee of the Privy Council gave judgment in the appeal of Lal Bulwant Singh versus Rani Kishori. This case, which was instituted in 1886 in the Court of the Subordinate Judge, was transferred to that of the District Judge of Mainpuri. It came on for trial before Mr. Aikman, then the Judge of Mainpuri, and resulted in the major portion of the plaintiff's claim being dismissed. Both parties appealed to the High Court of these provinces, and the appeals which were heard by Mr. Justice Knox and Mr. Justice Burditt, resulted in the total dismissal of the plaintiff's suit. By their judgment their Lordships of the Privy Council have confirmed the order of the High Court. At the time general attention to the case was excited in these provinces by the magnitude of the interests at stake in the litigation, and the position of the family of Jaswant Rao, the husband of Rani Kishori, who had done yeoman's work for the British in the mutiny of 1857. A special interest, moreover, centered in the result of the appeal, as it is in this case that the question regarding the validity of the acting appointment of Mr. Justice Burditt to the bench in the Allahabad High Court was directly put in issue in the appeal, and tried by their lordships of the Privy Council. The result has been the recognition of the validity of that appointment, and the consequent quieting of minds, uneasy on that score.

THE total area under paddy cultivation in Burma is now reported as 5,594,279 acres, or 65,442 acres more than the estimate given last month, and 370,217 acres more than the actuals of last year. Reaping is completed, and threshing in progress. It is now estimated that there will be available for export 1,930,000 tons of cargo rice equivalent to 32,711,900 cwt. of cleaned rice.

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INDIA AND ENGLAND.

[FROM OUR OWN CORRESPONDENT.]

LONDON, FEB. 24

MR. A. M. BOSE AND MR. R. C. DUTT. It is impossible to over-estimate the great services which Mr. A. M. Bose and Mr. R. C. Dutt, C. I. E., are rendering to the Indian side of the Frontier controversy, by the speeches which they have been delivering during the last week or two at Wolverhampton, Cricklade and Durham, where the by-elections have been progressing. Last Saturday Mr. Dutt accompanied Lord Edmond Fitzmaurice to a mass meeting at Cricklade. Mr. Dutt was received with great enthusiasm, and his powerful and convincing arguments were listened to with profound attention and prolonged applause. Mr. Bose has placed himself at the disposal of the British Committee for the entire month of March, and I trust they will arrange a series of meetings for him, worthy of his ability and self-sacrifice. I wish we had a hundred such men in the country at this special crisis.

PRESS AGENCY BETWEEN LONDON AND INDIA.

I am happy to say that the British Committee have completed very satisfactory arrangements for a press agency between London and India, by which news of importance may be telegraphed from India on the authority of the Indian National Congress. In future, any message telegraphed from the Congress authorities at Calcutta, Madras and Bombay to the British Committee, will be distributed through the most important press-agency in London, not only to all the London, but also to the various provincial daily papers in the country. These messages will be conveyed by the Telegraph Company at the lowest press rates. This arrangement has only been possible since "India" became a weekly paper, as the various Telegraph Companies will not recognize a paper that is published at longer intervals than seven days. The messages will be published as having been received from the British Committee of the Indian National Congress, so that the public will be able to discriminate between them and the biased messages of Reuter and the Times correspondent. I daresay the Congress cables will have their own unconscious bias, but the public can set the one against the other. It is quite time the Congress had its own say by telegraph. I have written so often about this, and urged it to weariness, that your readers ought to know how important a step has thus been taken; and it is now for the Congress authorities in the three centres named to take care that when momentous events come up in India that the "Government" messages are not allowed to ferment for 2 or 3 weeks in the public mind, without any alternative information to check it. At the present moment, for instance, the Tory press is working up the plague riot near Nasik for all its worth, and some of them make it out to be almost a second edition of the Pooná murders, cleverly insinuating that a "Collector" has been murdered. It has been made clear that the Collector was not an Englishman, as was suggested, but "only an Indian," so the public mind is relieved; but give a lie an hour's start, and you won't catch it in a month. A simple statement of fact, published simultaneously with Reuter and the Times correspondent, will constantly prevent misconception, and save much public mischief. The arrangements made by the British Committee, will secure precisely the same facilities for wide and prompt publicity in the London and provincial daily papers as is enjoyed by Reuter himself.

PARLIAMENTARY REPORTS IN "INDIA."

The Parliamentary reports in "India" will in future be given in each weekly issue, up to and including Thursday's questions. They will be verbatim, as in the special supplements under the old regime, a change very much for the better, except in the case of important speeches by Sir William Wedderburn and other Congress supporters, and Front Bench leaders; as a rule, the report will be only a copious precis of the most interesting speeches in Indian debates, and verbatim reports of answers to questions on Indian affairs. I think this a good reform, and it will present Parliament in a more interesting and readable form to its subscribers.

THE SENTENCE ON DAMODAR CHAPEKAR.

The news arrives this morning that Damodar Chapekar has been found guilty and sentenced to death. The conclusion of this tragedy comes opportunely for the meeting of Parliament, and will enormously strengthen the demand which must now be made for the immediate release of the brothers Natus, whose deportation and imprisonment without trial now loses its last shred of justification. Of course, no details have been telegraphed beyond the bare fact of conviction and sentence; but unless some fresh and striking evidence has been forthcoming other than what was produced in the earlier stages of Damodar's prosecution, there is not a shred or tittle of evidence connecting either the Natus or Mr. Tilak with any share, directly or remotely, with the Pooná murders. They have been committed by an illiterate mendicant singer who is probably the victim of homicidal mania. I expect every day to hear of the release of the Natus, but sincerely hope it may be now deferred for a few days, until Sir William Wedderburn has been able to raise the question on an amendment to the Address. If the Government of India are wise, they will meet the attack by the announcement that the Natus are free, and that Tilak and his fellow-prisoners have at any rate had their cruel sentences relieved of the hard labour element. It has always been a matter of regret to me that the British Committee did not arrange for a public indignation meeting in St. James Hall the week after the proceedings before the Privy Council. We had W. C. Bonnerjee, Pherozshah Mehta, and Khare as Indian speakers, and with Sir William Wedderburn in the chair. I believe such a meeting would have been a great success and would have fully enlightened the country on the iniquity of the whole Pooná policy of repression. I only hope, the bread may not now be taken out of our mouth by the release of the Natus before Parliament has time to discuss it.

PROFESSOR GOKHALE'S LETTER.

I have just been reading the long letter which my friend Professor Gokhale has thought fit to address to the Indian papers. It is impossible to take exception to its tone or matter, which is couched with that gentle

bearance to his opponents that is at once the charm and the fault of Professor Gokhale's character. But all the same, I wish he had remembered the old proverb "Speech is silver, silence is gold." His friends in this country think he was quite right to go to Amroiti, that he had a right to expect a somewhat cool reception, but that his wisest policy is simply to take up his old Congress work, and that his Indian friends should willingly join him in letting the dead past bury its dead. I doubt if any of those who still judge him harshly, would have come through the furnace any better than he did. I hope, we have heard the last explanation, and that Professor Gokhale may now find himself entirely reinstated in the confidence of his old allies; a confidence he has done nothing to lose, and to which his long unwearied, self-denying service to his country fully entitles him, whatever may have been his errors of judgment in a cruel and perplexing crisis of his useful life.

AN UNFOUNDED REPORT.

I see an absurd statement in some of the Indian papers that Mr. W. S. Caine has resigned his seat on the British Congress Committee. There is not the slightest foundation for this report, and Mr. Caine was present at this week's meeting of the Committee. I suppose this report has for its foundation a sentence in the London correspondence of the "Bombay Gazette" to the effect that he had resigned because he disapproved of the new weekly issue of "India." The disapproval was there, and was strongly pressed upon his colleagues. But Mr. Caine does not turn his back on colleagues because they don't agree with him, and there is no member of the Committee more anxious for the success of the new venture than Mr. Caine, now that it has been decided upon and started on its way.

INDIA AT THE COMING PARLIAMENT.

I MET yesterday an ex-Cabinet Minister and one of the three leading Front Bench members of the Opposition. He told me that it was practically settled that an amendment to the Address would be moved either from the Front Bench by Sir Henry Fowler, or else by some leading and distinguished private member, high in the confidence of the Liberal Leaders. He thought this latter course would be the most probable, as it would draw the fire of the enemy, and enable Sir Henry Fowler to reserve himself for the closing speech of the debate. It is likely that Mr. Lawson Walton, Q. C., one of the members for Leeds, and a man of great eloquence and mental acumen, will be invited to undertake the duty. In this case Sir William Wedderburn will, of course, stand aside, no doubt taking an active part in the debate, and moving an amendment in his own name impeaching the Pooná prosecutions, the deputation of the Natus, and the proposed alterations of the press laws. It is also quite certain that an early opportunity will be taken presumably on the Address, to give vent to the deepening indignation that is being felt by all classes with regard to the lamentable miscarriage of the campaign, which has been fomented by the Pioneer and the Times of India, whose strictures have been reproduced freely in the press of this country. This feeling has just received fresh impetus from the publication by the Daily Mail of a ten days' diary of impressions gathered on the spot by the late Sir Henry Havelock-Allan, from which the following are some of the most telling sentences:

Surprised to hear from various accounts that people at Simla are satisfied with the result of the Frontier campaign, and consider it to have been well done, the reason alleged being that it was impossible to hold any part of the Afridi country over the winter, and that, therefore, for the convenience of supplies, and other purposes, it was more desirable to come back to Peshawar. This may be so, but the success or non-success of the campaign turns solely on the question as to whether any submission or groundwork for submission has been obtained from the Afridis, and whether there has been any consent on their part to surrender their arms, and assuming this to be the case, what guarantee have we that they will carry it out?

As it is apparent that campaigns are not made for the mere purpose of waste of time and money, it is clear that we have not obtained considerable and substantial concessions in this direction, the campaign might as well have been left alone until next spring; then there would have been six or eight months of clear weather for operations, which time would undoubtedly have sufficed to make the matter a complete success, and to thoroughly subjugate the tribes.

Reading between the lines of the accounts from the frontier, it is certain that the Afridis are not at all subdued; that they are in fact defiantly pursuing our troops while retiring from their country, and may well be in a position to declare themselves to have had the upper hand. From the enemy's point of view, it is liable to be represented as a complete victory for they have held their own, and have escorted us out of the country with plentiful showers of our own Dum Dum bullets, and are in a position to brag that we have wisely turned tail, and returned to a climate more congenial to our people's well-being, and in order to save ourselves from the humiliation of having our native troops broken down through the effects of frost and snow.

Under these untoward circumstances, the Indian Government finds itself compelled to undertake a campaign next year in order to hold its own in the eyes of the Afridis, the people of Afghanistan, and the Indian people themselves.

The key of the situation appears to me to be that no distinct and clear conception was formed at the beginning of the nature and degree of resistance to be encountered, and consequently arising from a false idea, the movements have been themselves on a smaller scale than they should have been, and the whole thing is a practical failure. The news of our retreat and temporary failure will reach not only the Ameer at Cabul, but every corner of Central Asia, independent as well as Russian, and will undoubtedly create greater difficulties for us in the future. In fact time is now the essence of success.

The whole thing has been a dead failure from being undertaken on too small a scale, and without any adequate calculation of the results that were desirable, and a force that was necessary to carry it out. Like every other blunder, this will be a costly mistake.

The burden will fall upon the over-taxed Indian people, already broken down with famine, pestilence and the beginnings of sedition, and a strict account ought to be demanded in Parliament of the causes which have led to so deplorable a failure.

This is very plain talk indeed from a man who was not only a distinguished Indian general, but who was a thick and thin supporter of the present Government. These few sentences will give you in simple and striking language exactly what is being said by every military authority in the country, free to speak out. As there are no less than 42 soldiers, who are members of the House of Commons, there will be a very lively debate on the campaign, which

will serve the purpose of emphasising the cost as well as the very trivial advantages purchased at so excessive a price. Sir Henry Havelock-Allan speaks more loudly from his grave at Peshawar that ever he could have done in his place in the House, and there will not be lacking other men to push home his trenchant indictment of Simla, and his sympathetic appeal on behalf of the over-taxed Indian people. This monstrous, cruel, wasteful and totally unnecessary expedition is now damned all round as a gigantic failure. Its indictment at the bar of public opinion is inevitable, and must be met by the Government. Public feeling is too strong to permit the shielding of the men responsible for it, however high may be their position. The British soldier has done his work well enough; the Indian soldier even better; the regimental officers have come out with brilliant records; all of which only makes the blundering stupidity of those who are responsible for the policy of the campaign stand out the bolder. Conservative and Liberal Editors alike clamour for impartial enquiry, and if the Government are wise, they will meet Parliament with that enquiry set on foot.

There is hardly a newspaper in the country on either side on politics, whose editor has not got something to say about Sir Henry Havelock-Allan's diary, and Sir William Lockhart's pictures on the management of the campaign. These criticisms all point to Parliamentary enquiry; and it is more than probable that the Government will be forced to appoint some Committee or Commission to overhaul the methods by which the military affairs of the Indian Empire are controlled. It is impossible for me, in the limited space I feel justified in occupying in your columns, to give more than a mere sketch of the great grumbling volume of press criticisms; I will, however, give you the substance of it.

The gravest attack on the Government authorities who have muddled the Frontier policy and the campaign which followed it comes from the most loyal and devoted Conservative journal, the London Standard, whose long editorial last Monday has been reproduced everywhere. The editor gives a brief historical survey of the origin and progress of the campaign, gibbets its successive blunders and failures in pungent sentences, and demands searching investigation in the following significant language which would not attract much attention in the columns of the Daily News, a Liberal paper, but which is terrible indeed in the columns of the Standard:

Then followed, on the first symptoms of an eruption, an extraordinary series of blunders, which aggravated the peril and encouraged hostility. The outbreak of the Mohmands might and should have been prevented. The success of their raid on Shunkargarh incited the Afridis to emulate their prowess; but even then a reinforcement of the Khyber posts would have checked the Afridi rising before the crisis became acute. These are some of the things that will have to be investigated; not the merits of a policy which John Lawrence was able to pursue in days gone by, when the Russians had hardly reached the banks of the Jaxartes.

Nor will the public conscience be set at rest unless there is a full and impartial inquiry into the conduct of the Frontier campaign. In spite of what happened on Saturday, we may hope that its objects are all attained; but at what a heavy cost it is known only too well. We have deprecated premature criticism, but when official Despatches are published, showing that this General had miscalculated the strength of the enemy and lost pretty well half his Brigade in consequence, and that other Generals had failed to carry out their instructions, there is no excuse for further reticence. The initial advance on the Samana was sadly mismanaged, and the sacrifice of life during the second capture of Dargai conclusively shows that someone had blundered. The retirement from Waran, and the withdrawal to the Bara Valley, when the rear-guard of General Kempster's Brigade suffered so severely, must also be numbered amongst the least satisfactory incidents of the Tirah Expedition. Sir William Lockhart, we feel sure, will be most anxious that there should be no suppression of the truth. There are other matters which call for investigation besides the incapacity of certain officers. To what extent and with what results were Sir William Lockhart's hands tied, and his energy hampered, by undue interference from Simla? That endeavours were made to keep him in leading strings, and that in some cases he only got his own way with the greatest difficulty, is apparent to anyone who can read between the lines of the telegraphic reports from the seat of war. The public may reasonably insist on learning why such interference was exercised. It is to these considerations, rather than to abstract researches into the past history of Indian frontier policy, that the curiosity of the Parliament and the public will, we trust, be directed.

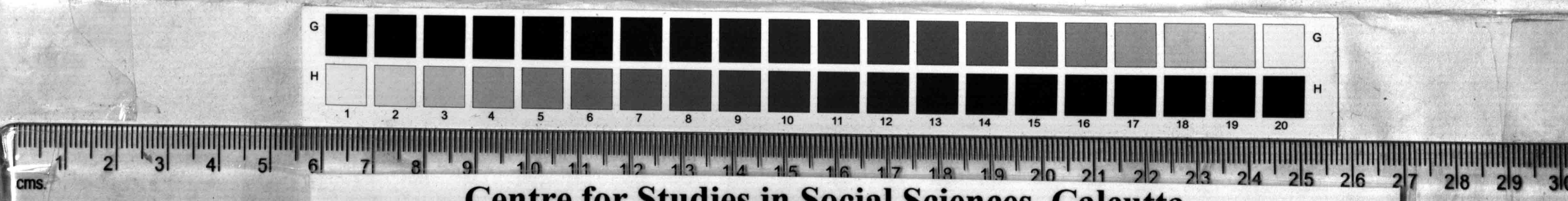
The Globe (Tory), commenting on Sir William Lockhart's apology, says that from first to last close observers of the campaign have seen that "some one had blundered." Our troops, both British and Native, behaved with great and indisputable gallantry, and their heroic pluck made amends for the gross incompetence of their commanders, whose whole record of faulty generalship is only saved from disaster by the gallantry of the troops.

The Pall Mall Gazette (Tory) says very significantly, "We shall know more when Sir William Lockhart comes home to report, and we shall want to know a good deal."

The Daily Mail (Tory) considers that Sir Henry Havelock-Allan's formidable indictment is strengthened by Sir W. Lockhart's official defence. The reverses suffered by our army are traceable to excessive confidence, and deficient caution; the editor calls for stringent enquiry.

The Morning Advertiser (Tory) thinks that the charges made by Sir H. Havelock-Allan will have to be carefully investigated. The whole subject of Indian Frontier policy will have to be raised in Parliament, and the events of the war will still call for security. It is easy to make too much of mischance, but that full information as to what explanation can be given of several untoward accidents will be asked, and rightly asked, is clear. The call for the fresh campaign in the spring, will give a sting to criticism.

The Daily Telegraph (Tory) has been always conspicuous for its thick and thin support of the Indian Government, but even this worm turns, and declares that Englishmen of all classes deeply deplore the sacrifice of so many valuable lives in the course of a manifestly unsuccessful undertaking and eagerly await a full explanation. The Echo (Independent Tory) quotes with approval the strong phrases made use of by the Mail, which published Sir Henry Havelock-Allan's diary, declaring that the editor of that paper only says, ditto to what the Echo has for weeks been trying to bring home to the British public, viz, that the Frontier expedition is "damned as a gigantic failure."



I need not cumber your columns with extracts from the Liberal press of the metropolis. Mr. Labouchere sums up the line they all take in the following trenchant sentence in this week's *Truth*: "Parliament meets next week. It should be the first business of every one in the House who values the safety of the Empire to insist upon a searching enquiry into the causes of this deplorable fiasco. If we are told that this is unpatriotic, so much the worse for patriotism, as understood by its professional exponents. If we are told that to condemn the policy and the conduct of this ignominious and disastrous war is the part of 'Little Englanders,' so much the better for those who are called Little Englanders. At a time when almost every day brings forth some new crisis in our foreign relations, and when our fire-eating politicians and pressmen are ready to beard any foreign Power at the first pretext for a quarrel, we find the Indian Government, which is nothing if not an efficient military administration, checkmated, humiliated, paralysed in an attempt to teach a lesson to a few thousand undisciplined savages. At a time when India is stricken by plague and famine, when its Government is but one degree removed from bankruptcy, we see money being squandered in millions on a policy which is of doubtful expediency and condemned by many of those most competent to judge its merits. It behoves every man who is concerned for the credit of England or the welfare of India to call on the rulers of the Empire for an explanation of the past failure, and a satisfactory declaration as to what is intended in the future, and to resist further expenditure of blood and money until both are forthcoming."

The provincial press, Tory and Liberal alike, join in one harmonious chorus in their demand for a searching enquiry into this shameful muddle. I send you a number of extracts from their columns.

It takes a lot of mismanagement in India before the British people can be moved to interfere with the administration. But they are ruthless censors when once roused to action. They are willing always to give the rulers of India a free hand, only expecting them to govern on principles of moral right. But they are now deeply moved and thoroughly convinced that those principles have been outraged in this miserable campaign, and demand that Parliament shall make its protest, enquire into the responsibility and visit the consequences of their folly upon the foolish, however highly placed they may be. It requires no military expert to see that there has been culpable incompetence and disorganization at head-quarters, and a complete break down of the entire military system of India; that there has been a lack of readiness for emergency, lamentable failure in transport and hospital arrangements; that there has been disastrous break down in the field itself, due to a total absence of intelligence and skill at the head of affairs; the Indian military authorities indeed have richly deserved the failure for which they so elaborately prepared. If Lord George Hamilton and his colleagues have had their stupid optimism broken down by these melancholy facts, and the hostile comments of their own press, and can rise to the bare dignity of confession of sin, they may obtain pardon and grace from the country. But this has never been possible to Lord George; he is not great enough for that, we shall have the same old wooden platitudes, the same old optimism, the same old meretricious arguments, and sensible men will once more be filled with wonder and amazement at this amiable and complacent incapacity should be at the head of Indian affairs at such an epoch in Indian history.

**COWING THE INDIAN PRESS**  
(Manchester Guardian.)

In a letter which we print this morning an Indian correspondent begs Englishmen to "come forward and put a stop to" the steps which the Indian Government is taking to cower the Indian press. If he spoke only for himself one might pass his letter by, but nobody who sees the Indian newspapers can doubt that our correspondent says what many thousands of Indians feel and what some million more would feel and say if they quite grasped what is being done. Journalists in India were free until last year to express disapprobation of the measures of the Government in any terms "compatible with a disposition to render obedience to the lawful authority of the Government, and to support the lawful authority of the Government against unlawful attempts to subvert or resist that authority." For instance, all the terms of censure and abuse directed by good Unionists against the late Liberal Administration would under the Indian Penal Code have been lawful except the suggestions made by present Ministers of the Crown and other persons that Ministers should resist to x-gatherers and assault the police rather than "render obedience to the lawful authority" of a Government enforcing "disobedience to the law." The distinction is a reasonable one. Last year, however, the courts decided that this law did not mean what James Stephen, who drafted it, said that it meant, "Disaffection," it was ruled, meant "absence of affection," not necessarily such a very antipodes to affection as a feeling incompatible with a disposition to obey the law must be, but any feeling of ill-will, great or small. In fact, if the Indian Penal Code, thus interpreted, had been the law of the United Kingdom between 1892 and 1894, we fear that not only Colonel Sanderson and the wilder men but nearly all the leaders of their party could have been caught in the same net as Mr. Tilak. At any rate the point is fairly arguable, and the comparison may give English people an insight into the nature of the Government's proposals.

For the Indian Government does not intend to rely merely on the triumph of sophistical interpretation achieved by Mr. Justice Strachey. It is now changing the Code itself, so that its real meaning may indeed be that for which Mr. Justice Strachey mistook it. Stephen's explanation of his own clause is apparently to be dropped, and, quite apart from "disaffection," it is to be penal offence to write anything that "brings or attempts to bring" the Government "into hatred or contempt" or "promotes or attempts to promote feelings of enmity or ill-will between different classes of Her Majesty's subjects." Once more it is best to seek illustration nearer home. All Mr. Gladstone's idiotic speeches tended to bring the British Government of 1874-80 into hatred and contempt. Mr. Chamberlain used all his talents to bring the Government into hatred and contempt between 1892 and 1895. It was the general complaint of Conservatives that John Bright promoted feelings of ill-will between the landed class and the dwellers in English towns. It is at this moment the desire of a great many persons, ourselves included, to excite hatred and contempt against the action of the Government in South-east Europe and in some parts of Africa. If after the proposed changes had been made in the Penal Code an Indian journalist did as much, he would render himself liable to ten years' imprisonment or to transportation for life. At present persons accused under this clause must be tried by Courts of Session or by High Courts. It is proposed that henceforth they may be tried by magistrates of the first class. Hitherto the judge in such cases has never been a member of the Executive Administration whose acts, it may be, have been adversely criticised by the person accused. Good care has been taken that the prosecutor or his colleague or subordinate shall not also be the judge. That precaution is to be taken no longer. A censorious editor may be brought before the magistrate of his district who is also an executive official of the district, and who therefore may well have fallen within the editor's censures of local administration. And in such a case the man who morally occupies the position of plaintiff will have power to send the defendant to prison for ten years or to impose such a fine as may silence him by ruining him.

In drawing illustrations from home politics we have not overlooked the obvious retort—that we govern ourselves by a party system, that India is governed differently, and that this difference vitiates any comparisons of the kind we have drawn. It does impair their force, but it does not invalidate them altogether. As Sir William Markby said ten days ago in the "Spectator," "two things must be borne in mind—first, that the magistrate in India represents the Government, and the native press the Opposition. The state of things proposed, therefore, would be paralleled here if press offences could be dealt with by the heads of the police and care were taken that the heads of the police should always be warm partisans of the Government." It is all thoroughly Russian. We have heard lately several new precepts for the better Government of India. One of them was that we were to condone murder and every kind of outrage in Asia Minor because we were "a great Mahomedan Power," and our fellow-citizens in India might not stand it if we put the Sultan of Turkey to the inconvenience of keeping his treaty with us. We were to make interest with one of the vilest rulers on the earth in the hope that he would be so good as to suffer India to be loyal to us. No doubt that is the "temper of Empire." And now, after we have employed men like Macaulay, Maine, and Stephen to mould a great system of law for India, we are to abandon the first principles of their jurisprudence and allow minor English officials in India to inflict long terms of imprisonment on those who question their conduct in language that nobody would dream of regarding as unlawful if it were used in English newspapers. Perhaps this, again, is the august temper of Empire, and must be a taint in blood that makes us others, "Little Englanders," loathe the idea of using Russian methods to silence Indian public opinion only less than we loathe the idea of welding the Mahomedan part of India into good honour by conniving at great massacres of Christians.

the present seditious law. If this be done, it will be all over with the Indian press, for the new definition of "disaffection" is even more comprehensive than the interpretation of Mr. Justice Strachey on that if the Indian Penal Code. A child can see the people, it is also needed in that of the Government to rule a vast country like India without knowing the minds of the people. Lord Macaulay and other far sighted statesmen of old days saw this, and thus gave liberty to the press. If the Indian press ceases to exist (and it will be the necessary outcome if the proposed law be passed), the Government will be deprived of the only beacon which now give them light, and will be immersed in impenetrable darkness. It is time that the English people should come forward and put a stop to the suicidal policy the present rulers are following.—Yours, &c., BIPIN KRISHNA BOSE. Calcutta, January 19.

**INDIAN PENAL CODE AMENDMENT BILL.**  
Further Amendments of the Code to be proposed for consideration of the Select Committee. Section 124A of the Indian Penal Code is hereby repealed, and the following section is substituted therefor, namely:—124A. Whoever by words, either spoken or written, or by signs, or by visible representation or otherwise brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards Her Majesty or the Government, or promotes or attempts to promote feelings of enmity or ill-will between different classes of Her Majesty's subjects, shall be punished with transportation for life or any shorter term, to which fine may be added, or with imprisonment which may extend to ten years, to which fine may be added, or with fine.

Explanation 1. The expression "disaffection" includes disloyalty and all feelings of enmity or ill-will.  
Explanation 2. Comments on the measures of the Government with a view to obtain their alteration by lawful means, without exciting or attempting to excite hatred, contempt, or disaffection, do not constitute an offence.  
II. Section 505 of the Indian Penal Code is hereby repealed and the following section is substituted therefor, namely:—505. Whoever makes, publishes, or circulates any statement, rumour, or report (a) with intent to cause or which is likely to cause any officer, soldier, or sailor in the army or navy of Her Majesty, or in the Royal Indian Marine, or in the Imperial Service Troops to mutiny, or otherwise disregard or fail in his duty as such; or (b) with intent to cause or which is likely to cause fear or alarm to the public, or to any section of the public whereby they may be induced to commit an offence against the State, or against the public tranquillity; or (c) with intent to incite or which is likely to incite any class or community of persons to commit any offence against any other class or community shall be punished with imprisonment of either description, which may extend to two years, or with fine, or with both.  
Exception. It does not amount to an offence within the meaning of this section to make, publish, or circulate any such statement, rumour, or report as aforesaid when such statement, rumour, or report is true and is made, published, or circulated without any intent as aforesaid.

**MR. A. M. BOSE AT SOUTH-EAST DURHAM.**

**SEAHAM HARBOUR MEETING.**  
An enthusiastic Liberal meeting was held last night in the Theatre Royal, Seaham Harbour, in support of the candidature of Alderman Joseph Richardson. Mr. J. J. Candlish, J. P., presided over a crowded audience, and amongst those on the platform were—The Hon. A. M. Bose, Mr. S. Storey, Mr. S. F. Mendl (M. P. for Plymouth), the Rev. T. Shawcross, Mr. T. Gibson, Mrs. Coates (president of the Sunderland Women's Liberal Association), Miss Calvert and Mrs. Edmund Potts (Sunderland), Miss Embleton (Women's Liberal Federation), and Mr. Geo. Patterson.

**Calcutta and Mofussil.**

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**MAIL FORECAST.**—The P. and O. steamer *Egypt*, with the mails of the 12th instant, is expected at Bombay at 5 A.M., on Friday. The Calcutta mails should therefore reach their destination on Sunday morning.

**"DISAFFECTION" AND "GOLF."**—The "Indian Daily News" says, Mr. Chalmers, who has been so frequently requested to define "disaffection," will, no doubt, appreciate the following definition of "golf" given by an eminent Queen's counsel the other day:—"I believe, my lord, that it is a game which is played in irregular fields or waste pieces of ground with a small ball which the player tries to hit with a stick. If he succeeds in hitting the ball, he spends the remainder of the day in looking for it. That, as I am informed, my lord, is the game of golf."

**THE B. C. RAILWAY COLLISION CASE.**—The appeal preferred on behalf of the two Assistant Station Managers of Jhikargachi and Nabbaran on the Bengal Central Railway, who were respectively sentenced to a year's and six months' imprisonment in addition to a fine of Rs. 100, in connection with the recent fatal railway collision, was disposed of on Saturday by Mr. L. Palit, District and Sessions Judge of Jessore. In delivering judgment the Judge upheld the conviction, but reduced the sentence of the first accused by cancelling the fine of Rs. 100. In the case of the second accused the fine was reduced to fifty rupees.

**Acted Like A Charm.**

**M R. J. HARRY WATERS, Head-Master STATION SCHOOL, RAWALPINDI,** says "I regard Chamberlain's Pain Balm as a most useful household medicine. Have seen used for toothache, rheumatism, and once for a very bad scalded foot, and in each of these instances the Pain Balm acted like a charm!"  
Every one who uses Chamberlain's Pain Balm always speaks in the same terms. It should be kept in every medicine chest.  
CHAMBERLAIN'S PAIN BALM for sale everywhere.  
Price Re. 1 and Rs. 2.  
GENERAL AGENTS:—Smith Stanistreet & Co., 4, K. Paul & Co., Calcutta.

**It Is Remarkable.**

**SAYS MR. W. WILSON,** the popular Chemist at RAWALPINDI and MURREE. "How Chamberlain's Cough Remedy has attained a prominence in this district, and though it has only been introduced a few months it has taken the lead. From remarks made by my customers, who have used this remedy, I am convinced that it possesses exceptional qualities. I never hesitate to recommend it to all who are in need of a good cough mixture."

**CHAMBERLAIN'S COUGH REMEDY** is for sale everywhere. Price Re. 1 and Rs. 2.  
GENERAL AGENTS:—Smith Stanistreet & Co., 4, K. Paul & Co., Cal.

**Effect Is Marvellous.**

**SO SAYS THOMAS C. FLASHMAN, Esq.,** the well-known merchant and proprietor of FLASHMAN'S HOTEL, RAWALPINDI, when speaking about Cholera, and Diarrhoea remedies.

He said: "Have much pleasure in testifying to the beneficial results I have experienced from Chamberlain's Colic, Cholera, and Diarrhoea Remedy. Whenever I had occasion to use it, it has never failed to check diarrhoea, and often one dose was enough. The effect is marvellous. Have given it to travellers passing through my Hotel, and to my servants many times, and it has always proved efficacious."  
CHAMBERLAIN'S COLIC, CHOLERA, and DIARRHOEA REMEDY sold everywhere. Price Re. 1 and Rs. 2.  
GENERAL AGENTS:—Smith Stanistreet & Co. AND B. K. Paul & Co., Calcutta.

Centre for Studies in Social Sciences, Calcutta

THE SEDITION BILL.

THE HON'BLE MR. JAMES' SPEECH.

My Lord, I was a member of Select Committee upon this Bill, though unfortunately I arrived only in time for its last sitting...

years, has been put back to three, with the object of drawing a broad line between serious and merely contemptible offences...

MR. STEVENS' SPEECH.

The Hon'ble Mr. Stevens said:—My Lord, I do not propose to discuss those provisions of this Bill which deal with extra-territorial offences...

was strongly objected to, as being too vague. The Select Committee have removed it. Fault was found with the original draft in that the maximum term of imprisonment under this clause had been raised from three years to ten...

SIR JAMES WESTLAND'S SPEECH.

The Hon. Sir James Westland said:—It is not my intention to address myself in any way to the merits of the measure which is now before the Legislative Council...

to the merits of the measure which is now before the Legislative Council. I leave that part of the duty to my hon. friend who is in charge of the Bill, but one or two statements have been made in the course of this debate as justifying a proposal for the postponement of the discussion which I desire to call in question...

MR. A. I. HANNAY'S SPEECH.

MR. A. I. HANNAY, Assistant Secretary to Government, has been appointed to act Registrar, Madras High Court...

ignorance as to whom that conference consisted of. Again two or three documents have come to us with the pretentious introduction "I am directed by my committee to do so and so."

MR. A. I. HANNAY'S SPEECH.

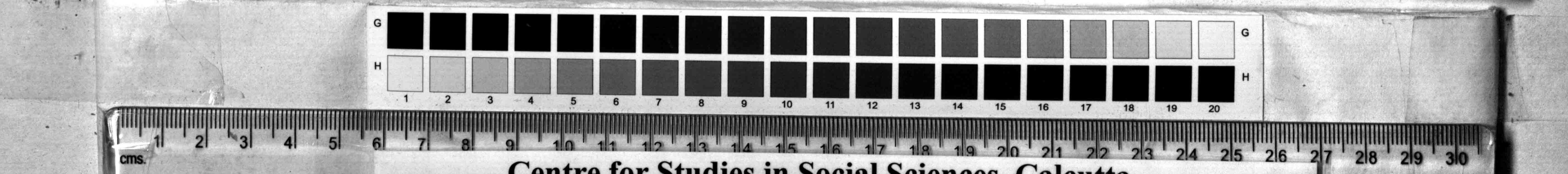
MR. A. I. HANNAY, Assistant Secretary to Government, has been appointed to act Registrar, Madras High Court...

THE BOMBAY GOVERNMENT GAZETTE.

The following Bombay Government Gazette Extraordinary has issued yesterday:—Under the Epidemic Diseases Act, 1897, the Government in Council is pleased to prohibit the landing of pilgrims from Madras at any port in the Presidency except Kurrachee...

MR. B. M. MALABARI'S SPEECH.

MR. B. M. MALABARI, who returned to Bombay last week after a prolonged stay in Europe, writes as follows in the Indian Spectator about the plague operations as at present conducted in Bombay...



SIR ALEXANDER MACKENZIE'S SPEECH.

His Honor the Lieutenant-Governor said:—It is difficult to say anything more when following 17 of the speakers in a debate like this but I am unwilling to give a silent vote in favour of this Bill...

'has been that of the "Bangabasi" newspaper, instituted in 1891, in which the jury disagreed and which terminated eventually in the acceptance of an apology by the Government from the offending editor. The absence of other prosecution cannot, however, be urged as evidence that seditious writing is rare in Bengal...

To any one who studies, as I do from week to week, the utterances of the Press in India, nothing can be more clear than that though we seldom have such bold sedition preached as led to the recent trials in Bombay or as prevailed here in 1870, we are nowadays face to face with a far more insidious and equally dangerous style of writing and speaking. That Indian newspapers can supply criticism with admiringly-conducted columns of the "Hindu Spectator," "Indian Nation," and some few other papers I could name. But the majority of the newspapers simply revel in misrepresentation of the motives of the Government and the nature of its measures. And this is an evil which is yearly growing and with the spread of what is called education is becoming more far-reaching in its noxious effects...

am not sure myself that we have not carried our cautious passiveness and official negativities already beyond the limits of prudence. No Government such as ours in India can afford to allow the minds of an ignorant and credulous oriental population to be gradually poisoned and embittered by persistent calumny of the Government and all its measures. I shall not take up the time of the Council by quotation to prove that this is a common offence at the present day. We know it, every one but the Hon. Mr. Ananda Charlu knows it, to be a fact and we are bound as I have said, now among us a large class of discontented and semi-educated men, eager for notoriety, pining for the plunder of the State and its offices, and unable to understand the responsibility which attaches to all would-be instructors of the public...

I believe, that the mere existence in the Statute, Book of the law, which we are now considering, will of itself go far to check the evil. I have often said that to my mind one of the most useful functions of the Indian Penal Code is the office which it performs of a moral text-book. It serves to set before the people a standard to which they know they must needs conform, and I trust that when these sections take their place in the law they will tend to improve the standard of journalism and platform oratory in India when dealing with the Government and its measures. As has been pointed out, the honest loyal journalist and speaker has nothing to fear. The propagandist of sensational calumnies and the apostle of racial animosities will find his occupation gone, and no good citizen will regret the fact. A good deal has been said of the vagueness of some of the terms used in the sections. As Sir F. Stephen once pointed out, there are scores of words in the Code open to the same criticism. It is impossible to find words that would not by perverse interpretation be found open to cavil. We must trust to the commonsense and fairness of our judicial tribunals. The journalist must trust also to the commonsense and dignity of the Government, which would only expose itself to well-merited ridicule if it showed undue sensitiveness to fair criticism. Certainly it has not done so hitherto. It has treated with silent contempt the petty traitor whose sole object is to get notoriety and subscriptions, and those would-be patriots whose chief desire is to substitute themselves for the Government as by law established. It has done so, believing that when the need arose to deal with them the situation would be, as Macaulay puts it, "(and I would not venture to quote poetry here if the poet had not been himself legal member and author of the Penal Code; and if the stanzas had not been singularly applicable to the state of things now-a-days)."

they will arise again hereafter on the amendments which are to be moved, and it will be unnecessary therefore for me to discuss them now. I will take the points in the order in which they have been raised. I will first take the speech of my hon. friend Mr. Allan Arthur, who, I am glad to see, has seen his way to give us, two doubts. First of all, he feels doubts about entrusting powers to try cases to Magistrates. Well, I may point out that this question does not arise on the present Bill. I hope that, when you come to deal with the Code of Criminal Procedure, we shall be able to supply arguments which will remove any doubts he may have on that point. At the present moment we are dealing with the substantive law. Then again, he feels, and several other members have expressed the same feeling, doubts about introducing into the section the words "hated and contempt." May I point out to him that we are doing nothing new. May I point out that for seven years in Calcutta that has been the law as expounded by the late Chief Justice of the Calcutta High Court, Sir Comer Petheram. I will read only two lines from Sir Comer Petheram's Judgment. Speaking in regard to section 124A, he says: "It is sufficient for the purposes of the section that the words are calculated to excite feelings of ill-will against the Government and to hold it up to the hatred and contempt of the people." That is the law under which my friend has lived for the last seven years. I do not know that he or any one in whom he is interested has found that law oppressive; but the very fact that he raises this objection seems to me to be a good reason why we should re-enact the provisions of section 124A, and as my hon. friend Mr. Nicholson said, why we should unfold its meaning, because if people are liable to punishment, it is better for them to know beforehand in what respect they are so liable. I should like now to say one or two words in regard to what fell from the Hon. Mr. Chitnavis. I can relieve his mind at once about one criticism. He says that in the Bill we have used the words "Her Majesty," but have not used the words "Her Majesty and Her successors." If my hon. friend had been in the Council last year he would have read an act called the General Clauses Act, which was passed last year, and in that he would have found that the terms "Her Majesty" means "Her Majesty and Her Majesty's successors." I think therefore that I can remove his apprehensions on that score. Then he raises another very important question, the question of punishment. He says that punishment prescribed by the section is too severe. Well, the punishment remains the same as it was thirty years ago. It remains the same since 1870; we are not increasing the punishment. As a matter of fact the extreme punishment has never been inflicted; but I am bound to point out that in a case the other day which appeared to the High Court of the North-Western Provinces, the learned Judges did observe that the punishment awarded by the lower Court was grossly inadequate. There may therefore be cases where, in the opinion of the High Court, these offences cannot be met by a small and summary punishment; but, no doubt, the mass of the cases can be met by a small and summary punishment. We propose, indeed, to limit the punishment by giving jurisdiction to Magistrates whose powers are limited. When a case is tried before a Magistrate, *ipso facto* the power is thereby limited. Of course, I can only repeat again what I stated on the last occasion. Sedition is an offence which varies in its mischievous effects according to time, place, and circumstances, and the punishment must vary accordingly. I can quite imagine a case where some words spoken of, say, rather written in a book dealing with political forms of government, might be seditious. An adequate punishment, if any punishment was required, might be a very small fine indeed. But if these same words were spoken to an angry mob with arms in their hands, why, the words would require and deserve the severest punishment which the law provides. We have allowed for that latitude of punishment. According to the circumstances, we must trust the Courts to mete out proper punishment. If the offence or its surroundings call for a severe punishment, the section allows it; if the offence calls for a nominal punishment, the section allows it; and moreover, we have this additional safeguard, that if merely a nominal punishment is called for, the Government is not likely to authorise or sanction a prosecution.

I come now to what was said by the Hon. Sir Griffith Evans, and he called our attention to an alternative suggestion which has been made to us from many quarters, namely, that we should not proceed against sedition but that we should amend our law of defamation and enable the Government to prosecute papers who defame it for defamation. Well, I have not consulted with my colleagues on that subject; but speaking for myself, it appears to me that the proposed course would not meet our views at all, I am speaking only for myself of course. What is the meaning of defamation? Defamation is a remedy given to a person who feels himself aggrieved because his reputation has been attacked. Is that the position of the Government? It seems to me, and I am speaking for myself, that the Government do not care a brass farthing for what is said about them; for what does it matter to them? What they care about, however, and what they wish to interfere with and prevent, is not abuse of themselves, not abuse of the Government, but the spreading and stirring up of a spirit of sedition and discontent among the people which is an ever present source of danger to the community. But, quite apart from that general objection, there are other difficulties of procedure. Suppose, for instance, that some paper which is published so far off as Quetta defames the Government, and has to be prosecuted, how is that prosecution to be conducted? My friend would say that its allegations were true, and that they were published for the public benefit. Take, for instance, a statement I saw in a paper last week, saying that, owing to the Government of India by the British, the golden age had passed away, the people were unhappy, and that it was better for them to die than to live under such a Government. Supposing the Government were to prosecute for defamation? I suppose the Government would have to go down there, they would have to appear on the scene and be examined and cross-examined as to every measure the Government had ever taken; and I suppose the whole of the evidence given before the Welby Commission would be material to the issues to be tried. That clearly is an impossible procedure.

self, they trust to a chance spark or to somebody else setting it alight. That is the very essence of the evil we have to aim at and stop in India. My friend the Hon. Mr. Ananda Charlu says that there is no sedition in India. I quite believe that he is speaking in good faith; he is loyal himself, he mixes only with loyal people, and reads only loyal newspapers. I am very glad he does that; but if he had read through the weekly reports of the Press as we have to do, I am certain that he would come to a very different conclusion. He says we are acting on sentiment, and not information. All I can say is that we have more sources of information than he has. This information that there is no sedition in India, is not only second-hand, but third or fourth-hand. The Government is in the best position of anybody to get information as to what is the true state of the country, and we are acting now, I am glad to say, backed by the authority of our responsible advisers. There are one or two other points which, I think, I ought to mention. My friend the Hon. Pandit Fishambhar Nath is afraid, if this law passes, the public Press will not be able to help Government by giving it information. There is nothing in the law to prevent the Press from giving information; but even supposing it were so, I do not know that the best way to call the attention of the Government to some abuse that you want rectified is to write about it in an up-country paper. I should say that a much better way is to call the attention of the Government directly to the point. If you write a letter say to the *Baluchistan Times*, it may not come to the notice of Government; but if you write direct to the Government, they get the letter at any rate. I am perfectly certain there is nothing in the proposals which will in any way interfere with what my hon. friend desires, that is, a free, fair, and honest discussion of all public questions.

I have only one word more to say about my honourable friend Mr. Sayani's point. He seems nervous that people, natives of India, should be liable to be prosecuted in British India for offences against British India law committed outside British India. Here, again all I can say is, that this has been the law for twenty years. Ever since the Foreign Jurisdiction Act of 1869 was passed, natives of British India have been liable for offences against British Indian law committed abroad. As a matter of fact, I may mention that a native of India has been hanged in India for a murder committed at Perth, and another has been hanged in India for a murder committed at Cyprus. But that law has never been used oppressively, and the proof that it has not been used oppressively is that my hon. friend does not seem to have been aware of its existence; he has never apparently read the Act, although it has been in existence for over twenty years; that very fact shows that the law has not been oppressively used in the past, and I do not think it will be used oppressively in the future. I have now to move that the Bill be taken into consideration.

A CURIOUS STORY.

A curious story is published in Paris to the effect that a Hamburg astronomer has discovered a second moon, of which we shall obtain the first glimpse on July 30, 1898. Mr. Wesley, Assistant Secretary of the Royal Astronomical Society, in discussing the subject, dismissed the report as unworthy of a moment's serious attention. This new moon, as he points out, could not possibly have approached the earth without influencing the existing moon by force of gravitation, and the fact that no lunar disturbance has been set up is itself incontrovertible disproof of the alleged discovery. There is, of course, nothing physically impossible in the approach of a new heavenly body from space in the same manner as comets and meteors enter our range of observation, but of such an approach it is impossible that any astronomer, however profound, can have foreknowledge. The fact that the name of the Hamburg astronomer is not mentioned is best evidence, in Mr. Wesley's opinion, of the untrustworthiness of the report. The new luminary is, according to the story, to be double the distance from the earth of our present moon. This would place it between Mars and Jupiter, or, say, 500,000 miles from the earth, and no heavenly body could move at that space from the earth without astronomical science becoming cognisant of it.

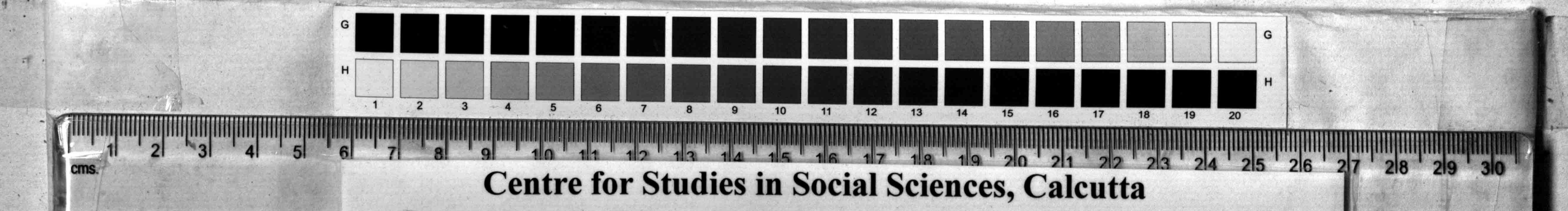
A NEW COTTON PLANT.

MR. H. D. CURROL, a young American traveller, a few years ago discovered a cotton plant in Central Africa, the quantity and the abundant growth of which, says the Chamber of Commerce Journal for November, so impressed him that he brought a quantity of the seed with him to the United States. Extended trials have been made with this seed in the State of Georgia, and if reports thereon are only approximately true, it would appear, according to a New York Journal, that a revolution in the cultivation of cotton is approaching. The first trials were made in the State of Georgia in the year 1895. Of the seed then sown fifty-seven cotton plants were obtained. The seed produced from these plants has multiplied to such an extent that it is intended to make extensive plantations in 1898. The cotton plants hitherto cultivated in the United States, grow from three to six feet high, while these plants, practically during the first stage of their growth, require extraordinary care. The African plants require very little attention. The new plants attain a height of twelve to fourteen feet, with numerous fruit capsules, which after bursting show cotton wool of distinguished quality. This new plant is uncommonly strong in substance, and presents by far more resistance to rain than the American one. The picking of the cotton also costs considerably less than that of American. While in Georgia two or three acres of land are required to produce 500 lbs of cotton, in Africa it produces three times as much.

MR. G. F. WALKER has been nominated an unofficial member of the Ceylon Legislative Council.

The Maharaja of Jodhpur was installed on the "gad" on Friday by Sir Robert Crosswaite.

A BOMBAY Telegram says.—Mr. Dulabji Dewji, a merchant of Junagadh, was gagged and strangled to death there on the 6th instant. It is stated that a man, named Chuggan, invited him to a party, where they were also Jamaikhani Hamaitkhan, an ex-policeman, Essack Haji Dawood, a grocer; and Permand Virjee, brother of a well-known pleader. While at the house of Chuggan, the murderers fell upon their victim, gagged him, and strangled him to death. They then proceeded to his house, apparently with the intention of doing away with his daughter, and taking possession of the valuables in the house. By means of a key, they found on Dulabji, they opened the front gate of the house, but found the inner door shut. They tried to force open the door, but without success. Chuggan then knocked at the door, and calling the daughter of the deceased by name asked her to open the door and give him a chess-board, which her father required. The girl, suspected something wrong, and refused to open the door. They then returned to the house of Chuggan, tied the body with ropes, wrapped it up in a turban, took it on a jungle four miles from the city, and left it in a bush.



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prematurely grey is universally known. Its ex-  
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properties of permanently removing the complaints of the  
Head and Brain, make it an essential requisite for  
the toilet. It is the best remedy for Giddiness  
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fumed hair-oil "Kuntala Brishya" has long held a  
high place. Extensive use has confirmed its value  
as a hair-tonic while its charming odour and freedom  
from stickiness have made it a general favourite.  
Honble Justice Chunder Madhub Ghose.—  
I have tried the medicated oil (Kuntala Brishya)  
and am glad to say that it keeps the head cool and  
has a delicious scent.  
Late Keshub Chunder Sen, the great Orator.—  
After a fair trial I am convinced that it is an  
efficacious remedy in cases of Vertigo and Headache.  
Maharaja Govinda Lal Roy of Rungpore.—  
It is delightfully scented. It keeps the brain cool and  
removes Headache and Vertigo.  
Mr. A. C. Sen, I.C.S., Dist. & Sessions Judge,  
Burdwan.—My wife and daughter greatly admire it  
(Kuntala Brishya). There is none equal to it.  
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(London).—An elegant preparation with fine aroma  
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It shortly allays the most excruciating pains,  
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The antidote to canine poisons is an indigenous  
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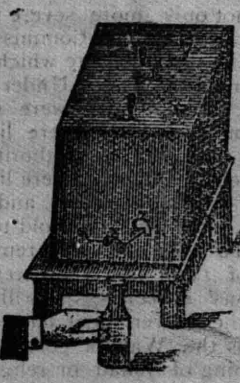
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