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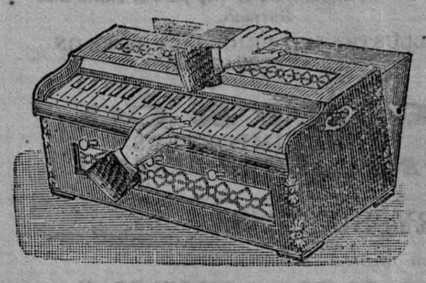

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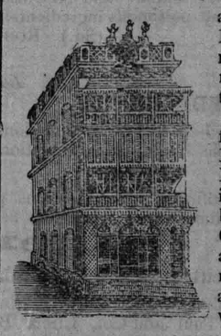

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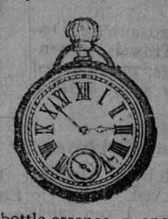

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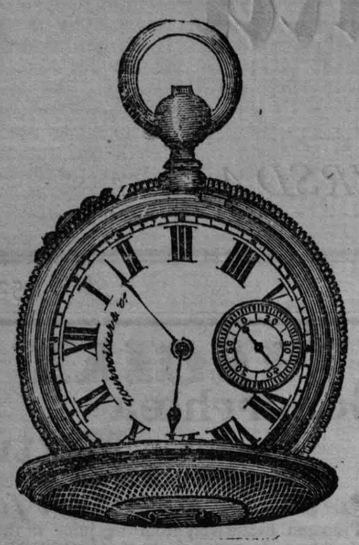

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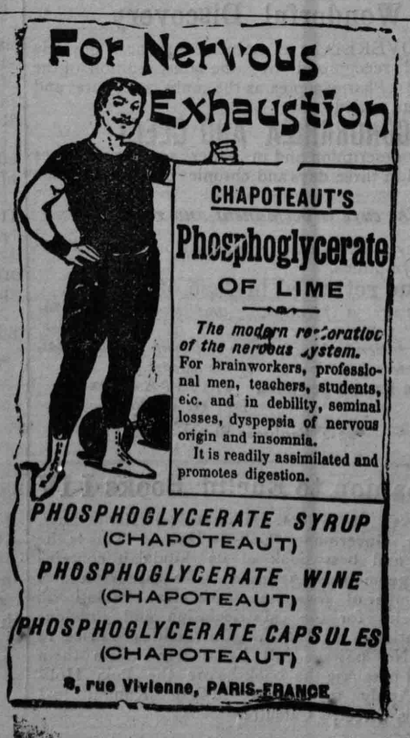

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A FEW NEW TESTIMONIALS.

Hon'ble Justice Promoda Charan Banerjea, High Court, Allahabad.
I have much pleasure in bearing testimony to the superior quality of the perfumery manufactured by Mr. H. Bose. His enterprise deserves encouragement.

Kumar Debendra Narayan Sinha Bahadur of Moheshpur.
I have used your "Kuntaline" oil. It is very efficacious for strengthening the hair, promoting its growth and preventing falling off and premature grayness. I have derived much satisfaction from its good perfume.

Mr. Motilal Mehru Advocate High Court, Allahabad.
I have much pleasure in testifying to the high quality of Mr. H. Bose's perfumeries. I have tried several of them and find them very fresh and delicate. They are just as good as any imported perfumeries. In my opinion Mr. Bose deserves every encouragement.

Mr. S. Sinha, Bar-at-law, Allahabad.
The perfumery manufactured by Mr. H. Bose of Calcutta, will bear favourable comparison with the imported European and American perfumery, and should therefore be petronzed by persons interested in the course of dveloping Indian industries, by giving want support they can to such enterprises.

GOLDEN OPINIONS.

Sirdar Dyal Singh Bahadur, Sirdar Saheb, the Premier nobleman of the Punjab.
I have much pleasure to certify that I have tried Bose's oil and scents carefully, and found them really good. The Kuntaline oil especially, I have no hesitation to say is superior to all I have hitherto had occasion to use. The scents are also nicely made and if not better may stand comparison with foreign makes fairly.

Mr. Manohar Lal, Lahore.
Your Kuntaline has been recommended to me by my friends here as the best hair oil in existence.

Mr. Justice P. C. Chatterji, of Lahore.
I have used the perfumed oil Kuntaline manufactured by Mr. H. Bose, as well as his Essence Chamel, and consider both exceedingly good. At the same time they are cheaper than articles of similar quality prepared by European manufacturers. I hope the public generally and native community in particular will largely patronize Mr. Bose.

Mr. Madan Gopal, Barristar-at-law, Lahore,
I have much pleasure in saying that Kuntaline is an excellent hair oil ond the ladies of my family consider it to be an excellent preparation, The "Delkhosh" Essence I consider to be very superior to English perfumes.

Lala Lajpat Rai, Pleader, Chief Court, Lahore.
I have used Mr. H. Bose's Kuntaline oil and Scents and found them really good. They are in no way inferior to similar articles prepared by European manufacturers.

Mr. Kali Prasanna Roy, Government Pleader and leader of the Lahore Bar.
I have pleasure in stating that the oils and perfumary manufactured by Mr. H. Bose, are excellent and nowise inferior to articles of English manufacture.

Dewan Krishna Kishore, Rais' Grandson of Dewan Bhagwan Das, Lahore.
Your Kuntaline and Essences have given me entire satisfaction The oil has a very sweet fragrance and does not make the hair sticky. The Essences are simply nice.

Maharaja Jagadindra Nath Bahadur, of Natore.
I have much pleasure in certifying that I have had occasion to introduce the use of Kuntaline in my family. I was satisfied with its superior fragrance, and its tendency to promote the growth of hair. It is the best of its kind, and its wider circulation is desirable

The Hon'ble Surendra Nath Banerji, President of the Eleventh Indian National Congress.
I tried Mr. H. Bose's Essences, and have no hesitation in recommending them both on account of their excellence, and also because home-made articles of this kind should be encouraged.

Raja-I-Rajman Maharaj Asaf Nawzawant Murli Manohur Bahadur, Hyderabad, Daccan.
I have pleasure to say that your Essences or Flower Extracts have given me entire satisfaction. Please send another box of the finest quality Essences which I want to present to HIS HIGHNESS THE NIZAM.

Mr. N. Vinkata Rao, Assistant Commissioner Mangalore.
I am very much pleased with your Essences "Delkhosh" and "White Rose."

Sreejukta Shankar Rao, Holkar, Bhaya Sahib, Karkhandar Shagarpesha Indore Sate.
I am glad to infom you that yours Milk of Roses and Kuntaline have given me entire satisfaction.

H. BOSE,
62, Bow, Bazar Street, Calcutta.

HIGHER EDUCATION IN ASSAM.

IN a Note by the Chief Commissioner on the encouragement of higher education in Assam, published in the *Assam Gazette*, Mr. Cotton says that the question of encouraging higher education in Assam, whether by the re-establishment of a college in the province, or by an increase in the number of Government scholarships, or in some other way, has been pressed on his consideration from time to time ever since he joined the Administration. Financial exigencies due to earthquake expenditure have hitherto prevented his taking action in the matter, but although the financial difficulty unfortunately remains he does not think he ought to postpone any longer the expression of his views on the subject. He believes that in respect of primary instruction, the educational standard in Assam will compare very favourably with that in other provinces. But higher education undoubtedly languishes, and is only maintained in an artificial manner by the institution of State scholarships. He has given his careful consideration to the proposal to re-establish a Government college in Assam. But he does ont think it would prosper now any more than when it was first started more than thirty years ago, unless the students are assisted by State scholarships. If he thought that these scholarships could be withdrawn, his objections to re-establishing a college in Assam would be appreciably diminished. But he is convinced that the withdrawal of these scholarships would be a fatal blow to higher education in the province. It would be impossible to go to the expense of maintaining a State college, and at the same time to give State scholarships to students to induce them to attend it. The existing scholarships were sanctioned in substitution of a local college, and were intended to compensate students for the expense and inconvenience to which they are put in leaving their own country and living in Calcutta. It was never contemplated, and cannot now be seriously proposed, to establish a local college and to endow it with the existing scholarships, and local jealousies would go far towards minimising the utility of any local institution. There is no central place in Assam where a college could be established, which would be recognised in the same manner as Dacca is acknowledged in Eastern Bengal, Cuttack in Orissa, and Patna in Bihar. This is Mr. Cotton thinks, a very serious stumbling block to the establishment of an Assam college. Lastly, there is the objection which was first taken by Colonel Keatinge. He went with him entirely in thinking that it were very desirable that Assamese students should be encouraged to resort to Bengal for their higher education, and that they should participate in the wider experience which emolution with their fellows in a larger sphere and freedom from provincial isolation are alone likely to afford. He is not anxious to give any encouragement to the feeling of provincialism which he finds to be unfortunately too rife in the Assam Valley districts, and would rather impress upon the educated Assamese of the present generation that they cannot be independent of Bengal in their language or associations ; or in the advancement of their prosperity. They are as dependent on Bengal as Welshmen are dependent on England. Such dependence is not inconsistent with a true national sentiment. But the province cannot prosper in isolation, and he attributes the slowness of its progress in large measure to the unwise fostering by the Assamese among themselves of a policy of national exclusiveness. The establishment of a local college would, he is afraid, give a new lease of life to the existing tendency and his proposals for encouraging higher education lie therefore altogether in the direction of helping successful students to continue their studies, not in Assam itself, but in the metropolis of India. He is much impressed, however, with the evil of leaving the Assamese students in Calcutta, unprotected and uncared for. He proposes now to establish an Assam hostel in Calcutta. which would be placed in change of a carefully selected Superintendent, and to modify the system of scholarships for natives of the Assam Valley and the Assam Hills, so as to provide for the residence of all scholars, both senior and junior, within the hostel. As regards the scholarships he proposed to raise their number from 17 (14 × 3) to 25, and to make no distinction between natives of the Valley and of the Hill districts. He would like the new arrangements to come into force from the season of 1900; but before passing final orders, it is desirable that the subject Chief Commissioner should be fully discussed and for this purpose two months appears ample time. He hopes therefore to be in a position to pass final orders in September. It remains to add that he does not contemplate any change in regard to Scholars and scholarships in the Surma Valley, or among Bengalis elsewhere.)

VALUE OF CONFESSION.

THE details of a curious case reach us from Gorakhpur. The Amin of the Tehsildar of Gorakhpur was engaged in collecting Government revenue. On the 23rd June, he had collected over Rs. 400. and slept the night at a village ten miles from head-quarters, having eight or ten men of his own with him. The money was put in a bag and locked in a small box, and the whole party slept in the verandah of a house in the village, the Amin's private servant having put that box under his head when he went off to sleep. Before morning the box had disappeared. The Police took the matter in hand at once, and the Tehsildar was sent by the District Magistrate to help in the investigation. The result was very gratifying, for in three day's time the money was found buried near a tank outside the village, and some of the thieves had been arrested. On the evening of the 27th ultimo three men were put up before Mr. Hollingberry, the officer in charge of the city, and made an elaborate confession of how they had committed the theft, and implicated the Zaminder, of the village, who, they asserted, had taken the money, now before the Court. These confessions were corroborated by a witness, who stated he had actually seen one of the accused, a peon of the Amin, handing the money to the other accused, who had made it over to the Zamindar. The Magistrate knew by experience what value to attach to such confessions, and remanded them to the city lockup, to be brought up again the next day. On the 28th they were again called up by the Magistrate, and, curiously enough, repeated, with a most elaborate detail, their previous statements. The Magistrate had therefore no alternative but to issue a warrant for the arrest of the zamindar, who was arrested the same evening. On the 29th the zamindar's counsel appeared before the Magistrate to apply for bail, but before he could do so a most extraordinary development of the case took place. Mr. Innes, the District Superintendent of Police, came in to prosecute a man who had been caught that morning by the Ferry darogha coming in to Gorakhpur with a bag of money, Rs. 437, the man's anxiety to cross the river while it was yet dark having aroused the suspicions of the boatmen. This man was the Amin's servant who had charge of the money, and had said that he had slept with his head on the box containg it. The Amin was examined, and identified the bags containing the money also half a dozen silver rings which were in the box before it was stolen, and also a receipt stamp which was in the box. The accused, who stated he earned two annas a day when he went out with the Amin, claimed the money as his own. The three men whose confessions had previously been recorded were then called up, and asked if they disired to make any statement. They retracted their former confessions, and stated they had been beaten and tortured by the Sub-Inspector of Police and two constables and forced to make those statements, and that it had been impressed upon them that by making these statements implicating the zamindar they would be let off and the zamindar alone convicted. On the body of one of these persons marks were visible corroborating what he said as to his having been beaten. Thsee three accused, together with the zamindar, were released by the Magistrate on their own recognisances. That same evenining, Mr. Swann, the officiating District Magistrate, and Mr. Innes proceeded to the spot, and their investigations have elicited the following facts: Soon after the theft, the Sub-Inspector searched the house of the zaminder and dug up Rs. 1800. The Sub Inspector says he returned the money, but the zamindar and his witnesses say that he returned all but Rs. 437, but took a receipt for the full amount. It is suspected that this money must during the night have been buried near the tank, and next day a great show made of searching and digging round about the village, when of course some one pounced upon this hidden treasure. The Government money was recovered intact, which would redound to the credit of the Police, but the credit would be greater if the thives could be found. A number of persons came forwad to say they had been beaten and tortured, some of them still bearing marks of the ill-treatment they had received. Eventually three persons were prevailed upon to make confessions implicating themselves and the Zaminder, and a fourth to give evidence corroborating them. Mr. Innes has suspended the Sub-Inspector and the two constables pending further inquiries.—*Pioneer.*

MR. B. Santappa Chetty, Curator, Mysore Government Museum, Bangalore, has compiled a handbook on the uses of some of the country and bazar medicines of India.

Mr. Hammick heard Mr. Thompson, Barrister-at-law, on the exclusion of the Shanari from the Sivakasi Temple. An adjournmen was refused as the situation at Sivakas demanded prompt action. In passing orders Mr. Hammick remarked that the closing of the Sivakasi Temple, had caused a riot on the 6th June, and the continuance of closure constituted a source of disturbance to public tranquillity, to remove which it was necessary, to enable the Dharamakartha to open the temple without fear that the Shanars would enter. The order was promulgated by beat of the tom tom in Sivakasi. The order will be appealed against.

THE Allahabad-Fyzabad line, including the Ganges bridge, which was included in the list of light lines or tramways on the two feet six-inch gauge for the construction of which the N. W. P. Government were authorized to negotiate, has now been excluded from the negotiations. The Chord line will be constructed by State agency on the five feet six-inch gauge, and will probably be worked by the O. and R. Railway. The survey is to be undertaken during the working season of 1899-1900 and construction will follow in 1900-1901 and succeeding years. Following the completion of the Allahabad-Fyzabad Railway it is possible that connections will be made on the standard gauge hereafter from a junction to the north, of the new Ganges bridge with Ray-Barelli to form a direct route between Lucknow and Allahabad, and with the Lucknow-Benares chord line to form a direct route between Allahabad and Benares.

IN the course of an interesting review of Mr. Crowther Hirst's book "Is Nature Cruel" in the *Spectator* of June 3rd., occurs the following :—"Personal experiences of tiger-bites are more difficult to obtain, partly because the danger of tiger-shooting on foot is now so well-known that few persons ever attempt it. Natives are frequently injured while beating for them, and we believe that the percentage of deaths is large,—far larger than in case of attack by lions. But out of eight instances given by Mr. Hirst, pain is only mentioned as being felt in one. This was an attack of a kind different from the usual charge and blow of the paw. The tiger seized Mr. J. Hansard, at present a forest officer in Ceylon, by slipping up behind him, putting its paws on his shoulders, and taking the back of his neck in its jaws, just as a cat stands on its hind-legs to take meat from a plate held on the knee. The tiger beat his neck twice as it dragged him down a ravine, and he felt intense pain as the teeth crunched through just at the base of the skull close to the spinal column. The tiger was then shot and he did nol feel pain afterwards. But Mr. Hansard himself thinks that this was an exceptional case, the rule being that the victim is struck senseless by a blow of the paw."

As a precautionary measure against the spread of plaague the wells at Amritsar are being examined, and, where necessary, permanganate of potash is being thrown in to purify the waters.

AN EPIDEMIC OF DIARRHŒA.

Mr. A. Sanders, writing from Cocoanu Grove, Fla., says there has been quite an epidemic of diarrhœa there. He had a severe attack and was cured by four doses of Chamberlain's Colic, Cholera and Diarrhœa Remedy. He says he also recommended it to others and they say it is the best medicine they ever used. For sale by

SMITH STANISTREET & CO.
and B. K. PAUL & CO

Centre for Studies in Social Sciences, Calcutta

THE

Amrita Bazar Patrika

CALCUTTA, JULY 9, 1899.

LORD CURZON AND HIS FIRST MEASURE.

THE impression prevailed, both in England and India, and we fear it prevails even now, that Lord Curzon was influenced by the Colonial Office to impose the countervailing duties upon sugar. This impression gained strength from the fact that the proposal had once been made to Lord Elgin by Lord George Hamilton and the former had rejected it; and secondly, because, the decision of Lord Curzon immediately followed the so-called pressure from Mr. Chamberlain. We have before us leaflets, issued and sent to us by the Secretary to the Cobden Club, Mr. Harold Cox, in which the writer contends that Lord Curzon had "sacrificed India to Mauritius". Our information was, however, quite otherwise, namely, that Lord Curzon was influenced by no other motive than the good of India, and that Mr. Chamberlain's pressure had nothing to do with the decision arrived at by his Lordship. However, to make things certain we ventured to address the Private Secretary to the Viceroy on the subject. Here is the letter we wrote to him :—

PATRIKA OFFICE,
CALCUUTA, JUNE 29th, 1899.

To

W. Lawrence Esqr., Private Secretary to His Excellency the Viceroy and Governor-General of India, Simla.

SIR,—Our information is, that Lord Curzon arrived at his decision as regards the sugar question, before His Excellency had heard any thing on the subject from Mr. Chamberlain, and the sole motive of the Viceroy for the imposition of the countervailing duties was the protection of an indigenous manufacture, which was being slowly killed by an unfair competition.

A reply to the above will very much oblige.

Yours etc. etc.,

P. S.—I need hardly add that I intend to publish both my letter and your reply in the *Patrika*.

To the above we have got the following reply :—

Simla, 3rd July 1899.

DEAR SIR,—I have received your letter of the 29th ultimo. Your information is correct. The Viceroy arrived at the decision to recommend countervailing duties in India upon the strength of the Indian case alone, and in entire independence of the correspondence from the Colonial Office. It was only an accident that the latter happened to reach India at about the same time that the information from different parts of the country reached Calcutta which justified the Viceroy's decision. This decision had already been foreshadowed by the concluding words of his telegram of February 1st.

Yours Faithfully,
WALTER LAWRENCE.

Now, those who were led to suspect, and to say so in their papers, that the Viceroy was influenced by any pressure from the Colonial Office should take note of the above letter and do the needful. It is a serious charge against the Viceroy that the first thing that he should do on arrival here, is to sacrifice "India to Mauritius."

We have sent a copy of Mr. Lawrence's letter to those friends in England who have been led astray by the mischievous earnestness of Mr. Maclean.

We attach a good deal of importance to the letter of Mr. Lawrence published above. Really a strong belief prevailed in the country that Lord Curzon had yielded to the pressure of Mr. Chamberlain, and the good of India was not the real motive of his action. From this a good many people suspected that perhaps India had been actually sacrificed to Mauritius. Altogether the charge against Lord Curzon was a very ugly one. Fancy his Lordship coming here with words of sympathy and love, (promising all sorts of reforms) at last ending rather beginning, his rule, by sacrificing India for the sake of a small island, only to please a friend! The matter has now been made clear. What happened was this. His Excellency found that his predecessor had already closed the question by rejecting the proposal of Lord George Hamilton of levying a countervailing duty. For Lord Curzon, a new-comer, to undo the thing which his more experienced predecessor had done, would only be a work of great boldness. But His Excellency is a strong man. He saw that a countervailing duty would really do good. And he gave his final decision when he found that the Indian press had taken the same view of the question. The following instance will show how Lord Curzon was entirely guided by Indian public opinion in this matter. From the Blue-book we find that on the 24th of February, apparently under pressure from Mr. Secretary Chamberlain, Lord George Hamilton wired the following telegram to India :—

Desire to know if you purpose to pass an Act this session imposing countervailing duties.

Now, it so happened that, three days before the arrival of the above message, that is to say, on the 21st February, the following parapraph appeared in this journal :

As in India, so in America, the bounty-fed sugar from the German Empire, has seriously told upon the local sugar industry. But having no other interests except their own to take care of, Americans have disposed of the matter in a business-like way. They have got over the difficulty by levying a countervailing duty on sugar imports * * * America has thus clearly and unmistakably shown the way India should take in this connection . . . India should strike the iron while it is hot; and both her Government and her manufacturers should not delay in emulating the example of America.

And we find Lord Curzon sending a telegraphic reply on 25th Feb., after the receipt of Lord George Hamilton's telegram, dated the 24th, in these words :—

Propose to legislate at once on American model.

Here we see Lord Curzon reversing the policy of his predecessors, simply because his Lordship saw that it was necessary in the interests of the country, and that the reform, in the opinion of the Indian press, was urgently needed. This is not usually done in this country. Any other Viceroy would have left the matter alone, and never disturbed the decision of his predecessor.

THE LATE SIR JAMES STEPHEN.

OUR readers may perhaps remember the case of Mrs. Maybrick in England. She was accused and convicted of having poisoned her husband with arsenic, and imprisoned for life. As she is an American lady, her case elicited universal sympathy in her native country. The Americans petitioned for clemency, but their prayer was rejected. A Maybrick Association was then formed in America to carry on the agitation. That Association still exists. Three Presidents of the United States implored Her Majesty Queen Victoria to pardon her but without success. The Americans have not even now given up the agitation and they mean to continue it.

The ground on which they base their prayer for clemency is that Mrs. Maybrick is innocent. And why? It is, because, they say, Mr. Maybrick was in the habit of taking arsenic with which he was alleged to have been poisoned. And the second ground, in their opinion, is that she was tried by Sir James Stephen who, to quote the American paper, *Inter Ocean*, (whose article on the subject is reproduced elsewhere), "was soon afterwards dismissed from the bench for incompetency and ended his life in a few months in a lunatic asylum."

In England, as a Judge, Sir James Stephen was remarkable for his passion for conviction and severe sentences. With him accusation was almost enough for conviction, and latterly he began to play so many mad pranks that the English people found themselves in a state of despair, not knowing what to do with him. As a Judge he was not removable; and though he knew that the country wanted his retirement, he did not choose to vacate his place. At last he was persuaded to do so, and the career of this "eminent jurist" ended in a lunatic asylum.

If he is remembered in America, he is much more remembered in India. He was here our law-maker and it was he who introduced certain innovations which threw this helpless country into consternation and blank despair. We call India a helpless country, because, when he tried to introduce some of his "reforms" in his own country, the whole nation rose to a man to protest and his attempt failed. But in India, he came and did the thing in spite of universal opposition. What these innovations are the Indians know very well to their cost. It was Sir James Stephen, who, for the first time in the history of criminal legislation, provided for appeals against acquittals, enhancement of sentences by appellate courts, summary trials by magistrates, practical withdrawal of trial by jury, and many such innovations.

These provisions obtain in this country alone and nowhere else. Are they good? If so, why are they not introduced in England? Nay, why was there an outcry in England when an attempt was made to introduce there some of these innovations? We must presume, therefore, that they are bad, for the free-people of England would not tolerate them. Why were they then introduced here? Was such a change necessary? But then, how do the administrators manage without these provisions in other countries of the world? How did the administrators of India manage to rule the country with efficacy before 1870, when these innovations did not exist? Especially when the country had not been disarmed and not so thoroughly tamed as now? Were these innovations introduced as a punishment? What had the law-abiding, sober, non-riminal and weak race of India done to deserve such a punishment?

The only advantage that Government derives from these innovations is that they confer irresistible powers upon the executive. But is it necessary to vest the executive with such powers, when administrators previous to 1870 could manage very well without them?

On the subject race, these provisions of law are producing a disastrous effect. More than three-fourths of the grievances of the people can be traced to the way in which criminal justice is administered in this country. The Indian newspapers have barely space to deal with other subjects except the sufferings of the people on account of the too rigorous administration of criminal justice. That is the plague-spot in the administration—that is the sore poi t with the Indians. It is this system of administration of criminal justice that puts the people in a state of constant terror; it is this terror which has the effect of emasculating the people.

We leave this matter in the hands of all Englishmen, interested in the good of India. We appeal to their sense of justice and generosity to give a little thought to this serious question, which has rendered British subjects in India, with all the advantages of the civilized rule that they enjoy, so unhappy. They deserve no punishment at the hands of their good rulers, and the innovations of Sir J. Stephen are nothing but punishments inflicted upon an innocent people. We hope Heaven will move the heart of Lord Curzon to relieve the people of this grievance which is emasculating them. The innovations introduced were the conception of a man who was suffering from incipient lunacy. In England he was known to be a heart-less land unsympathetic man, who died in a lunatic asylum

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WE showed, by quoting from our columns, that, in his fight with Mr. Apcar, we did our best to help Babu Narendra Nath Sen and injure his opponent, and that his best friend could not have done more than what we were led to do. We, therefore, appealed to Babu Narendra Nath to spare us, when, in the discomfiture of his defeat, he was seeking objects to vent his ill-humour upon. But that appeal has not met with success. The disreputable methods which some vernacular papers have adopted are creeping into his columns, and we apprehend a speedy and general demoralization of the press. We hope the respectable portion of the public will not permit it. Babu Narendra Nath has no reason to take his defeat so seriously; for, in election contests, misfortunes oftentimes overtake the most worthy. But it seems he has taken it very much to heart. If that is so, he has, however, no reason to betray it. For, to betray it, is to give his enemy an opportunity of triumphing over him. He first moved the Government to disqualify Mr. Apcar; we think, he ought not to have taken that step. But yet he had a legal right to do so, and we cannot object to the step he took to serve his interests. But he has taken other methods to sooth his perturbed feelings. One is to praise himself in his columns, the other is to abuse those who sided with Mr. Apcar. We have also fallen a victim to this latter method. But we have shewn above that we do not deserve the honor of the abuse, for we sided with him and not with Mr. Apcar in that contest, and if we did give a welcome to Mr. Apcar it was when it could no longer be helped, and when he had already been elected. When Mr. Apcar was elected, we thought the best interests of the country would be served not by abusing him but by giving him a welcome, especially as he had promised that he would advocate the cause of the country. As for our contemporary, filling his columns with his own praises, that is a business in which his constituents, and not we, have any concern. But yet, as following the same trade, we can humbly offer this piece of advice to him that, this method of praising himself is not one which can do him any good. As a profound student of the *Shastras*, Babu Narendra Nath may open the *Mahabharat* to see what Sree Krishna Himself said on the subject. Arjuna took up his sword to kill his sovereign and eldest brother, Yudhistira. "Arjuna, what is this?" asked Sree Krishna. "You kill your brother whom you so love and revere!" Arjuna said, "Lord, I have no help. I promised that I would kill the man who would venture to tell me that I was not worthy to hold my bow (Gandeeb). My brother just now made the same remark. Though I love my brother more than my life and though I know I will go to hell by murdering him, yet, as a Kshatriya, I must keep my word." Sree Krishna said, "Yes, you must fulfil your promise, but you must not also murder your brother." And then addressing Yudhistira He said: "You must give up your life, but Arjuna must not ill you. You do one thing. Praise yourself." And prompted by Sree Krishna Yudhistira began to praise himself thus: "I, Yudhistira, am the most truthful man in the universe. I am the most honorable, I am the most pious, etc." "Stop"! said Sree Krishna, while Yudhistira was enumerating his virtues, "that will do. Now, Arjuna, this ought to satisfy you. For, you could have killed Yudhistira but once, but he has killedhimself thousand times over, for does not a man kill himself a thousand times when he praises himself?" As we said, however, this point of his method does not affect others; but the other, that of abusing the supporters of Mr. Apcar, does. And though it may be pleasant to his feeling to see the supporters of Mr. Apcar pilloried, his supporters are not likely to be willing to give him that pleasure.

As our readers are aware there was some altercation between a young lad belonging to the Oudh family, and a European, Mr. Norton. We cannot help believing that both parties were to blame for this. It is not likely that Mr. Norton would have run to the law court if he had not some real grievance in the matter; and it is also not likely that the young lad and his companion, who are after all natives, should go out of their way and wantonly commit an unprovoked assault upon a European, specially as he was driving with his wife. The case was tried by Mr. Pearson, the Chief Presidency Magistrate, and he assumed the attitude of strict mpartiality, which, every British officer doing judicial work should do under all circumstances, specially in a case between a European and an Indian. Mr. Pearson found that both parties were to blame, warned the young lad, and fined his elder companion. Though the Mussalmans were not satisfied, the people in general, considering all circumstances, thought that Mr. Pearson had acted in a very proper manner. But Mr. Norton was not satisfied and moved the High Court for the enhancement of the sentence, and obtained a rule. We think, his friends ought to have restrained him. At least they should have done everything in their power to bring about an amicable settlement. For, if the case were allowed to proceed, some very bad passion would be evoked, which should never be permitted as far as that is possible. Considering the high position that the Europeans enjoy here, they can afford to be generous in their treatment of the natives of the country. Whether the punishment awarded by the Chief Presidency Magistrate is adequate or no, is a point which is for the law court to decide. But cases like the one in question, between Europeans and Natives, should never be allowed to go to the bitter end; and hence we are anxious that mutual friends should intervene and put a stop to the further progress of the case.

NOT only did Mr. Davitt but also Mr. Herbert Roberts put a question in the House of Commons regarding the Rangoon outrage. The question of Mr. Davitt and the reply of the Indian Secretary of State on the subject were published in our yesterday's issue. Here is the nterpellation of Mr. Herbert Roberts :—

Mr. Herbert Roberts asked the Secretary for India whether his attention had been called to the disgraceful outrage upon a Burmese lady, which was committed by from 10 to 16 men of the West Kent Regiment at Rangoon on April 2nd last; whether the civil authorities were powerless to discover the culprits because the soldiers refused to give evidence; whether he was aware that some 40 men were either witnesses of or participants in the outrage and that the regimental authorities had so far made no arrests; and whether he would cause an immediate inquiry to be made into the matter.

Lord G. Hamilton said he answered the question fully on Monday last, and then stated that every means had been utilised for the purpose of bringing the perpetrators of the outrage to justice.

Mr. Davitt asked whether it was the intention of the Government to allow the regiment to remain in Rangoon.

Lord G. Hamilton thought that question was hardly germane to the one on the paper. An inquiry was proceeding, and until the report of it was received it was impossible to say what action would be taken. The occurrence did not reflect well upon the discipline of the regiment.

In reply to Mr. MacNeill, Lord G. Hamilton said he was not aware that the woman was dead.

So Lord George Hamilton does not know whether the woman is dead or alive, and he is our paid representative in the House of Commons! Lord Curzon, however, is doing his very best to bring the culprits to justice. So long as his Lordship is at the head of the Government, there is no fear of similar outrages being repeated in this country. We cannot, however, congratulate the authorities in Burmah on their failure to arrest the offenders as yet. The outrage was committed not on a dark night, in some jungle, or out-of-the way place, but in the streets of a big city, in broad day-light, in the presence of scores of people. It should also be borne in mind that the act was perpetrated, not by any unknown person, but by a number of soldiers of a particular regiment, many of their comrades having witnessed it. It is thus a matter of great surprise that no clue, to trace out the offenders, has yet been discovered. This is all the more inexplicable as a native offender, if he takes shelter even in the mountains of Nepal or Afganistan, can never escape detection,—such is the vigilance of the authorities in this country. Two more European culpirts, who committed similar outrages upon two Indian women, (one at Raneegunge and another at Ranaghat) are also still at large, though warrants were issued against them some two or three years ago.

EVERYBODY knows that those who have previous convictions against them are treated with great severity in this country. Here is an instance. Says *Truth*:

By the recent appointment of Mr. Justice Subramania Iyer, a veritable Draco has been added to the Indian Bench. Presiding for the first time at the Madras Sessions he promptly gave a taste of his quality by condemning a man to transportation for life for stealing some clothes and an umbrella. It may be said that the prisoner is an old offender; indeed, I shall not be surprised if I hear, as happened the other day in another case, that he is a "Barwar" or something equally culpable. Still even the staunchest champion of cumulative sentences must be somewhat aghast at this stupendous judgment. In some West End clubs, I believe that a man is allowed a first umbrella, as a dog is allowed his first bite. If the the second umbrella meant a life sentence, there would be a regular migration from "Pall Mall" to "Wormwood Scrubbs and Dartmoor."

Mr. Justice Iyer has only followed a long established custom in this country. Many Judges before him have given ten years' or life-long imprisonment to people for stealing a brinjal or a plantain leaf, simply because they were convicted of thefts on previous occasions. We must admit, however, Mr. Iyer rather over-shot the mark. It is refreshing to find that our noble-hearted Chief Justice deals with such cases in an altogether different way. While presiding at the present High Court Sessions the other day, his Lordship came across the case of Peary Mohun. He is an old offender and had come out of jail after undergoing ten years' transportation. He was again hauled up on a charge of having broken into the house of a Dhobi at Shambazar and of having stolen therefrom a silver chain and Rs. 18 in cash. He was found guilty by the unanimous verdict of the jury, and his Lordship, in passing sentence, made the following remarks: "Peary Mohun Dutt, you have been found guilty by the unanimous verdict of the jury of the crimes with which you stand charged—house-breaking and theft. As to your guilt there cannot, in my judgment, be a shadow of doubt. I am sorry to see you are an old offender and that you suffered ten years of transportation which only expired quite recently. I, however, will give you one more chance by passing a somewhat lenient sentence. I sentence you to five years' rigorous imprisonment." A judge in India is rarely, if ever, heard to express sorrow for a prisoner who has been found guilty. Indeed, criminals are treated with pitiless severity in this country. That being the case, the pity shown by the Chief Justice towards the man, though a hardened criminal, will be very much appreciated by the people. His sentence of 5 years upon a prisoner who had not only a previous conviction against him, but who had passed ten years in jail, will also create an agreeable and pleasant sensation in the country. If all our Judges had followed in the footsteps of Sir J. Maclean and tempered justice with mercy, the criminal administration would not have been rendered so unpopular, as it unfortunately now is, on account of the severe sentences passed on criminals here.

OUR correspondent, "Justice," whose letter is published in another column, brings to prominent notice a practice which is very objectionable and which, we are glad to see, has engaged the serious attention of both the Bombay and Calcutta High Courts. Many Sessions Judges are under the impression that they have the privilege of convicting prisoners, even when they are accused of murder, upon their own confession, though it is not corroborated by independent testimony and retracted afterwards on the ground of police extortion. The Chief Justice of Bombay in a recent case, alluded to by our correspondent and noticed in these columns at the time, held that such a practice was most dangerous, and that it should never be resorted to by Sessions Judges. In two recent cases, full reports of which appeared in our issues of the 22nd and 24th June last, Mr. Justice Prinsep also tried to impress upon Sessions Judges the danger of convicting people on retracted confessions. Our correspondent, "Justice," contends that Swami Dyal was convicted and sentenced to be hanged on the very grounds which, in the opinion of the Bombay High Court, and we may add in the opinion of the Calcutta High Court also, do not warrant a Judge to send a man to jail or to the gallows.

WITH regard to the Rangoon outrage case, it appears that the Military Court of Inquiry has been ordered to reassemble and take additional evidence. After considerable correspondence the military authorities have handed over to the Rangoon Commissioner of Police a copy of the evidence taken before the military court. The evidence therein will not be published or produced in court pending the orders of the Government of India, but the Commissioner is empowered to use the evidence therein for evidence in his enquiries.

ELSEWHERE will be found the second letter of Moulvi Dedar Buksh. When his first letter reached our hands, we could not persuade ourselves to believe that there were Mussalmans so liberal in their views of religion as to be able to join the Hindus, call them brethren, and accept the Lord Gauranga as a Prophet along with Mahomed, as Moulvi Dedar Buksh promised to be. We wrote to Moulvi Dedar Buksh to be kind enough to pay us a visit. He promptly responded to our request, and spent some time with us. He is an elderly gentleman, to associate with whom is in itself a pleasure. His unostentatious and genuine piety makes him "meaner than grass." From him we learnt that there is a considerable body of Mussalmans who hold the view that he does, and he thinks it is quite possible for the Hindus and Mussalmans to join together for the purposes of worshipping the Father of all, Whom he calls the "Universal Hari." In his second letter Moulvi Dedar Buksh blames the Hindus for treating the Mussalmans with contempt. Yes, a certain class of Hindus do oftentimes treat a certain class of Mussalmans with contempt, but the higher classes of Mussalmans are always treated with great respect by them. A higher-class Mussalman is a born gentleman; he is hospitable and generous to a fault. But the majority are immersed in ignorance. Though we hope the appeal of Moulvi Dedar Buksh to the Hindus will not go in vain, we must say, that the Mussalman leaders should try their best to give their community a lift. Liberal-minded men like Moulvi Dedar Buksh are very much wanted for the purpose of obliterating the bad feeling that yet exists between Hindus and Mussalmans. Those who follow the Lord Gauranga need not be told that the Mussalman is as much the son of God as the Hindu is; indeed, the Lord converted a large number of Mussalmans to the worship of Hari. What an amount of money the Christians spend for the propagation of their faith! It is true they are wealthy, but yet poor Mussalmans and Hindu can also do something in that way. The Hindu does not spend a pice for the spread of his religion. The letter of our correspondent will shew how sublime truths are to be found in the Koran.

THE *Pioneer* publishes an extraordinary account of a police torture case, which is reproduced in another column. If there was a province where the police had everything in their own way it was the N.-W. Provinces. This was due to the fact that, before the advent of Sir A. P. MacDonnell, no Lieutenant-Governor of the N.-W. P. would care or venture to control his subordinates, that is to say, the Divisional Commissioners and the District Magistrates, who were practically the masters of the situation. Most of the Magistrates, again, played in the hands of the police, and thus the latter did almost anything they chose. How powerful the police was and how they succeeded in throwing dust into the eyes of some District Officers was revealed to the public by the incidents which transpired during the trial of the case of the Mirzapore Mohanta. As the matter created a good deal of noise and as we were assured that the Mohanta was a victim of police conspiracy, we sent a special Reporter to watch and report the proceedings. The result justified our worst fears. A most abominable charge was brought against the Mohanta. The husband of a young woman came forward to complain that his wife had been abducted and kept as his mistress by the Mohunta. Other witnesses stepped in to corroborate the story. The woman herself was produced by the prosecution to depose in detail how she had passed several days and nights in the company of the Mohanta. It was contended by the defence that the charge was absolutely false and that the police was at the bottom of the whole affair. The Magistrate, Mr. Branson, was horrified at the suggestion; for, he declared, he could not disbelieve the police. And he framed charges against the Mohunta and was about to punish him severely, when the woman, with tears in her eyes, created tremendous sensation in Court by telling an altogether different story. She said that the Mohunta was perfectly innocent, that she had been tortured by her husband and the police to bring the foul charge against the accused, and that she would rather die than be the cause of the ruin of an innocent person. The Magistrate was aghast and at once released the Mohunta; and, we believe, he was subsequently transferred elsewhere or made to take leave in order to avoid the disgrace that the disclosure cast upon his administration.

The above happened immediately before the appointment of Sir Antony MacDonnell as Lieutenant-Governor of the N. W. Provinces. As soon as he became the ruler of the United Provinces, his first work, however, was to purge the police of its impurities. He found that, like Mirzapore, Benares was also completely in the hands of the police. The citizens had done their best to get rid of certain police officers who carried everything with a high hand; but, backed by the District Officers, their unconscious tools, the police were more than a match for the people. Sir Antony was, however, a Governor who was not to be hoodwinked. He at once saw the real state of things and earned the gratitude of the citizens of Benares by freeing them from the clutches of the obnoxious officials.

It is a notorious fact that the bestowal of the Lieutenant-Governorship upon Sir A. P. MacDonnell created consternation and mourning in the ranks of the N.-W. P. officials. The *Pioneer* was so disgusted with the arrangement that it openly expressed its disapprobation of the appointment, and had many a fling at the new Governor. Sir Antony was, however, a man of will and determination; and, above all, he had the good of the poople at heart. He, therefore, went on ruling the province in his own way, inspite of the opposition he received at the hands of his subordinates. At last a regular war was waged between His Honor and a Commissioner of Division, to test who was the real master of the situation—the Lieutenant-Governor or his subordinates! The Commissioner defied His Honor's authority and went to the length of ridiculing one of his famine orders. The matter was at last sent up to the Government of India, which not only censured the Commissioner for insubordination but compelled him to retire on pension. Sir Antony has since been the undisputed lord of the N.-W. Provinces.

His Honor will, however, find from the extract from the *Pioneer* that corruptions amongst the police in his province have not yet been thoroughly eradicated. Indeed, it will take yet sometime before the police department in the provinces can be brought to a thoroughly healthy condition.

WE are glad to learn that the account of the damage done to the paddy crop by *shekopoka*, a small beetle, which was published in our columns the other day, attracted the kind attention of Sir J. Woodburn and he has referred the matter to the Director of the Agricultural Department for consideration. We have no knowledge as to the extent of the damage that has been

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and is being done this year, nor is the remedy known of this pest which luckily invades the country at long intervals. They come in such large numbers that to kill or drive them is impossible. You can catch them easily, but it is not so easy to crush them to death for they are covered with a hard coating. Our correspondent "Riha" proposes a simple remedy which is as follows :—

Put one seer of ordinary salt in a flat earthen vessel, such as *shanki* or *shara* placed on that side of each bigah of land from which the wind blows towards the field. Pour slowly over the salt one pint of sulphuric acid, which would cost about one anna, taking care not to exhale the vapour of the smoke, which results from the chemical action produced by the contact of the above two ingredients. The smoke destroys almost all sorts of absurface insects.

We hope the remedy will be tested by the Director of the Agricultural Department.

THE stupid letter, giving an account as to how Mr. Windsor came by his death, which appeared in our paper the other day, has given general offence as it should. It was published without our knowledge ; and we have no other remedy now than to express our regret at the publication of the communication. As for Mr. Windsor he was a friend and a subscriber to this journal. We have already said that his death is a great loss to the country. We hope, his friends will forgive us for the mistake. A contradiction has already appeared in our columns.

IT is quite evident that Babus Norendra Nath Sen and Kali Nath Mittra are not on cordial terms. Two years ago Babu Kali Nath had a contest with Babu Norendra Nath over the Calcutta Corporation seat, and the former was defeated. When Babu Norendra Nath again contested the same seat with Mr. Apcar recently, Babu Kali Nath, therefore, went against his former opponent and supported the latter. This is but natural ; and it is equally natural that Babu Norendra Nath should feel angry with Babu Kali Nath and those who in any way speak well of him and Mr. Apcar. We are accused of having done this and have thus incurred the displeasure of his organ, the *Indian Mirror*. Now, it so happened that, when Babu Kali Nath supported the European against the Indian candidate for the Chief Engineership of the Corporation we said something on the subject. The *Indian Mirror* says that what we said on the occasion was very complimentary to Babu Kali Nath and that we acted unpatriotically by supporting his unpatriotic act. In this matter, however we find ourselves in a terrible dilemma, For, if the *Mirror*, its correspondents and the *Bengalee* think that we have supported Babu Kali Nath and an unpatriotic act, the friends of Babu Kali Nath have charged us with having severely dealt with him. Now, there cannot be any manner of doubt that Babu Norendra Nath Sen is a very intelligent man, and we can guarantee that the friends of Babu Kali Nath referred to above are also intelligent men. The *Mirror* is positive that we have supported Babu Kali Nath, while the friends of Babu Kali Nath say that we have done no such thing. Who is to decide this nice point ? Let us quote a portion of the para here :—

Babu Kali Nath Mitter, proposed Mr. Tomlinson. He said that "the head of the Engineering Department should always be an Englishman," and that was his ground for supporting Mr. Tomlinson. When Babu Kali Nath Mitter said this, the European Commissioners received the remark with cheers. * * * Babu Kali Nath viewed the matter from a high standpoint ; he showed himself to be generous, transcendentally so.

But Babu Kali Nath's action can be likened to pearls being scattered on a grassy field, for the Europeans did not appreciate his noble utterances. The proper course for the Europeans would have been to decline to take advantage of this generosity of the Hindu. They ought to have declared that generosity was not the exclusive property of the Hindu; that they the Europeans had their share of it, and that since the Hindu would make over the post to the Europeans for ever and ever, they the Europeans would vote not for a European but a Hindu. They might have added that they were bound to protest against the contention of Babu Kali Nath, that an Englishman must always be at the head of the Engineering Department, for it was but just and reasonable that when even a Hindu was found fully as competent as a European, the former ought to have been given the preference, considering that the city was in India and not in England.

But the European members were not at all affected to tears, nor affected at all by the generosity of Babu Kali Nath ! On the other hand, they took advantage of his generosity, remained as obdurate and worldly-minded as ever, and stuck to their own interests. Here is a clear case in which the highly favored Europeans have been beaten in generosity by a Hindu.

As a matter of fact, a little contemplation will shew that the generosity shewn by Babu Kali Nath has scarcely a parallel. First, the Indians have been ostracized from almost all posts of emolument under the present rule, not only in British India but also in Native States, and not only in Native States but also in private estates under Government control. We showed yesterday that even a post of Rs. 80 had been made over to a European in the Bettiah estate. Such a selfish arrangement is unparalleled in the annals of the world.

Secondly, though it was previously the intention of the Government to make over the subordinate posts to the Indians, that noble intention was practically nullified by the weak rulers of the land, who were unable to resist the importunities of their poor relations and their friends with poor relations.

Thirdly, when the elective franchise was given to Calcutta, the berths under the patronage of the Municipality were practically made over to the natives of the soil.

All the above considerations had no influence with Babu Kali Nath. So determined he was to be generous, that he would not take a Hindu, who was more competent than his European rival. And thus Babu Kali Nath, in a fit of generosity, delivered the post of the Chief Engineer, for ever and ever, to Europeans. All this Babu Kali Nath Mitter did; and the Europeans rejoiced,—rejoiced not that they were presented with an instance of generosity, which has no parallel, but because the berth was secured to a countryman of theirs. We are proud of Babu Kali Nath Mitter. What is a fat post but a delusion and a snare ? It leads to temptation; it leads the mind to worldly matters, But one instance of disinterested generosity has the effect of ennobling humanity.

In the opinion of Babu Norendra Nath we have, in the above, lauded up Babu Kali Nath to the skies. The friends of Babu Kali Nath. however, think that we were "karkastic." We are thus in a fix and cannot ourselves determine what we actually meant at the time, we wrote the paragraph. The best thing would be for Babu Kali Nath's friends to accept the version of Norendra Nath and for Babu Norendra Nath to take that of the friends of Babu Kali Nath ; and then, we think, both parties will be satisfied.

IT will be remembered that, not long ago, during the progress of a trial at the Sessions Court at Dacca, a Mahomedan juror applied to the presiding Judge, Mr. S. J. Douglas, to give him leave to say his mid-day prayers. Mr. Douglas not only refused the application but made fun at the expense of the Moulvi and also made extraordinary remarks as to the obligations of Mahomedans regarding prayers. When the Moulvi wrote to us for advice, we advised to him to submit a petition both to the Local Government and the High Court. Accordingly, a largely signed memorial was addressed by the Mahomedan residents of Dacca, both to the Government of Bengal and to the Hon'ble Judges of the High Court, drawing attention to the serious inconvenience caused to Mahomedan jurors, especially in consequence of Mr. Douglas's refusal to grant a recess in the day according to the usual practice of all Courts. The memorialists also pointed out that the action of the Sessions Judge might be regarded by the Mahomedan community as an indirect interference with their religious liberties. The High Court, without commenting, in any way, upon the alleged grievance of the memorialists, has issued the following order to all Sessions Judges in Bengal :—

The attention of the Judges has been drawn to the inconvenience which is caused to jurors and others when a trial is continued throughout the day without any interval. I am directed, therefore, to intimate to you that it is, in the opinion of the Court, advisable that there should, in the case of trials by jury or with the aid of assessors, be a short adjournment daily, not to exceed half-an-hour, at about two o'clock in the afternoon.

It is clear that Mr. Douglas would have avoided all friction between himself and the jurors, if he had simply followed the practice which is observed more or less in all courts throughout India, namely, to rise for at least half-an-hour in the day for lunch. The order of the High Court will remove any difficulty that might have existed in this connection.

PURNABASINEE Malini used to live at the house of Hari, her mother-in-law. Sometime ago, she left it and went to reside with her father. This was followed by a criminal complaint filed against Hari by her daughter-in-law in the Court of Mr. Ainsley, Deputy Magistrate of Comilla. Her story was that her mother in-law had forcibly snatched away her child, aged 3, when she was leaving for her father's place and had unlawfully detained it. Purnabasinee had made a similar application to the District Magistrate, praying that her child might be recovered from her mother-in-law and restored to her, and that official referred her to the civil court. But Mr. Ainsley adopted altogether a different course. He took the deposition of the complainant and ordered the issue of a search-warrant for the production of the child in court. As soon as the order was passed, the husband of Hari made an application to the District Magistrate praying for the cancellation of the order of the Deputy Magistrate. The Magistrate, however, passed no orders on the application but sent it over to Mr. Ainsley. This had no effect. The child was produced and handed over to its mother. The matter, however, did not stop here. Hari was tried under section 363 I. P. Code, convicted and sentenced to one month's rigorous imprisonment. The section runs as follows :

Whoever kidnaps any person from British India or from lawful guardianship shall be punished, &c., &c.

And this is the section Mr. Ainsley has availed of to punish a grand-mother for detaining her grand-child ! The facts are taken from the local paper, *Tripura Hitaisi*. The case, we are told, has created some local sensation. There is one more feature of the case, which is worthy of note. The woman has got only a month, and thus she is precluded from filing an appeal. This case shows how criminal justice is often administered by officials who know not the country, its customs and its laws.

THE Burdwan correspondent, whose letter relating to the death of Mr. Windsor was published in this and some other Indian papers, and naturally gave great offence to the friends of the deceased gentle man, thus expresses his sorrow for having sent the information for publication :—

I am extremely sorry that, in relating the details of Mr. Windsor's death, I was led to give currency to a rumour which is totally false. The story that Mr. Windsor had proposed to his sister-in-law and was refused by her, turns out to be a *canard*, pure and simple. Some of his personal friends have naturally taken great offence at the publication of the *canard*, and I hope, they will forgive me for having given currency to it without due enquiry.

As we said yesterday, the friends of Mr. Windsor have every cause to be offended ; but, considering all circumstances, we hope, they will forgive the correspondent. That a *canard* of that sort was circulated by some mischievous persons appears from the publication of a similar rumour, with some additional embellishment, in the *Morning Post*, which is an Anglo-Indian paper of position, published at Delhi.

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THE PLAGUE COMMISSION.—It is understood that the Report of the Plague Commission will be completed by the end of the present month, and that it will reach the Governmect of India early in August.

THE MOHUNPUR MURDER CASE.—The case of Empress *vs.* John Norman Ross, on Assam tea planter, who stands charged with murder and grievous hurt, is now proceeding before the Chief Justice and a special jury at the Calcutta High Court.

CHOELRA AT PURI.—A correspondent wires:—On account of the approaching Car festival the rush of pilgrims is very great. Already some sixty thousand people have come. Cholera has broken out and has been raging furiously—the average daily death-rate being 30 to 35. Accommodation in the Cholera hospital is insufficient. Sheds have been erected but as yet no other arrangements have been made. The authorities appear to be indifferent in the matter.

KALA AZAR IN ASSAM.—IN the opinion of the Principal Medical Officer of Assam the dreaded disease *Kala Azar* is gradually dying away from the province as a whole, the deaths being reduced from 18, 611 in 1897 to 16,472 in 1898, and this generally agrees with the opinion which has been generally expressed to the Chief Commissioner in the districts in which the disease is especially virulent.

SANITARY WORK IN ASSAM.—No work of special sanitary importance was undertaken in Assam during 1898, although extensive repairs were carried out to the Gauhati water-works which even now are not in a satisfactory condition, the Municipality having applied for a further loan of Rs. 13,660 for the purpose of carrying out further improvements. The Shillong Station water works are only temporarily repaired and an additional expenditure of nearly Rs. 20, 000 will be required to complete them. For this purpose and other sanitary needs of the place the sanction of Government has been asked to a grant of Rs. 50,000 to the Station Committee from the Provincial Funds.

A MOUSTACHE TO ORDER.—Not very long ago a distinguished officer arrived at a certain station up-country, on inspection duty, stayed there a few days and departed. For some little time nothing was heard of the result of the inspection, when one day a letter filtered though the usual channels stating that the inspecting officer had noticed a junior officer did not get a moustache and he was requested to do so. This document caused not only a little amusement but also a certain amount of consternation among some other junior officers who had not got moustaches, and who wondered when their turn was coming. This reminds us of a by no means junior cavalry officer, who one day represented to his general that he was unable to grow a respectable moustache, and requested permission to shave his upper lip. The General was a philosopher, "If God can't make you grow a moustache", he said, "I certainly can't." And he didn't.

AFTER A PRISONER.—An amusing incident occurred the other day at Bankipur. An inmate of the local jail had managed to escape. There was naturally a hue and cry as soon as the fact became known. A number of warders and police men were out in the streets to look for the escaped man. It so happened that a cow belonging to a herd of the cattle got distached by the barking of a dog and was running in hot taste, followed by the cow-driver. The police man took the latter for the absconding convict and called him out to stop. But the man made no response and run as fast as his legs could carry in pursuit of the stray cow. This only confirmed the suspicion of the police men, who gave chase and caught him just as he had reached his cottage. For a time, the police men would not hear all his protests of innocence. A number of neighbours were collected, who told the warders that they were entirely mistaken and that they had apprehended a wrong man. The cow driver was then let go. The prisoner was discovered next morning, concealed in a heap of straw just outside the jail.

THE BHUMIHAR COLLEGE.—The Bhumihar Brahman College at Mozufferpore was opened formally on July 3rd. The opening ceremony included incantations to the Devtas, the performance of *homa* and the recital of the Vedas by *Dakshini* Brahmins. Many Brahmins were sumptuously fed on the occasion, and the *elite* of the town attended. Many boys have already taken their admission into the College classes.

THE HOOGHLY RAILWAY OUTRAGE CASE.—This case in which one Bhutnath Mukherji of the Hooghly Railway Station, is accused of having attempted to outrage the modesty of a Hindu lady and of assaulting her husband, the details of which have already been published, came up before the Deputy Magistrate of Hooghly on the 26th June last. After examining the complainant and some witnesses the Deputy Magistrate, on the 1st instant, framed charges against the accused under sections 358 and 323 I. P. C. The case will again come up on Monday, the 10th instant. In the meanwhile the accused has been enlarged on bail.

MODERN LITERATURE OF BENGAL.—It is a gratifying sign that the modern literature of Bengal is being appreciated by the present generation of enlightened men in the sister provinces. Some novels of the immortal Bunkimchandra have been rendered into Hindi. Other Bengali books of merit are not neglected. Arrakirti and the history of the Sepoy War by Babu Rajani Kanta Gupta have also been rendered into Hindi by the gentleman who undertook to translate Bunkimchandra's works.—*Behar Times.*

THE HAZARIBAGH MICA MINES.—The result of the Government auction sale of the leases of mica mines, held at Hazaribagh on the 3rd instant were a great success. Notwithstanding the depressed state of the mica market, there was keen competition between intending European and native lease-holders, resulting in a general all round rise in the prices of mica mines and in the achievement of record sales in at least two instances. The Jaipur Mine, which was formerly leased for Rs. 50 per annum, was knocked down for Rs. 2,550 per annum, *plus* 2¾ per cent. royalty for five years; while the still more famous Chorloa Mine, which was formerly leased for Rs. 22-1-3 per annum, was secured for five years at an annual rent of Rs. 10,000, *plus* 2½ per cent. royalty.

TRADE OF MANIPUR.—Acurious and perhaps unexpected result of the presence of the British in Manipur is disclosed in the latest return of the trade between Assam and adjoining countries. With reference to Manipur, the report quotes Colonel Maxwell as saying that there has been a reduction of manufacture for export since the beginning of the British Administration of the State. "The Durbar was very particular to keep busy every man at his trade ; idleness was discouraged, as it led to mischief and generally in Manipur to revolutionary projects or gambling, but we have been unable to continue this paternal Government, with the result that brass and iron workers, ivory :carvers, ect., have given up their business, and manufactures are on the decline." It is not often that British rule affects trade, either directly or indirectly, to its detriment.—*Englishman.*

A STRANGE FRAUD.—A correspondent writes from Dacca :—Some four or five men came to the town lived there for some time in very grand style and secured the confidence of the poddars (bankers) of the place. A few days ago they paid Rs.200 in advance to a poddar for 300 tolas of gold. He wired to Calcutta and received the gold. On receipt of the gold, he sent for the men, to whom he handed over the gold, and asked for money, which they said, they would pay at their lodging. The poddar and his gomashta went to their house in the evening, and the culprits gave a purse containing 4-anna and 2-anna bits of Rs. 100 to them to count. While they were thus engaged, all but one of the men went out on some excuse. After a while, the lamp was extinguished, and the man, in the dark, left the poddar a bag as heavy as the bag of gold, pretending to go downstairs to fetch another lamp, but absconded. The poddar found the bag contained only 300 tolas of silver. All attempts to trace the miscreants have proved futile.

A RAILWAY PROJECT.—"Railways" writes : The sequel to the recently revived agitation for a railway, independent of the East Indian Railway to connect the North-Western Provinces and Upper India more directly with the port of Calcutta, was, we understand, a resuscitation by Messrs. Martin and Co., of the old Western Bengal Railway scheme, but, of course, in a modified form, as the construction of the Moghulserai-Gya, Luckeeserai-Gay and Baran Daltonganj branches (now in hand) has considerably altered the aspect of affairs. With Messrs. Martin and Co. were associated Sir Bradford Leslie, also Mr. Horace Bell, who is the father of the original Western Bengal project, which he put forward as far back as 1888. That scheme was, we believe, definitely set aside some years ago as a *through* project for affording an alternative access into Calcutta. The idea of Messrs. Martin and Co's proposals was the construction by the agency of a new company of a line in extension of the South Behar Railway *via* Kulna and Santipur, to Ranaghat, with running powers over the Moghaulserai-Gya and South Behar lines. These proposals have not, however, we learn, met with the approval of Government.

A GENUINE CASE OF SATI.—The self-immolation of a widow of the Kamboh caste on the funeral pyre of her husband, which occurred at a village near Chunian (District Lahore) a few days ago, has produced a feeling of solemn and profound enthusiasm in the hearts of the local Hindu community. The young lady showed very great concern during the illness of her husband, but when all was over she was to all appearance quite calm and collected. In fact her apparent resignation under the blow very much reassured her friends who had thought her to be the last person to bear up in the manner she seemed to do. They never suspected to what really the serenity of her mind was due. According to the custom prevailing in Upper India the mourners and others came away after seeing the *chita* well alight. Finding that there was nobody in the way widow stole to the blazing pyre and walked into it. She was burned to death before she could be rescued. It may be noted, by the way, that in the Punjab Hindu widows, at any rate, in the caste to which the Sati belonged, are under no sort of restrictions such as are supposed to make their lives miserable in more orthodox provinces.—*Tribune.*

A NOVEL APPLICATION OF MUSIC.—It is a well-known saying that music hath charms to soothe the savage "beast" but it has been left to a New York scientist to find out that music and more particularly the music purveyed by the strolling players of the Fatherland, is fatal to the existence of the caterpillars who create such havoc in the fruit trees and the other crops. It is related in all seriousness by a New York journal that the music of German bands causes caterpillars to fall from fruit tree in thousands, and then, of course. there is no difficulty in gathering them up in baskets full and casting them into a burning fiery furnace. It is a familiar fact to those who have ever had much to do with orchards, that several species of caterpillar, if a bough on which they rest is shaken or violently tapped, fall from the bough, to which they remain suspended, twirling at the end of a spidery thread, as some spiders do. No doubt the concussion of the air, caused by trombone and cornet, "shakes" the boughs in the same way as another kind of blow. Some people will, no doubt, hail this discovery with delight, and exclaim that some reasonable and useful occupation has at last been found for the itinerant music merchant. But if there is any truth in the New York papers' story we must regard this as a most valuable scientific discovery, and our friends of indigo, tea and even of jute will, instead of puzzling their brains to circumvent the caterpillar and the moth, and other things, which do corrupt, send home for a consignment of German bands. A few could be easily taken up in the jute districts, where the caterpillar is apparently doing vast damage.—*I. D. News*

Correspondence.

DEATH SENTENCE ON SWAMI DYAL.

TO THE EDITOR.

SIR,—I take the liberty to briefly answer the refutation in the late Swami Dayal's case which appeared in your issue of the 29th June last.

When I saw your editorial note on the petition of Swami Dyal's father which was published *in extenso* in your issue of June 22nd, I was going to write and inform you that you had made a slip in mentioning that Swami Dyal *and two others* had been hanged. The following words occur at the end of the said petition : "N. B.—Petition was rejected by H. H. the Lieutenant-Governor, N.-W. P. and Oudh *Swami Dyal was hanged.*" Of course, the petition dwells on Swami Dyal's case only. The point for consideration is the ordering of three men to be hanged for the death of one. That only one man was actually hanged is an extra-judicial circumstance.

Swami Dyal's father's petition was, however, sent to you not because three men had been *sentenced* to death, but because the conviction of Swami Dyal was opposed to the recent ruling of the Bombay High Court in the case of Dyan bin Mahadu in which the learned Chief Justice acquitted the prisoner on the ground that he had retracted his confession before the Sessions Judge and that the confession had not been corroborated by independent testimony. This fact is noticed in your note on page 3, column 4, of the same issue in which the petition appeared. Swami Dyal stated that he was ill-used by the Police, but no enquiry on that point was made, as directed by law. Besides, he retracted his statement, his former statement being due to the instrumentality of the Police, and according to the ruling referred to in the petition and the aforementioned ruling of the Bombay Court, he could not be convicted for want of corroborating independent evidence ; at all events he should not have been sentenced to death. As the petition shows, the Judicial Commissioner admitted that there were certain flaws in the lower court's judgment. The Sessions Judge himself writes : "The only evidence of the actual circumstances of the murder is Nadir's statement." Now, the judgment shows that Nadir is a most incredible witness. Besides he attributed his statement to inducement and pressure and the law is very jealous on that point. The corroborative evidence must be *reliable.* Surely Nadir's statement could not be considered as such. The Sessions Judge does not say it is. Your correspondent is mute on this point. Nor does he insinuate that the petition falsifies matters. And since the correctness of the statements contained in the petition and not disputed, the only conclusion that can be legitimately drawn is that the sentence of death was bad both in law and fact, your correspondent's dogmatical condemnation of the deceased notwithstanding. There cannot be two contradictory conclusions from the same facts. However, if your correspondent wanted to establish his theory he should have brought forward counteracting facts with proofs, instead of almost repeating the very words of the order rejecting the petition.

Your correspondent writes : "It seems you are not aware that all the assessors concurred in finding the men guilty." But, I ask, is this bare fact enough to defeat or refute all that is set forth in the petition ? Your correspondent continues : "There were no extenuating circumstances in Swami Dyal's case." This is not the way of establishing the validity of the sentence. His mere assertion is no ground.

What I certainly maintain is that the sentence of death should not be passed under doubtful circumstances. So far as Swami Dyal's case itself is concerned it is useless wrangling about it now.

JUSTICE.

HINDUS AND MUSSALMANS.

TO THE EDITOR.

SIR,—I am very much obliged to you for your kind insertion of my letter, headed "Universal Hari" in your issue of the 12th June. You were good enough to write to me that when published, my letter "would create sensation." As a matter of fact, I am receiving letters of sympathy from all quarters. There is no doubt that the educated Hindus would approve of my proposal ; but what is more gratifying to me, even those of my co-religionists, from whom I expected nothing but bitter censure, have sent me words of encouragement.

Centre for Studies in Social Sciences, Calcutta

Let me, first of all, assure you that the motive which led me to send you may first communication was not to gain popular applause by its publicity but to secure your sympathy and support in removing the unpleasant feelings which unfortunately exist between certain classes of Hindus and Mussalmans. There are, of course, many causes which have brought about this estrangement between the two communities; but, it has struck me that, at least two of them are easily removable and if these two patent causes can be removed, a feeling of amity may at once be established between the bulk of Hindus and Mussalmans. I shall at once come to the point. Well, one of these causes is the wanton slaughter, in the name of religion, of cows by the Mussalmans, on the occasion of the Bakrid festival; and the other is the cold and wilful insult, offered even to Mussalmans of position, by the Hindus in general. With regard to the slaughter of cows during the Bakrid festival, I shall tell you how the case really stands.

The offering of a ram was accepted by God when Hazrat Ibrahim Khatilullah was on the point of sacrificing his beloved son, born to him in his old age. Thus originated the ceremony of sacrificing a sheep; the faithful observance of which was enjoined by Hazrat Mohammed (peace be to his memory). This ceremony is called the Sonnat-i-Ibrahim. A Mussalman may thus spare a cow and sacrifice a sheep, which was preferred to hundreds of camels, previously offered in sacrifice on three successive days. Hazrat Mohammed (peace be to his memory) never sacrificed a cow, nor did any of his followers during his life time. At the battle of Ohod when his men had nothing to eat and were therefore starving, as there was nothing available, an old bull that was employed to fetch drinking water, was brought before him and ordered to be slain. The flesh having been cooked none dared taste it unless the example was set by the Hazrat himself. At last a cup of cooked beef was brought to him. The way in which permission was given by the Hazrat is noteworthy. He wrapped his little finger in his handkerchief to the thickness of seven folds and then throwing away the cloth, he touched his tongue with the finger, but on no other occasion did he taste beef. No Bhakta or Faquir (Moslem divine) will take beef, as it hardens the heart. A true Darvish will refrain from all animal food as this food invigorates our animal nature and thus stands in the way of our spiritual progress. Mohammedan Sufis or Faquirs hold that none can be acceptable to God who has not previously brought forth his offering, which constitutes in giving away the thing which to Him is most beloved. Hazrat Ibrahim was ordered by God to sacrifice that which was dearest to him. Now, in this world of ours nothing is dearer to a man than his ownself; therefore every one who wishes to be a devotee or Bhakta, must give up his self. In Arabic this self is called Nafs (Ahang in Sanscrit.). Sacrifice this *ahang ego*, and you will be permitted to hold communion with God. This is the true meaning of a sacrifice. There is no other way of making progress in the path of purity than this sacriffce of *Nafs*, which, in the Koran, is called Kafir; and it is incumbent upon every Mussalman to kill this Kafir in him which keeps him away from God aud makes him immersed in gross worldliness. The Koran teaches us to die before our deaths. This dying in life is best effected by the sacrifice of our Nafs, or killing and expelling all worldly desires from our hearts. Without this sacrifice of our propensities which pertain to the senses, we can never hope to reach Marifat—true knowledge ofGodhead and thereby be united to Him.

It is, however. not possible for the generality of the Mussalmans to look upon the subject in the above light. It is incumbent on orthodox Mussalmans to sacrifice an animal on the occasion of the Bakrid festival. A ram is costly, while a cow is more economical Indeed, during the Bakrid or such ceremonies as marriages, *sradhs*, etc., the poor Mussalman is oftentimes compelled to sacrifice one or more cows for the purpose of feeding a large number of his relatives and friends. It cannot thus be expected that the vast majority of Mussalmans will agree to abjure beef altogether. My co-religionists may, however, do either of the following: such of them as are in affluent circumstances may give up the sacrifice of kine and substitute sheep and goats in their place; while those who are not well-off may slaughter the sacred animals of the Hindus in such a way as not to wound their feelings. This is, I think, quite possible; and no reasonable Hindu, I presume, will object to the above arrangement.

Now, Sir, to persuade our co-religionists to adopt the methods noted above, is incumbent on us and not the Hindus. But it is the duty of those liberal-hearted Hindus who wish for a union between the two communities, to restrain their unthinking co-religionists from offering unmerited insults to the Mussalmans.

The Hindus, by their superior education and other advantages, have been able to secure high appointments both in Government offices and commercial firms. The Mussalmans have to go to them in search of employment. But how are they often treated? The Babu, whom he approaches, will not only receive him with scant courtesy but apply such a term to him in derision as *chacha* a contemptuous term which is applied to boatmen and small shop-keepers, specially those who deal in shoes, soap, tobacco, *hooka* and so forth. This is, of course, most keenly resented by the Mussalmans; for the indiscretion of one head Babu, he and his Mussalman co-religionists contract a deep prejudice against the whole Babu race. Just the reverse, I shall say, is the custom followed by a Mussalman under similar circumstances. He will treat the Hindu applicant at best with proper courtesy.

In conclusion, I must confess that it would not be at all a difficult matter for the Hindus to give up their method of treating Mussalman suitors; but, for a Mussalman to give up the practice of killing cows, which many believe has been enjoined by his religion, is a dfferent thing altogether.

DEDAR BUKHSHA.

28, Garistan Lane, Ballygunge.

THE Mysore Government has decided to levy no fresh fee for the execution in Mysore of a second or succeeding warrant issued against one and the same person by British Courts under Act XIII of 1859. It has also sanctioned three extra police inspectors, for the coffee tracts, eligible Europeans being engaged if procurable.

MRS. MAYBRICK.

ONE of the most notable celebrations of the Queen's birthday in America was that by the Florence Maybric club at Toranto, Canada. This club, in conjunction with other associations of like character all over the world, has been working for the last ten years to secure Mrs. Maybrick's released from the Aylesbury jail, England, where she is underdoing a sentence of like imprisonment for the murder of her husband. Mr. S. H. Ricking, President of the Florence Maybrick club, who presided over the Toranto meeting, announced that she had sent a letter to Princess Henry of Rottenburg, asking her influence with Queen Victoria to secure the liberation of Florence Maybrick. The letter was sent that it might reach the Princess on the birthday of the Queen.

It is believed now that Mrs. Maybrick may be released from her English jail in July, the tenth anniversary of her imprisonment. The Home Secretary for England has taken up the case, and is going over the whole evidence at the earnest solicitation of President McKinley, Minister Hay, and one of his predecessors, Robert Lincoln. In view of the fact that Mrs. Maybrick was convicted almost without any evidence whatever, and that she was tried and sentenced by an insane Judge, it is believed that the main office will at last reverse the verdict. Hitherto the difficulty has been to get the case reopened at all. English prison discipline is extremely rigid, and it is surprising that the young American woman has survived ten years of it. As it is, her health is broken irreparably.

Mrs. Maybrick is constantly under the eye of an attendant. She is seldom permitted to receive visitors. Once in six months her mother, the Baroness de Rogues, is permitted to converse with her for an hour in the presence of a guard. Once in six months Mrs. Maybrick may receive and answer a letter. Her existence is as much death in life as it is possible to make it. Officials and nurses who have seen Mrs. Maybrick in prison recently describe her a slight, fragile woman, who still retains marked traces of beauty. Her features are regular and fine, but her large, mournful eyes are faded and dim. Her wavy, dark hair is threaded with gray. Her complexion is of a waxen pallor, her ears and hands transparent and waxen as those of a corpse. Her expression is fixed and lifeless. For several years after her incarceration she suffered extremely with neuralgic toothache. She was finally allowed to have her teeth taken out. By that time chronic incurable dyspepsia had set in. Owing to her enfeebled condition, she is now permitted the hospital fare of the prison instead of the coarse bread and water diet of other prisoners. This concession came too late, however, and she is now unable to eat much food of any kind.

Mrs. Maybrick dresses in gowns of soft gray materials, and wears a little blue shawl crossed over her shoulders. A little white cap with a fluted ruffle, like a nurse's uniform, covers her head. Her manner is that of a refined and educated woman. Formerly she was not permitted to see her mother but fifteen minutes at intervals of six months. Through the influence of Robert Lincoln these visits were extended to twenty-five minutes, and finally to an hour. She receives the Baroness de Rogues in a large, bare ante-room. A table divides this room into two compartments. The prisoner is brought in by an attendant and converses with her mother across the table. They are not permitted to kiss each other, or even to shake hands.

Mrs. Maybrick, however, has no word of complaint against the officials of the prison.

"I am only one of many," she says; "rules are necessary, and obedience to these rules in such a place as this is imperative. The governor, and the officials, every one of them have done for me all that it is possible for them to do. I should only pain and embarrass them by asking them to do any more than they have already done for me, and get them into serious trouble if I tempted them to disobey their orders. Prisons are not for respectable people they are for criminals, and when respectable people by any mischance find themselves here, they can only suffer with the others."

Mrs. Maybrick has two children, a son and a daughter. She is informed, indirectly, of their general progress and welfare. The son, a fine lad of 17, is in the care of his father's people, and attends a private school. He recently took a medal for Latin and one for photography. Mrs. Maybrick showed great pleasure when this was reported to her, and is very proud of the fact that the boy is so tall and sturdy for his age.

"Oh, how I hunger and thirst for hlm," she burst out, crying, "more than for food or drink!"

The daughter has been adopted by a London physician and is growing up an accomplished and lovable girl. The photographs of the children are taken once a year and sent to the governor of the prison, and the mother is permitted to keep them and look at them for a few weeks.

"But only for a few weeks," she says. "Just as soon as I am so fond of them they must be returned."

The effort which the Baroness de Rogues makes to be cheerful and hopeful in the presence of the daughter is very pathetic. She assures her always that the prospect of release is bright, and that more and more influence is being brought to bear upon the home office. To all this Mrs. Maybrick replies that she has ceased to hope.

"The President," she says, "is very kind. My friends are all kind. But it is of no use. If this were an American prison there might be some chance for me, but there is none here. I was once fond of the English, but I like them no longer. They are hard—hard as stone."

Before Mrs. Maybrick married she was a beautiful young American woman, whose mother had married, the second time, the Baron de Rogues, a man of rather bad notoriety. The Baroness is of a fine American family. The daughter married Mr. Maybrick, a rich Liverpool merchant, twice her age. The husband died suddenly. His wife was charged poisoning him. It was proved that Mr. Maybrick had been a confirmed eater of arsenic. The woman, however, was railroaded to an English prison for life. Sir James Stephens, the Judge before whom she was tried, was soon afterwards dismissed from the bench for incompetency and ended his life in a few months in an insane asylum.

The Maybrick case is an celebrated as the Dreyfus affair. Jamee G. Blaine, three Presidents of the United States, and the whole American press so far have been unable to secure a revision of Mrs. Maybrick's sentence or a retrial of the case.—*Inter Ocean.*

INDIAN NEWS.

THE Bombay Khoti Bill is now under the consideration of the Government of India.

THE Government of India was lately in communication with the Bombay Government regarding the prevention of the importation of the Jigger pest. As a result it was decided that Jigger could be effectively dealt with by the Epidemic Diseases Act. Rules have been laid down and are being circulated. They will provide for the inspection of ships coming from Africa and the disinfection of persons actually suffering from the disease, and not of other passengers on board the vessels.

THE charge of defamation brought by Hon. Bhashyam Iyengar against the *Madras Standard* in May last came on for hearing before the Chief Presidency Magistrate on Wednesday last. Mr. Krishnasamy Iyer, vakil, appeared for the complainant. Mr. Allan Daly, barrister-at-law, defended the accused. Next hearing of the case was fixed for yesterday.

THE Hardwar Dussehrah fair, which annually attracts a large number of pilgrims from the Punjab and other distant corners of India, was held with great pomp and eclat this year.

MR. W. J. H. LEFANU, member of the Madras Board of Revenue, goes on four months' sick leave in a day or two. Mr. F. A. Nicholson, Resident in Travancore, will act for him; Mr. Gordon Mackenzie, District Judge of Coimbatore, acting for Mr. Nicholson at Trivandrum.

THE Bank of Bombay's half-yearly report shows a total profit of Rs. 9,99,947, applied as follows: Dividend at ten per cent. Rs. 5,00,000; bonus at two per cent., Rs. 1,00,000; fund for loss, Rs. 1,00,000; bonus to staff and pension fund, Rs. 40,000; carried forward, Rs. 2,50,947.

THE prosecution of plague Inspector, named Rup Narayun, on the charges of bribery at Azamgarh has produced much sensation. The man's two witnesses, Sardhaprasad, Peshkar, Joint Magistrate's Court, and Inspector Murlidhar have been accused of perjury and taken in custody.

THE Government of India have approved of an extensive scheme for the curtailment of the area of the Rangoon Cantonment, the balance being made over to municipal administration. Ten new houses for officers are being built and others repaired at a total cost of five lakhs of rupees, to be paid for by the sale of surplus laid.

LALA Balak Ram, Government of Indian scholar, now preparing for the Indian Civil Service examination in England, has done extremely well at the 2nd annual examination in the Mathematical Tripos of the Cambridge University held last months. He has passed in the first class, standing third in the list, and will obtain a scholarship. Last year he stood 5th and won an exhibition of £30.

THE Sessions Judge of Coimbatore has just heard the appeal of the bookseller who was convicted by the District Magistrate of Ootacamund for interrupting a Church Missionary Society street-preacher. The Judge held that street-preaching intended for the ears of passers-by was not a religious service, and set aside the conviction of the bookseller under section 296, but the Judge concurred with the Magistrate that an offence was committed under section 298. The result was that the sentence was reduced from eight to four months' imprisonment.

AN embezzlement of Rs. 240 in the Government Treasury at Fyzabad has been discovered by Mr. Emile, Treasury Officer. On opening the treasure chest containing bags with Rs. 1,000 each he found that one had evidently been tampered with, and, on the money being counted, it was found to be Rs. 240 short. Mr. Emile reported the matter to Mr. Dampier, Deputy Commissioner, who personally took up the enquiry. Government suffers no loss, as the money has to be made good by the Khazanchi, who resides in Cawnpore, and whose Gomastahs performs the work in the treasury.

THE gang that attacked the Europeans in Lahore on Tuesday night, is not yet traced. A detachment of the Punjab Light Horse and extra police patrolled the station last night, but nothing happened. The affair has caused considerable excitement, and revolver practice took place in several European compounds. The natives also were excited, as the attack had been preceded by rather frequent robberies with violence in the vicinity by prowling thieves, and rumours of murders committed were afloat. Some cases of wounding with *lathis* occurred, but there appears to be no foundation for the reports of more serious crime.

A CORRESPONDENT of the *Madras Times* writes:—Your readers will remember that Mr. W. E. Smith, the Sheriff of Madras, in March last, refused to pay the office sweeper's wages out of his pocket, and that the matter went before the Chief Justice, who ruled that Mr. W. E. Smith should meet it out of his (Sheriff) allowance. Mr. W. E. Smith then went a step further and referred the Chief Justice's decision to Government who, I now learn, has agreed with Mr. W. E. Smith, and ordered that the item should be met from Provincial Funds which meet all low charges. So the Sheriff has scored after all.

A HOME magazine gives a startling estimate of the money lost on the turf throughout the world during each year. The amount is placed at £50,000,000, of which £10,000,000 is lost on English race-courses, and, strange to say, about £20,000,000 on Australian courses. The balance is chiefly distributed between France, the United States and our colonies. The 50,000,000 sovereigns thus lost and won yearly would have a race-course 4,669 yards long—the length of the Derby course—and a little over eleven yards wide - wide enough in fact for eight horses, at close quarters to race on it abreast. According to this calculation, each minute of every day and night of every year £95 are lost on the turf. Every hour sees £5,700 vanish—much more than our Premier's official yearly income; and every day's losses would maintain our entire Cabinet for sixteen months. The question of what might be done with these vanished millions opens up a thousand vistas of usefulness. It is sufficient, perhaps, to say that this £50,000,000 lost yearly would maintain in comfort all the paupers and indigent old people in the United Kingdom, would meet all the expenses of educating the 7,000,000 children in our elementary schools and would replace all the money raised for charitable purposes in Great Britain and Ireland.

TELEGRAMS.

INDIAN TELEGRAMS.]

THE BOMBAY SEDITION CASE.

(*From our Own Correspondent.*)

BOMBAY, JULY 4.

AT the High Court, before Sir Laurence Hugh Jenkins, the Chief Justice, and a special jury, consisting of three Europeans, two Jews, three Parsees and one Hindu, Vinayek Narayen Bhatye was charged with having excited or attempted to excite disaffection towards the Government established by law in British India by publishing three articles in the *Gurakhi* newspaper. The Advocate-General prosecuted and Messrs. Anderson and Kabiruddin defended. Bhatye was allowed to sit behind his Counsel. The fourth charge was struck out. The Advocate-General in opening the prosecution said that the accused was charged under Section 124A. of the Indian Penal Code, with causing disaffection and with the abetment of the offence under Section 107. The accused was the printer, proprietor, publisher and editor of the *Gurakhi* newspaper, which had a circulation of 1,500 copies a day. It was published at a very ow price, and was within the reach of the poorest and most ignorant classes in Bombay. The accused had been the editor for some time in March, 1899. He was warned by the Commissioner of Police regarding his criticism of the Government. He then expressed his regret, but during the whole of that year such articles were continued. The article entitled "The White man and his gun and the death of a Native," was followed by two other articles regarding which it would be raised in defence that the accused was not in Bombay when they were published. The articles had been written by Luximon Narayen Joshi, who would be called to give evidence. At the time of accused" arrest his office was searched, and the manuscript of one article was discovered. On the 2nd of April the accused published in his newspaper, another article headed, "This is sheer madness," in which he attempted to evade the responsibility for one of the published articles. It was quite immaterial whethes he had brought the Government into contempt or hatred. It was sufficient if he had attempted to do so.

Formal evidence was given by the Oriental Translator to Government. When asked by whose authority he had examined the *Gurakhi* file, he declined to answer. Other articles were put in. Mr. Anderson objected to articles being put in parts. The Advocate-General promised to put in a rough translation of the whole of the articles. The foreman of the jury objected to extraneous articles being put in. Mr. Scott promised to put in fewer articles in deference to the Jury.

Dattatraya Gopal Joshi, a proof corrector in the office of the *Gurakhi*, said he thought that Bhatye did not know what was going to be printed inthe paper. Luximon Narayen Joshi, the sub-editor, wrote the articles on "The White man's gun and the death of a Native," and also the articles of March 26th and March 30th. Witness in cross-examination said when Bhatye returned from Nassik he was very angry with him and with the sub-editor at the publication of the articles. The article headed "This is sheer madness," withdrawing the statements in the three articles complained of was written by the accused. Witness was still under examination when the Court adjourned.

(*From our Own Correspondent.*)

BOMBAY, JULY 5.

The *Gurakhi* case was resumed to-day. Sirdar Abdulalli was examined. He stated that Mr. Vincent, the late Police Commissioner, had once warned accused for writing an article on plague measures and accused expressed sorrow. Mr. Joshi, already convicted, was examined. He stated that accused left Bombay. The witness contradicted his statement before Magistrate which was put in. Mr. Anderson asking irrelevant questions, the foreman of the jury complained and requested the Counsel to explain matters. The Chief Justice said he could not interpose. Inspector Framji was examined. The case was adjourned.

(FOREIGN TELEGRAMS.)

LONDON, JULY 4.

A despatch from Bloemfontein says that after arranging for their return to Capetown, Mr. Hefmeyr and Mr. Herholdt, members of the Cape Ministry, have suddenly gone to Pretoria.

LONDON, JULY 4.

Mr. Chamberlain in reply to a question in the House of Commons said the Cape Government is not a party to the negotiations between the British and Transvaal Governments, but Sir Alfred Milner is in communication with the ape Ministry.

LONDON, JULY 4.

At the Tea Dealer's meeting to-day, it was resolved not to attend the sales, and not to buy tea privately. It was also decided to convene a mass meeting of the trade to consider future action.

LONDON, JULY 5.

A letter addressed by Mr. Chamber to Mr. Yves Guyot has been published anent a recent suggestion by the latter for a solution of the crisis with the Transvaal, in which the Colonial Secretary says that this pacific solution which guaranteed the independence of the Transvaal was presented to Mr. Kruger in February, 1895, and also at the recent Conference at Bloemfontein but was unhappily rejected. Mr. Chamberlain endorses the opinion of M. Guyot that the Boers do not want independence but the right to oppress and exploit the Uitlanders.

LONDON, JULY 5.

The Hague Peace has definitely adopted a new code of laws to be observed in time of war

LONDON, JULY 5.

Yorkshire has defeated Derbyshire by an innings and 160 runs. Lancashire won the match against Sussex by 29 runs. The following matches were drawn: Australia *vs.* Nottinghamshire at Nottingham; Surrey *vs.* Essex; and Oxford *vs.* Cambridge.

LONDON, JULY 6.

The President of the Orange Free State in a speech at the closing of the Volkeraad said that he still hoped for a peaceful settlement of the dispute between Great Britain and the Transvaal, but if war came, it would not be the fault of the Transvaal

LONDON, JULY 6.

The Earl Spencer, speaking at Cambridge, condemned the Indian countervailing proposals as akin to protective duties.

LONDON, JULY 6.

The Transvaal Volksraad met to-day in secret session, Mr. Fischer, the Free State Minister, being a present.

LONDON, JULY 6.

An order has been issued at Washington to enlist ten volunteer regiments for service in the Philippines.

LONDON, JULY 6.

The Emperor William, who is cruising off Norway, went aboard the French warship; Iphiginie, which is lying in those waters. The Kaiser's visit is much commented on in Paris.

LONDON, JULY 6.

Lord George Hamilton, replying to a question in the House of Commons this evening regarding the attacks made by Pathans, said that if partial disarmament in Peshawar, etc, was ineffectual, total disarmament would be enforced.

LONDON, JULY 7.

Lord Wolseley is completing the organisation of a large force which is considered necessary in the event of the failure of the negociations with the Transvaal. The object of the military steps which have hitherto been taken is to increase the efficiency and mobility of the troops in South Africa and to ensure the security of the frontier. The Commanding Officer at the Cape has been authorised to complete the transport arrangements for the troops. Eight special service officers have been ordered to South Africa, namely, Colonel Baden-Powell, Lord Cecil, Lieutenant the Hon. Hanbury Tracy, Colonel E. A. Plumer, Captains A. V. Jenner, A. F. Pilson, H. Mcmicking, and W. D. Bird, whose duties will be to organise the local forces at various points on the fronter.

LONDON, JULY 7.

A double election took place at Oldham yesterday for the seats rendered vacant by the death of Mr. Ascroft and the resignation of Mr. Oswald. Both the Liberal candidates, Messrs. Emmott and Runciman were returned by 12,976 and 12,770 votes, respectively, defeating Mr. Winston Churchill, a Unionist candidate, who polled 11,477, and Mr. Mawdsley, a Unionist Labour candidate, with 11,449 votes.

LONDON, JULY 7.

An attempt has been made to murder the ex-King Milan in Belgrade. A young man fired four revolver shots at his Majesty, one builet slightly grazing him. The assailant was arrested.

GAZETTE NOTIFICATIONS.

Mr. L. P. Shirres, I. C. S., has been granted three months' extraordinary leave, without pay, in continuation of the six months special leave granted to him before.

Mr. E. W. Collin, Offig. Secry. to the Govt. of Bengal, in the Finl. and Munel Dept., is allowed furlough for seven and-a-half months.

Mr. F. A. Slack, Offig. Secy. to the Govt. of Bengal, in the General, Revenue and Statistical Departments, is appoited to act, until further orders, as Secy. to the Govt. of Bengl, in the Finl. and Muncl. Depts, in addition to his own duties, vice the Hon'ble Mr. E. N. Baker, on leave.

Babu Kedar Nath Chaterjee, Munsif of Manikganj, is allowed leave for fifteen days.

Babu Tara Churan Sen, Munsif of Comilla, is allowed leave for one month.

Babu Rajani Nath Mitter, Munsiff of Krishnaghar, is allowed leave for one month and fifteen days.

Babu Kali Prosanna Basu, Rai Chowdhury Munsif of Basirhat, is allowed furlough for two months and three weeks.

Babu Amulya Charan Ghose, Munsif of Kurigaon, is allowed leave for one month.

PLAGUE NEWS.

PLAGE IN CALCUTTA.

CALCUTTA was again free from plague on Thursday last.

THE HEALTH OF KARACHI.

WEDNESDAY'S plague returns were blank On Thursday two cases and one death were recorded.

POONA RETURNS.

THIRTY-SEVEN cases and 22 deaths were recorded in the city on Thursday, the total mortality being 35. There were in the Cantonment 13 cases and 12 deaths, and two cases and five deaths in the district.

THE sentence of death passed on one Bhujang Aher by the Sessions Judge of the Gonda Division on the 2nd May on a charge of murder of his wife has been set aside by a bench of the Judicial Commissioner's Court and a sentence for transportation for life passed instead.

THE bodies of the animals are continually undergoing a series of invisible changes of substance of which they are entirely unconscious. You look at your hand to-day, and you fancy it is the same substance as it was yesterday, or last year, or as it was ten years ago. The form of each finger, of each nail, is the same. Scars made in your infancy are still here. Nothing is altered or obliterated; and yet it is not the same hand. It has been renewed over and over again since the days of your youth. The skin and flesh, and bone have been frequently removed and replaced. And so it is, more or less, with your whole body. The arms and limbs that sustained you in your schoolboy struggles are long since consigned to the dust; have perhaps lived over again more than once in plant, or flower, or animal. In from three to five years the entire body is taken out and built in again with new materials. A continued activity prevails among the living agencies to which this hidden work is committed. Every day a small part is carried away; just as if a single brick were every day taken out of an old wall, or a single wheel out of a watch, and its place supplied by another. The body, therefore, requires constant supplies at every period of life of all those things of which its several parts are built up.

Centre for Studies in Social Sciences, Calcutta

DARRANG COOLIE CASE.

THIS case came on before the Deputy Commissioner, Mr. W. J. Reid, on Tuesday last, on a police report. Six boys and two girls were sent up for trial under sections 148 and 326 I. P. C. The prosecution was represented by Mr. H. G. Steel, solicitor, and Babu Basambad Mitter, M. A., B. L., and the accused were represented by Babu Radhika Charan Mittra B. L., Vakil and Munshi Kefautulla Ahmed, Muktear. Dr. C. J. Hancock, who is the medical officer of the garden and who attended on Mr. Bellwood from the beginning was the only witness who was examined on the first day. The substance of his evidence was that when he first went to Nadua on the evening of the 28th of May, the day of occurrence, Mr. Bellwood was altogether unconscious and that he saw innumerable marks of *lathies* on various parts of his body, principally on his back. He had every reason to fear that there was a fracture of the skull. Consciousness did not return till after 2 or 3 days. Dr. Hancock gave out as his opinion that Mr. Bellwood is by no means even now absolutely safe and any day he might develope serious brain symptoms, and that he would certainly be incapable of resuming his ordinary duties within 12 months.

The case was resumed on Wednesday, when Mr. Bellwood, who looked very poorly and who could hardly recollect the details of the occurrence said that he believed that the assault upon him was premeditated by the coolies on account of a suspicion which, he said, they might have entertained of his having misbehaved with the girl Nuni. The only circumstances which he could remember as giving ground for such a suspicion was that he used to talk rather kindly to these girls while they worked in the tea house. He also said that on Saturday, that is the day before the occurrence, the accused girls Nuni and Buchi and another met him on the road near the place where he was assaulted and asked for money from him and made other suggestions of an immoral nature. He also said that he was so far struck with the extraordinary nature of the conduct of these young girls that he talked over it with his friends Messrs. Mackintosh and Mackenzie whom he met the same evening at Nahortoli. Regarding the incidents of the day, he said that at about 12-30 in the day, he was going to see some nurseries near the old brick-field of the garden, which is about 500 yards from the tea house, when he met the girl Nuni emerging from the jungle near by. The girl as soon as she saw him spoke to him, making suggestions similar to those she and her two companions had made the day before. He then said that almost immediately after the girl made her appearance before him, he heard a shouting and saw the 6 accused coming out from the jungle with big *lathies* in their hands and that they at once fell upon him all in a body, one of them striking him on the head, which well nigh stunned him. He identified one Kristo Pal Bhumij, the husband of the girl Nuni, as the person who dealt him the first blow. He identified each one of the accused as having struck him with *lathies*.

Continuing, he said that as he tried to move towards his bungalow the accused all followed circling round him and he had not advanced much on the road when he received a serious blow and fell down unconscious. He could remember nothing of what happened afterwards.

Messrs. Mackintosh and Mackenji corroborated Mr. Bellwood in what the last had said of his adventure with the girls on the evening before the occurrence.

Lukshinath Das, a boy, working in the tea house as moherer said that on the day of occurrence at about 12-30 he was told by the tea house chowkidar that the *Shaheb* was being assaulted by some coolies. He said that on hearing this he ran with the chowkidar towards the old brick field. On reaching the place of occurrence, he saw all the accused standing round the prostrate figure of Mr. Bellwood, with big sticks in their hands. He further said that he saw only three of the accused actually strike Mr. Bellwood, just before he could reach them. He also said that he then took Mr. Bellwood to his bungalow with the help of the tea-house chowkidar and an Assamese passerby named Ghatal Gohain, who happened to be present there. Mr. Bellwood, he said, could just he walked to his bungalow half-unconscious. This witness further stated that the accused boys had left the tea-house that day at about 12 and as for the girls he said that he did not see when they left their work.

The tea-house chowkidar generally supported the witness Lakshinath but he did not remember having seen more than three of the accused. Of these three one was the husband and another the brother of the accused girl Nuni.

Ghatal Gohain said that he was passing by the road through the garden when he saw some coolies assaulting the *sahib* on the road with heavy *lathies*. He could identify only one of the accused. This witness said that he fell ill with fever after that day and that he could not appear before the police till 3 or 4 weeks after.

The next witness who was the *syce* of Mr. Bellwood and who was examined on Thursday said that he saw the accused boys following behind the party who carried the *sahib* to the bungalow. The case for the prosecution was closed with this evidence.

These accused put in two written statements in two sets. One set composed of the husband and brother of the girl Nuni admitted having beaten the *sahib* but they said that they did it in exercise of the right of private defence of the person of the girl Nuni on whom the complainant was trying to commit indecent violence. The two girls and the rest of the accused boys pleaded that they were not guilty of any offence. These boys said that they had gone there to prevent the assault and the girls stated generally what they had said on the day Nuni filed her petition before the Deputy Commissioner a substance of which appeared in one of our former issues.

Charges were then framed against the accused boys under Secs. 148 I P. C. and also under Secs. 325 and 149 I. P. C. to which all of them pleaded not guilty.

Babu Radhika Charan, the Vakil for the accused, having urged that there was no evidence against the accused girls, it was pointed out by the prosecution that the evidence of Messrs. Macenzie and Mackintosh, if believed, would surely tend to prove that the girls joined in a common conspiracy to cause grievous hurt to Mr. Bellwood and charges were also framed against the two girls under Secs. 325 and 109 of the Indian Penal Code. The vakil for the accused here put in an application on behalf of his clients to obtain copies of the statements of the witnesses for the prosecution as recorded by the investigating officer and depended upon 162 of the new Criminal Procedure Code. The Deputy Commissioner, however, rejected the application on the ground that no statements were recorded by the investigating officer under Sec. 161.

Another interesting point was raised by the vakil for the defence, who asked for permission to examine on oath some of the accused as witnesses on behalf of their co-accused. The Deputy Commissioner was not disposed to believe that he could allow that under the law, but the point has been reserved for final decision on the next day of hearing, which has been fixed for the 12th instant and when the defence will be expected to be ready with their witness. A question having been raised by the defence regarding the complaint of Nuni against Mr. Bellwood about which the police has submitted no report as yet, the Deputy Commissioner assured the pleader for the accused that her case would be duly inquired into.—*Eastern Herald.*

MR. BACILLI is credited with hiding himself in every conceivable spot. Now the beard has fallen under suspicion of being one of his haunts. Dr. Schoull, of Tunis, has long been so convinced of the dangers which lurk in the beards and moustaches of men suffering from tuberculosis that he has made it a rule to insist on the thorough disinfection of these masculine adornments when the wearer will not consent to part with them. He has made experiments by inoculating material obtained from the hairs of the beard and moustache in guineapigs, and the results have convinced him that the danger to which he calls attention is a real one. From this it would appear thal the only safe way for those who pride themselves on their military moustaches or their gracefully flowing beards is to "cut 'em all off." But, if we were to follow the advice of medical authorities as to the haunts of the microbe, we should have to shave our heads too, discard our usual clothing, and go about in antiseptic sackcloth and ashes.

HOW IT IS.

IN the streets of the town where I live I sometimes meet a poor fellow who is so badly off that his appeal for a penny or two is hardly to be resisted. He has lost both his legs above the knees and punts himself along the pavement with his hands, like a loaded barge in shallow water. Thank Mercy, one doesn't often see human hulks like him. Where there is a single instance of a man having lost both legs or both arms there are a dozen where only one limb of the pair is missing. And where there is a single case of the latter sort there are a hundred cases of people who are lame or more or less disabled, by disease or minor injuries which are scarcely noticable, yet in the long run very serious to those so afflicted.

Consequently, when we sum up both classes we perceive that it isn't the total wrecks and the incurables that are most expensive to society but the prodigious host which *must* work, and *does* work, yet always under difficulties and against hindrances. Men and women regularly employed, but who are continually breaking down in a small way, thus losing fragments of time and fractions of wages, are of the kind I mean. The amount of income lost in this way in one year in Engand is imense. And so far as the cause of all this is *disease*, and not accident or born bodily imperfection, it is almost always preventible and generally curable. Look at this for example and take heart.

"In the spring of this year, (1897), the writer says, "my health began to fail me. My appetite was poor, and after meals I had pain and weight at the chest. I could not sleep owing to the pain, and I got weaker every day. I had so much pain that I dared not eat, and rapidly lost flesh.

"I was in agony night and day, and often sat by the fire at night as I could not rest in bed. I had a deal of muscular pain, particularly in the arms. I gradually got worse and wrose and in two months, *lost two score pounds-weight.*

"I saw a doctor who gave me medicines and injected morphia to ease the pain; but I was no better for it. Then I met with a friend who told me of the great benefit he had derived from the use of a medicine called Mother Seigel's Syrup. I got a bottle of it from Mr. S. Richardson, Chemist, Bridgman Street, and in a week I could eat well and food no longer distressed me. Therefore I kept on with the medicine, and soon was strong and well. I am now in the best of health and recommend this remedy to all I meet with. You are at liberty to publish this letter as you like." —(Signed) William Bridge, Grocer and Baker, 65, Bridgman Street, Bolton, October 5th, 1897.

Here we have an illustration of the proposition with which this article sets out. From Mr. Bridge's account of his own case we see that he lost a considerable time from his business. How much that represents in money he does not say; nor is it important to the argument. For two months or more he lost from his business practically all he was worth to it; and what that situation would have signified, had it been indefinitely continued, any intelligent person can imagine. Men frequently become stricken with poverty as with illness in that way. However well any business may be managed in an emergency by others it is not to be supposed that it gets on as prosperously as when the proprietor is himself at the helm. And he cannot be there while he is suffering agonies from disease. This is true even if we make no calculation of the direct expenses created by illness, nor of the suffering experienced---the latter not computable in terms of money.

Now, please remark how quickly Mr. Bridge was cured of his ailment---bad as it seemed and really was. Dating from the time he began using Mother Seigel's Syrup, he says:—"*In a week* I could eat well, and the food no longer distressed me." His trouble was of the digestion only (acute dyspepsia), for which this preparation long ago proved itself a specific. Had he known of and employed it when the attack began he would have lost no time, felt no pain.

The lesson of the case is this:—As indigestion is a common complaint, and dangerous also when neglected, the remedy should be at hand for immediate use when needed. The more valuable the treasure the more strict should be the guard over it. And health is a jewel compared with which rubies are as the glass beads of savages.

THE BOMBAY SEDITION CASE.

JOSHI'S STATEMENT.

THE following statement was made by Joshi and translated in Court:—

For three years I studied my Matriculation at the Poona Government School. That is about three years ago. Then I came to Bombay and joined the Veterinary College, where I passed the first examination, and final examination only remained. But as I had no money I left my college last year. This year, in the beginning of January, I was in search of employment. In the beginning of February I learned that there was a vacancy for a clerk at the New Press. I, therefore, went and saw Bhatye, and had not seen him before, and I did not know what kind of man he was. On the 6th February I joined the New Press as a clerk. Before that I had not worked at any press either as an editor or sub-editor, and I had never privately or publicly written any articles in a newspaper. Before accepting the appointment I told this to Bhatye. He said there was no objection. He fixed my salary at Rs. 30 per month. I had no idea at all that Bhatye had employed me as an editor or sub-editor, before I saw the statement in the Court. I was working at the press as a clerk only, and under instructions from Bhatye I used to write under the heads of "Local," plague, and on other subjects. I never wrote any article on any important subject independently either in the capacity of an editor or sub-editor. On or about the 23rd March, that is about the Shimga holidays. Bhatye told me he was going to Nasik, and I asked him what arrangements he had made for conducting the paper and his business. He told me he would make all the necessary arrangement for continuing the paper till his return. Bhatye gave me the subject for the article upon which I have been charged. Before this in the newspaper called the *Kal*, there was an article about Chapekar, and Bhatye read it out to me, and asked me to write an article on those lines, and at the same time to take into consideration the points he had given to me. Bhatye gave to me the different points and dilated upon them. After giving explanations on each point he asked me to note them down and arrange them. I did not think there was any harm in doing so, and I arranged and gave these points which Bhatye gave to me on the lines suggested by him and in accordance with the suggestions he had made to me. In doing this, according to the usual practice, I handed over the articles to Bhatye. I did not see those papers again till afterwards they were produced in the Police Court. I saw those articles printed in the newspaper called the *Gurakhi* on the 26th, 30th, and 31st March. I had handed over the manuscripts of the articles to Bhatye after as I have said before, arranging the notes he had given to me. When I had written those articles I had no idea I was committing an offence or was breaking the law. I did not in the least suspect about it. Before this I had no connection with any newspaper or printing press, and as I did not know the law especially relating to the conducting of newspapers. I in my simplicity in the capacity of clerk wrote down whatever Bhatye directed me to write. I had placed every confidence in Bhatye, and I am very sorry for the mistake I have committed unwittingly, and I repent of it. I have been suffering imprisonment since the 16th June for the offence I have committed in ignorance on account of ignorance and inexperience. I tender an apology for the same and promise that I shall never repeat the offence. It is not my profession to work as an editor of a newspaper. I have never followed such a profession before, and have no intention of following it in the future. (Laughter.) On the 31st of March, Bhatye returned from Nasik. Up to that date I had not received my salary for two months, Bhatye had paid me some money on suspense account. After Bhatye returned to Bombay I asked for my full salary when he made up the account. He made it up at the rate of Rs. 20 per month. When I joined I was to by paid Rs.30 per month, and it was, therefore, I did not accept the money Bhatye offered me, and I left. As it was the last day of the month of March I told Bhatye that I would no longer remain in his employment. I had not got at that time any money not even the amount at the rate of Rs. 20 per month. I got the balance in the month of May. Soon after that I went to Poona to live with my elder brother. Since the 31st March I have not been occupied with the *Gurakhi* in any capacity.

Afterwards in the beginning of June, while I was at Poona I got a card from Bhatye. When my house at Poona was being searched by the Bombay Police, I handed over the card of my own accord. That card has been put in in these proceedings. As I received this card I came to Bombay, and continued in Bhatye's service for the week before I was arrested by the police. This is the real and true account of the trouble into which I have been landed. I was ignorant and I was betrayed by Bhatye. I had full confidence in him. I am very sorry for all this. At this time there is nobody but the Government who can show mercy to me. I am quite ignorant, and I hope that the Court will take my tender age into consideration and show mercy to me.

THE ADVOCATE-GENERAL'S ADDRESS.

The Advocate-General, in addressing the jury, first referred to the statement of the accused. There was no doubt he said that the articles were written for the purpose of publication in the *Gurakhi*, and to be spread broadcast through the land in the usual way. It might be that this man Bhatye, with whom they were not concerned just now, had some share in the publication of these articles. It might be he had committed an offence, but, of course, if there were two persons concerned in the commission of an offence, it might often happen that one might be more morally guilty than the other, but that did not make that man less guilty of an offence against the law. The prisoner said he did not know he was doing wrong, but he was an adult, was apparently sane, and, according to his own showing and statement, was well-educated. When a man in his own position chose to write down words which had taken shape in these articles, he must be judged by the ordinary meaning of those words. It would not do for a man to commit an offence and afterwards plead as an excuse that he did not know it was wrong, or that his act would lead him into such a position. Neither could a man plead that he had written down words to form articles, but in doing so he meant no harm and had no idea such a meaning would be placed on the words, or that he would be in his present position. They could not entertain such a question. The point was whether the accused had an intention or not. He must be judged by his own words and the ordinary meaning which those words imply, and the prisoner must bear the consequence of his own act. He (counsel) asked the jury to set aside the statement that prisoner did not know he was doing wrong. They had to consider whether there was an indication of an attempt in the articles to excite contempt and hatred against the Government established by law. Whether the accused was more guilty or less guilty than Bhatye was a matter which the jury had not to consider. His Lordship would weigh that point and take it into consideration if the jury found the accused guilty. His learned friend had made two suggestions or given two vague hints, but from the evidence which had been adduced he had not given them much foundation, that is, if Mr. Kirkpatrick proposed to work upon them. First, he had suggested other seditious articles had appeared in other papers, and the editors and the writers of these articles had not been prosecuted by Government, and, therefore, it could not be said that an offence had been committed by the writer of these articles. They had not any of these other articles before them, and no evidence was taken as to whether they were really published or not, or whether they were seditious or not, or under what circumstances the Government abstained from prosecuting. The suggestion, however, showed there was a certain amount of sedition in this country, and it was necessary that steps should be taken for its suppression, and for this purpose the prosecution was instituted. The second suggestion was that the plague measures which were in force in the time of plague by Mr. Rand were oppressive. Such things were irrelevant for the purposes of this enquiry. A man might use facts which were absolutely true, but if they were used with the intention of exciting sedition or discontent against the Government, he was none the less guilty under this section than if the facts were absolutely false. There was no evidence that these plague measures were oppressive, and the discussion of the plague measures formed a small part of the articles in question. They were mostly devoted to the general abuse of the Government or contemptuous or ironical references to Government, quite apart from the measures of Government or of Government administration. Upon the accused's statement the articles have been published, and he submitted it was perfectly clear he was guilty under Section 124A, and that the jury had no option but to bring in a verdict of guilty.

COUNSEL FOR THE DEFENCE.

Mr. Kirkpatrick, for the defence, said he could not dispute his learned friend's exposition of the law, but he disputed the application of the law as expounded in reference to this particular case. He disputed the interpretation of the articles and the statement of the facts of the case. The defence had given no evidence as the facts were purely personal. Nobody could know them but the accused. He had made a statement, and he (counsel) did not think there had been anything in the evidence to contradict the statement. The publication of the articles could not well be disputed, but he disputed the idea that the prisoner was responsible for these articles. One witness had stated in this evidence that prisoner was the sub-editor, whereas the prisoner stated he was engaged as a clerk, and he went on to give an account of how he came to write the three articles. He asked them to consider all the facts before they consider their verdict. Prisoner was a youth of 23, and before this had had no connection with newspapers, and he was engaged by Bhatye as a clerk. In this capacity he was allowed to write articles on the plague, local paragraphs, and except for the three articles named he had never written the editorials for the paper. Bhatye was going away and about March 26th prisoner asked what arrangements he was going to make for the conduct of the paper. Then and there these two sat down, and Bhatye suggested a subject and gave the ideas which he got from reading them from the *Kal*, another native paper. Prisoner put the subject into words, and there was the manuscript. The prisoner did not deny it. The articles were very coarse, very boyish, very inflated, turbid and rodomontade. Having written the articles prisoner gave the manuscript to Bhatye, and they were published. That was prisoner's story, although one witness said prisoner gave him the manuscript, and he did not receive it from Bhatye. The latter was carrying on the paper, and this witness was in Bhatye's employ and it was in his own interest to shield his master, who was in prison awaiting his trial. He (counsel) suggested the probability was that prisoner's statement was correct. It was usual for Bhatye to give the printer the editorial copy, and it was strange that the rule should be altered for these three occasions. If they stopped here how would the matter stand? Supposing it was all true what prisoner had stated and that he had written the article at Bhatye' suggestion and afterwards given them to Bhatye, the proprietor and manager of the paper. Assuming that the articles did come within this section and they were treasonable, and nothing further was proved than the writing of the articles, was he guilty of the offence of writing words for the purpose of exciting disaffection and to bring into contempt the Government established by law? It was not the writing of the words but the use of the words which constituted the offence. Words might be written in all innocence, but if they were used in the sense of the section of course they constituted the offence. The question was, therefore, who used the words? —not. Who wrote them? It was quite possible for him to write an article full of treason and leave it in his office, having no intention to publish it. A person might get hold of the copy and publish it, yet he did not think he could be held liable for an offence. The question was, who gave the order for the articles to be printed? It was not a question of who wrote the articles, but who ordered them to be published, and on this point the jury must be morally satisfied before they could give a verdict. The offence with which the prisoner was charged was one of exciting feelings of disaffection in the minds of the readers of the paper, and that offence could only be committed by the person who provided the paper for the readers. Mr. Kirkpatrick further pointed out that the Government had allowed several months to pass before any steps were taken with regard to the article. They had evidently been making up their minds all the time as to whether the articles were seditious, and then they came and asked the jury in a few hours to settle the same question. It was monstrous. The articles plainly referred to the Government's plague measures, and Rand was spoken of as the instrument for their fulfilment. Plague measures the writer was perfectly justified in criticising. That was not causing disaffection.

THE SUMMING-UP.

In summing up his Lordship said: The prisoner in this case is charged with an offence which I will shortly describe as that of sedition. That offence has been described in the Indian Penal Code by the section to which your attention has been drawn, and the terms of which are before you. Now, the section has this advantage, that it leaves nothing uncertain as to the nature and character of the offences with which it deals, and we have only to go by the facts of the law as laid down to determine the guilt or innocence of the accused. It is, however, necessary that I should call your attention very briefly to the terms of the section, so as to explain that which possibly may require—I will not say explanation—but to have your attention drawn to it. The section is this—and I read it to you as the case has been framed—that whoever, by words either spoken or wittten, 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 established by law in British India, shall be punished. And then the punishmente are described, but that is no part of the case with which you have to deal. It is true that the punishment of transportation for life is ths maximum; but the section also provides a punishment of a much less extend, and you will see that the sectionis directed against those practices whi chare calculated to call into existence certain hostile feelings towards Government as established by law. These hostile feelings are three—hatred, contempt, and disaffection. Thus you see it is directed against those acts which might result, or which may be considered as attempts to bring into existence hatred or contempt of Government, or to attempt to incite disaffection against the Government. Now, so far as the words "hatred" and "contempt" are concerned, no explanation can be necessary. There is the word "disaffection" around which in the past great controversy has raged. But happily, now you here are free from the necessity of considering these subcontroversial subjects, because the first explanation indicates clearly to you what is meant by disaffection, It says:—"The expresssion 'disaffection' includes disloyalty and all feelings of enmity," and though that explanation is not inclusive, still so far as this case goes it will be sufficient for you to consider the word disaffection as equivalent to disloyalty or feelings of enmity. But at the same time, gentlemen, it has always been a recognised policy of the law, at any rate in recent times in this country, that there should be a fair measure of liberty of speech and liberty of writing accorded to the subjects of Her Majesty, and so it has been always recognised in these provisions of the law that there should be no infrigement of that right. The subject is entitled to criticise all acts of the Government in whatever departments they may be, whether legislative, administrative, or executive. But it is subject to this qualification that these criticisms and comments must be within the limits which the constitution provides, and this is a very important qualification to bear in mind in connection with all the arguments on behalf of the accused. Proceeding, his Lordship pointed out that as the section was phrased the offence was committed by him who actually called hostile feelings in existence by words as well as by him who attemted to call these feelings into existence. As the case had been every clearly put by the Advocate-General, it was evident that in this case it was not suggested that these publications resulted in these feelings of hostility, but that the articles evidenced an attempt on the part of whoever was responsible for them to produce these feelings. It was no defence for a man to have failed in his endeavour to produce them.

FROM London to Karachi in a week sounds very tempting, but the feat cannot at present be accomplished though it may be some days. A paper on the subject was read at a meeting of the Anglo-Russian Literary Society in London, by Mr. F. H. Skrine. The route lies by way of Labzawar, Farrah, Geriskh and Kandahar, and, says the writer, presents no engineering difficulties of moment. The cost might be roughly estimated at three millions sterling, as tunnels and bridges would not be required, In seven days, at a cost of £43, including food, a passenger might travel first class from London, via Russia and Central Asia, to Karachi i. e. 4,716 miles in 174 hours, counting at the speed of 32 miles an hour. The lecturer argued that the projected railway would prove a success for England notwithstanding the protective tariffs of Russia, which are not more hostile than the protective tariffs of our open colonies against the mother country. If such a railway ever is made we should almost be able to go to London just for the Christmas holidays. At any rate short leave would even become more fashionable than it is at present.

MR. HUMZA HUSSAIN, B.A., B.L., District Plague Officer, Tumkur, reports an unusual incident in which a Hindu lady of Arsakers had to carry herself the corpse of her husband to the cremation ground and light the funeral pile also! One Guru Rao, a Brahmin in poor circumstances, was attacked with plague and removed to a sand outside the village. His wife, left her four children in charge of some relations and accompanied her lord and master to the shed. He died there after an illness of two days and no one among the caste people would approach the body. There were days when the Government of Mysore tried in vain to secure the services of caste people to give a decent burial to the dead. At one time in Bangalore, Mr. Madhava Row, the Plague Commissioner, offered a salary of Rs. 30 per mensem for each Brahmin or Sivachar undertaker but no one came forward to accept those offers. Under these circumstances it was that the Government was forced to avail of the services of any non-caste peope that it chanced to find for the speedy disposal of the dead. But the Brahmin lady referred to above would not allow any person other than a Brahmin to carry the remains of her husband to the burning ghat. We are told that she, realising her position, girded up her loins and did it all herself—single handed! The rare virtue that this lady may displayed is, we need hardly add, peculiarly Hindu. Mr. Humza Hussain was greatly moved by it, and has, with the approval of the Plague Commissioner started a relief fund in aid of those who have been left destitute by the death of the bread winner.—*Hindu.*

Centre for Studies in Social Sciences, Calcutta

THE BOMBAY SEDITION CASE.

TO-DAY, June 3, at the Criminal Sessions of the High Court, before the Hon. Sir Lawrence Hugh Jenkins, Chief Justice, and a Special Jury, composed of eight Europeans and one Persee Luxmen Narayen Joshi, a young Hindu, was placed in the dock charged with attempting to excite disaffection towards the Government established by law in British India by the publication of three articles in the issues of the *Goorkh,i* a Marathi daily, of which the accused was the sub-editor, on the 26th, 30th and 31st of March last.

The Hon. Mr. Scott, acting Advocate General, Mr. Macpherson and Mr. Lowndes, instructed by Mr. Nicholson, Public Prosecutor, appeared for the Crown; and Mr. Kirkpatrick instructed by Mr. Velinker, pleader, appeared to defend the accused.

The charges were read out to the accused, who claimed to be tried.

The following Special Jurors were empanelled to try the case :—

Mr. E. L. Barton, Foreman ; Mr. Percy Fischer Mr. V. Milward Bason, Mr. Jalbhoy Dorabji Mr. F. W. Hanson, Bharda, Mr. W. Kirk, Mr M Macmilan Mr. Alfred James Garret and Mr, R. W. Playfair.

The following Special Jurors were challenged on behalf of the Crown :—Messers. Shantarhoy Jagannath, Lakhamesy Napoo and Fazulbam Visharm.

The following jurors were challenged on behalf of the defence :—Messrs Kirshnaram R. Jayker, Edward Mayers, and G. W. Gilchrist.

In regard to Mr. Jayker Mr. Krikpatrick raised the objection that he was a Government servant and therefore could not serve on the jury. His objection was that the juror was the servant of the prosecutor.

The Chief Justice (to Mr. scott) :—What have you to say ?

Mr. Scott submitted that because the juror happened to be a Government servant that fact alone did not disentitle him to serve on the jury.

Mr. Kirkpatrick read tne section on which he relied.

His lordship held that the juror being a Government servant was not a sufficient ground.

Ultimately Mr. Kirkpatrick had to challenge the juror on his own right.

The Hon. Mr. Scott, acting Advocate-General, in opening the case for the prosecution, said that the prosecution had been instituted under the orders of Government and the prisoner is charged under Section 124 A of the Indian Penal Code with attempting to excite hatred towards the Government established by law in British India. The learned counsel read the section of the Indian Penal Code, together with the explanation to the section, and said he would furnish the jurors with copies of the articles complained of and thus they would be in a position to follow his comments on them. The accused in this case is charged with attempting to excite disaffection against the Government, that is, to bring the Government into hatred and contempt. The *Goorakhi* is a daily paper published in Bombay by Vinayek Narayen Bhatye, who owns a printing press at Girgaum. The paper has a very large circulation, having more than 1500 copies in circulation aud is published and sold at a very low price. The paper has a large circulation not only in Bomhay but also in the mofussil and is published in the Marathi language, which appeals to the lowest class of the Marathi readers of the paper. The accused was taken on the staff of the paper in the beginning of February last and from the pay book he would be able to show that the accused was engaged as a sub-editor under Bhatye, the proprietor, publisher and editor of the paper on a salary of Rs. 20 per month. On the 26th of March last the first article, the subject matter of the charge, appeared in the paper. The article was headed "What is the meaning of King and Kingdom?" The second article appeared in the issue of the 30th of March and is entitled "The Chapekars, the Dravids and Mr. Brewin". No. I" and the third article appeared on the 31st of March. The learned counsel said the thticles complained of were published on are eve of the *Holi* holidays—a time when a good deal of excitement and license prevailed among the lower classes of Marathas and at a time when the minds of the lower classes of Marathas could be easily excited. The two other articles were published when the *Holi* holidays were proceeding. The section under which the accused was charged began with the words "excites or attempts to excite disaffection towards the Government established by law in British India " and there was no doubt that the news-paper article came within the meaning of those words. It was sufficient to bring one under the section if he only attempted to excite feelings of disaffection towards the Government by his action.

And how was that attempt to be ascertained ? The only meaning that could be attached to the articles in question was the ordinary meaning to words ordinarily used. The Hon. Mr. Scott said if they put themselves in the position of the Marathi readers of the paper and tried to imagine the meaning of the words of the article they would be in a position to realise the meaning of the articles. The explanation to Section 124A showed that people were at liberty to comment on the measures of Government.

Every Act passed in India was a measure of Government and such acts and measures of Government could fairly be criticised, but in all cases the criticism should be moderate to one without exciting hatred, contempt or disaffection towards the Government. Measures of Government meant particular actions of Government in reference to particular matters, but they did not include every action of Government. Writers are at liberty to criticise Government actions but such criticism ought to be made without exciting hatred, contempt or disaffection towards the Government. It was for the jury to see, after reading the articles, whether the writer of the articles had criticised the measures of Government without exciting feelings of hatred, contempt and disaffection towards the Government. The Hon. the Advocate-General next proceeded to read the first article of the 26th of March last and said that in the beginning the writer has given a discription of what a ruler and his kingdom must be and, proceeding further, the writer has directed the attention of his readers to consider whether the people have become happy under the British rule. The kingdom the writer was referred to is no other than British Government. In that article the writer has described the Government of British India as a selfish Government and thus has tried to bring harted towards them. The "snake" in the article had reference to the Government and a reference is made to the Arms Act by which the natives are prohibited from using arms by the words "If he is not protected." In the concluding portion of the article a reference is made by the writer to physical strength and the writer exhorts his readers to get his divine rights by killing those who oppose him in getting them.

It was, Mr. Scott said, a direct incitement to rebellion and no other article could come more within the meaning of the words of the section. It was a most general attack of a most unfair kind that the writer had made on the Government in the article wherein the accused had compared the Government to one of the most contemptible of beasts without the least comment on any of the measures of Government. The learned counsel next read the other two articles, the subject matter of the charge and said that in the first of them Government is described by him as a forest fire of which Mr. Rand was a light. After describing the forest fires the writer has described the helplessness of the people of India and has pointed them out what they ought to do. The reference to the Saiyed, the learned counsel said, was a very serious allegation against the Government. The second articles was continued on the 31st as promise and it was for the jury to consider and say whether the comments were fair comments on the measures of Government. In the third article the writer had made ironical allusions to the contemptible policy of Government and to the ancestors of the Natus who had helped Government in 1825 in overthrowing the Peshwas. The learned counsel in conclusion, said that the articles in question were on criticism on the measures of Government which justified the accused and said the story was used as a peg to hold in contempt the Government established by law in British India and to hold it in contempt before the people of the country. The learned counsel next proposed calling his witnesses to prove that the accused was the person who had written the three articles.

Mr. Scott, in summing up the evidence, said that the usual practice was to sum up the evidence but there was nothing to sum up as there was only one witness and the accused had admitted that he had written the articles. It was said that the accused was instigated by Bhayte to write the articles. The second excuse of the accused was that he did not know that he was doing anything wrong. Mr. Scott said that the accused was an adult and well-educated and he was responsible for his own actions. It was suggested for the defence that other seditious articles had appeared in other papers that they had not been prosecuted.

Those writers were not before them and they had to throw of those suggestions. From those suggestions it was clear that there was a great amount of sedition among the native papers in this country and it was most necessary to take steps to put them down and for the purpose the present prosecution was instituted. From the evidence it was clear that the accused had written the articles complained of and there was no doubt that they were written to cause hatred towards the Government.

Mr. Kirkpatrick said he agreed with the Advocate-General as to what the law on the subject was with reference to the charge. The accused was only twenty-three years of age and had admitted that he had written those articles. The accused was in the employ of Bhatye and he had written them at the inspiration and suggestion of Bhatye and it was for Bhatye's interest to say that they were printed and published by the accused during his absence. Assuming that the articles are reasonable, was it proved to their satisfaction that the accused had committed the offence under the Section? The words of the Section were "used" and the question for them to consider was who had used those articles and published them. The question for them to consider then was not, who had written the treasonable article, but who had used and published them ? It was for the jury to consider who had used those articles for the purpose for which they were put in the paper.

The Hon. Mr. Scott put in the order of Government for this prosecution under Section 196, Criminal Procedure Code, under the signature of Mr. S. W. Edgerley, Secretary to Government, Judicial Department.

Mr. Mirza Abbas Ali Baig said he was the Oriental Translator to Government. He produced exhibits A. B. and C. He was acquainted with the Mahratti language. He under orders of Government, laid an information before the Chief Presidency Magistrate in respect to those articles.

The Hon. Advocate-General put in the three articles and said he would prove publication later.

Cross-examined by Mr. Kirkpatrick, witness said he travelled about with Government and translated such papers as are sent in to him by the Secretaries to Government. Mr. Edgerley was the Secretary to Government who dealt with vernacular papers. After translation he returned the papers to the department from which he received them. He had an establishment of translators and as the head he revised their work. The translations of the three articles A. B. C. were not his translations. He had not with him the translations sent to Government. In his six years' experience of his present post he read many articles denouncing the actions of Government. It was he who filed an information against Mr, Tilak. He laid in all three informations for seditious writings. He was not sure whether Mr. Tilak was elected to the Legislative Council after the article on which he was subsequently charged was published in the papers.

Mr. Kirkpatrick: I am, any how.

Witness was shewn the *Champion* newspaper of the 7th May. He saw a translation in it from a paper called *Kal*. He was aware of the reproduction of the article in the *Champion*.

Mr. Krikpatrick tendered this paper.

The Hon. Advocate-General wanted to know the relevancy of the proceeding.

Mr. Kirkpatrick said that what he intended to show was that when such articles as that which appeared in the *Champion* were left unchallenged people were under the impression that they had latitude in their writing and wrote articles such as the prisoner did. Government had officers to see about these writings and if they allowed some articles go unchallenged in some instances without some special measures being taken by Government they had no right to capriciously come and say we will take action not in this but other articles subsequently published.

His lordship held that Mr. Kirkpatrick was not entitled to question the witness with reference to the *Kal*.

Witness, continuing, said he was in Poona when Mr. Rand was in charge of the administration of the plague measures. There was some excitement in Poona and some violent attacks on the plague policy of Government. Finally Mr. Rand was murdered. Another officer was appointed to succeed Mr. Rand. Witness was sure that Government gave way by modifying the plague measures. Plague was violent in Poona last year. In fact the mortality was as large as in the first year. He was not aware if the *Kal* newspaper was in existence still.

Witness was shown exhibit B. and asked to explain the expression "selfish ruler." He was prepared to say that the word "selfish" here meant "seeking his own interests." Shown exhibit 2, witness was shown the expression "sheer helplessness" and asked what the idea was. Witness replied the idea was conveyed in the English translation. It meant "having no other remedy ; no other mode of action."

Sudasew Gonput, a subscriber to the *Gurakhi* newspaper, was next examined by the Hon. Mr. Scott. Shown three copies of the *Gurakhi* of the 26th, 30th and 31st March last he said he received those copies. His subscription to the paper was five annas a month.

Datttraya Gopal said he was employed in the *Gurakhi* office in Girgaum Back Road. The *Gurakhi* was published daily except on Mondays. It circulated in Bombay and also in Nassik, Ratnagiri, Kalyan and other places. Venayek Narain Bhatye was the printer and proprietor. The printing was done in the office of the paper. Witness was connected with the *Gurakhi* for about eight months. One Martund Vishwunath Dokey was then editor. Accused was assistant editor. Accused joined the staff in February this year. Witness was shown the pay book of the *Gurakhi* staff.

Mr. Kirkpatrick objected to its production unless witness could say that he kept that book.

The Hon. Mr. Scott: The matter was not very material and he would not press it. Shown copy of the *Gurakhi* of 26th March witness said it issued from his office. Exhibit A was an article which appeared in that paper on the 26th March from the pen of the accused. Witness identified the manuscript of the article in Marathi as being in the handwriting of the accused.

The article was given to him to be printed. It was put up by the compositors and he (witness) read and corrected the proof according to the manuscript. Witness said the same with regard to the articles of the 30th and 31st March last.

Cross-examined by Mr. Kirkpatrlck: Witness could not say how long the *Gurakhi* had been in existence. Witness was now conducting the paper and was receiving his salary from Bhatye who is shortly to be tried for sedition. Witness was coming as a witness against Bhatye. Shown exhibit A witness was asked if he considered it seditious.

His lordship : It is a question the answer of which might incriminate him. Let him be first told that his answer might incriminate him and then let him answer.

Mr. Kirkpatrick: In that case, my Lord, I prefer not to put the question. (Laughter.) Witness continuing said accused severed his connection with the paper on the 31st March but could not give the reason. He did not see accused again till he was arrested. Bhatye used at first to give him the editorials to put up.

Inspector Framjee Bhicajee, of the Criminal Investigation Department of the Bombay Police deposed to having executed a warrant, and a search warrant. The latter he executed in the office of the *Gurakhi*. Witness gave details of articles and documents which he got possession of during his search in the presence of a *punch*.

Cross-examined by Mr. Kirkpatrick: In the first instance the Magistrate issued a witness summons on the accused to give evidence in Bhatye's case. Two days later he received a warrant to arrest the accused. The witness summons was served on the accused and appeared in Court on the 15th June to give evidence. Witness arrested him on the 16th instant. Accused made no difficulty in giving and showing witness everything he wanted.

The Hon. Mr. Scott put in the statement made by accused before the Magistrate, and said he here closed the case for the prosecution.

Mr. Kirkpatrick said that the accused desired to make a statement.

The Interpretor: The prisoner produces a written statement in Marathi, which he read aloud and interpreted.

Accused gave an account of his career from the time of his studying up to the matriculation examination.

Previous to his connection with the *Gurakhi* he had no journalistic experience. He explained his inexperience to Bhatye, who originally engaged him as a clerk and wrote petty paragraphs about plague, &c., but never attempted to write on weightier matters. Before Bhatye left for Nassik accused asked him what arrangements he intended making about the conduct of the paper. Bhatye explained and gave him the points of the three seditious articles complained of and dilated on them. He knew noting more about those articles till he heard of them in the Police Court.

He had no idea that he had violated the law nor had he any knowledge of the law affecting newspapers. Accused here pleaded for mercy on the grounds of his ignorance and inexperience, apologised for his conduct and promised not to offend again. He attributed the painful position in which he now found himself entirely to Bhatye's tuition.

At 5-5 P.M. the jury unanimously found the prisoner guilty of the charge and six of them recommended him for mercy. His Lordship passed six months' simple imprisonment on the prisoner.

THE KAPS CASE.

APPEAL AT SAHARANPORE.

(Morning Post.)

THE appeal in this case came on for hearing before Mr. Leggatt, the District Judge of Saharanpore, on the 28th June. It will be recollected that the appeal was from a conviction of one week's simple imprisonment passed by Mr. Streatfield, the Magistrate of Mussoorie, for an alleged assault on a public servant in the execution of his duty under section 353 of the Indian Penal Code. The Government Pleader, B. Anand Sarup, appeared to sustain the conviction, and Mr. B. R. Bomonji, barrister-at-law, represented Mr. Kaps in support of the appeal.

Mr. Bomonji, in addressing the Court, declared that the whole procedure of the trying Magistrate was one bristling with illegalities, showed a supreme indifference to the provisions of the Criminal Procedure Code, and the Court was actuated, wittingly or unwittingly, with a strong bias against his client. The facts of the case were simple in their nature, and the offence, if committed at all, was one which no person of ordinary sense and temper would or ought to complain, as is shown in sec. 95 of the Indian Penal Code. The complainant, a Naib Tahsilder, in company with a Sub-Inspector of Police, with two more constables, went to Mr. Bevan's shop with a warrant of distraint against the moveable property of Mr. Kaps for his failing to pay the income-tax. The warrant was to be executed at Mr. Kaps' residence, and Health Hall was distinctly named in the warrant as the house of the appellant. It appears that the Naib Tahsilder had seen Mr. Kaps about eight o'clock the same morning, and had asked for payment of the tax. Mr. Kaps informed him that the money would be paid in the Tahsil some time during the day. At about 2 P. M. this Naib Tahsilder, with the Sub-Inspector and two policemen, first went to Mr. Kaps' house, and, learning that he had, after taking tiffin left for Mr. Bevan's shop, repaired to that music warehouse, where Mr. Kaps was employed as the head tuner. On arrival there they sent word to Mr. Kaps, who came from his working-room at the back into the shop, and saw that the Tahsilder with the policemen were on the steps of the shop's entrance. He asked them the nature of their business. It was admitted that the Naib Tahsilder and Sub-Inspector did not know English, and it was equally clear that his client was by no means proficient in his Urdu, having come to India about a year ago. Here was, therefore, an interesting situation of the parties trying to make themselves intelligible to one another. Mr. Kaps speaking in English and the Tahsilder in Urdu.

Matters were at this stage of development when the horrid word income-tax coming from the lips of the complainant disclosed to Mr. Kaps the nature of the visit from the policeman. Mr. Kaps at once informed them that he had sent in the money to the Tahsil some time ago by one of his *chaprasees*, and asked them to quit. They evidently did not believe him, and Mr. Kaps would be more or less than human if he would not feel indignant at their not going away after his explanation. He asked the Tahsilder to show him to warrant which he was bound to hand over for his client's inspection, but this he refused to do. This naturally riled Mr. Kaps, and he called the Tahsilder a damned fool, which were the only words intelligible to the Tahsilder from all Mr. Kaps' explanation.

Counsel contended that the work " damned " showed the extent or the degree of foolishness his client credited the complainant with, and that the words, if used, were no more or less than that the Tahsilder was a big fool in his client's estimation. Counsel contended that, granting that these words were uttered, and granting for the sake of argument that Mr. Kaps did take him by the hand and did show him out of the shop, his client did nothing by which it could be said that he prevented the officer from doing his duty. His client denied having in any way assaulted or even touched the man and in this he was supported by Mr. Frost, the cashier and manager of the shop, who was called by Mr. Kaps to his rescue to explain to the men that he had sent the money long before they arrived. Mr. Bomonji contended that the Tahsilder had no right whatever to go to Mr. Bevan's shop, nor was there anything to show under what right or law the Sub-Inspector accompanied him. He argued that the officer had acted *ultra vires*, and that if Mr. Kaps had taken the Tahsilder by the seruff of his neck and kicked him out he would have been quite justified in doing so. Mr. Kaps did not take any of these drastic measures which, if adopted, would have served the Tahsilder right, but contented himself by asking Mr. Frost to explain about the payment, and requesting them to quit. He asked why Mr. Frost should not have been believed by the Magistrate? Anybody who knew even a little of Mussoorie knew Mr. Frost to be an upright, honest man, and counsel was at a loss to know why an English Magistrate should have credited a native Naib Tahsilder and a native Sub-Inspector, and disbelieved two Europeans. It was important to note that when they left the shop they met the servant returning from the Tahsil. This, he declared, was a deliberate lie, because it was said with no other motive than to show that Mr. Kaps had sent him with the money after they had come to the shop. Even if they did see this servant returning it was quite consistent with what his client and Mr. Frost said in their evidence.

And now, said counsel, came the further development of the case with increasing hardships on his client. On the 22nd May he was arrested on a warrant and bailed out in the evening, and he was asked to attend the Court next day. He did so in the morning, but he returned as the case was not then heard. A Policeman fetched him to Court at 2. P. M., and the Magistrate took the evidence of the Tahsildar and the Sub Inspector and a chaprassi, and at once framed a charge against Kaps. There was practiclly cross examination by him except one solitary question put up to the Tahsilder. Kaps was taken all of a heap. The Magistrate at once recorded his statement, and pinned him down to certain answers to questions which savoured more of cross-examination of the accused, a proceeding strictly prohibited under the law. He was asked if he had any witnesses to call and Mr. Frost was named The Magistrate then fixed the 31st of May as the day for hearing the defence.

It was only fair to state, said Mr. Bomonji, that the Magistrate did ask the accused if he were a European-British subject, but at what stage of the proceedings he asked this was not quite clear. Kaps, whose knowledge of English was not perfect, and who could not possibly understand what difference there was between a European-British subject and a German, and what the law on the subject, and who could not possibly know why this question was asked, replied that he was not a European-British subject, but a German. It was the duty of the Magistrate to explain clearly and without the least concealment of the right of the accused that if he were one he could claim a jury to try him. Nothing of the soft was done. The Magistrate just did enough to give his proceedings a legal tinge by asking him if he were a European-British subjcct or a German.

Mr. Kaps engaged a pleader on the 29th of May, and proceeded with him to Court to file two petitions, one asking for his right to be tried by a jury, the other asking the Magistrate to summons the prosecution witnesses to be cross-examined on the 31st May. Mr. Morton, the pleader, did not find the Magistrate in Court and he therefore applied to Mr. Monks, the Deputy Magistrate, to take his petitions. This was not allowed, and the Sheristadar of the District Magistrate equally refused to receive the petitions. Being thus baffled Mr. Morton wrote a polite letter to Mr. Streatfield, sending him the petitions at his bungalow,, explaining that both Mr. Monks and his clerk had refused to receive the petitions and asking him to order his clerk to let him inspect the record. Mr, Streatfield did not deign to reply, nor did he issue the necessary orders. The case was taken up on the 31st May, and Mr. Morton appeared with his client, in Court. Mr. Morton put on record a certificate of naturalization as a European-British subject of his client. The name in it happened to be Henry Edward Kaiser. The Magistrate rejected this on the ground that the name of Kaps was not in it; and even if he were a European-British subject, it was too late for him to claim that right now. Mr. Kaps declared on oath that his father was one named Kaps, but on his death his mother married again a man called Kaiser, when the accused was but a child, and that he adopted the name of his second father, but that since he came to India he had changed his adopted name and took his own father's name. This perfectly reasonable explanation was scouted by the Magistrate when it was his bounden duty to give the accused every facility to prove the absence of the name of Kaps from the certificate.

Counsel admitted that the Court had some ground in doubting this explanation, but this was all the more reason to allow the accused an opportunity to prove his statement on oath. Mr. Bomonji here contended that the accused was not bound to claim a jury till he had entered upon his defence which could be said to commence on the 31st of May, and not on the 23rd of May. Kaps saying that he was a German was by no means an absolute and complete waiver of his right to claim a jury, and this he did at the earliest opportunity, and at a time when he had a legal adviser by his side, instead of being on his beam ends as he was on the 23rd May, with nobody to advise or show him his rights. It seems that the Magistrate was carried away by some remarks made by Mr. Monks, to whom the Tahsilder first reported the alleged occurrence at the shop to the effect that Mr. Kaps had given him some trouble in collecting income-tax last year. This fact seemed to have prejudiced the Magistrate throughout the case, and his ruling refusing to treat Kaps as a European-British subject, and his equally extraordinary refusal to summon the witnesses for cross-examination by the pleader of the accused, went to show that the Court blew to the winds all principles of law and the rights of an accused which even a native, charged with the most heinous offence, was entitled to have. Instead of allowing the witnesses to be recalled for examination, the Magistrate rushed through the case the same day, examined Mr. Frost, and gave his judgment, sentencing the accused to a week's imprisonment.

Counsel then quoted several rulings both on the points regarding Kaps' right of a jury trial and the right of summoning the witnesses.

Mr. Bomonji put in four affidavits, two showing that Mr. Kaps and Mr. Kaiser were one and the same, and the other two showing the irregularities of the Magistrate as per Mr, Morton's affidavit. He contended that he was entitled to ask that the sentence be quashed, and in conclusion said that the Court would have exercised a wholesome discretion by fining his client if he were guilty, and not ruining his life by baulking the defence in every possible way, and thus blasting the reputation of his client by giving him imprisonment, simple though it was. It might be true, as stated in the judgment, that Mussoorie was difficult station to manage, but that was no reason why the sins of others and defiance of law by other Europeans should be fathered on to the shoulders of the accused, so that he was punished with all the severity of the law. He appealed to the Judge that even if he were not at one on the ground of Kaps' right of being tried by a jury there was enough to show that the accused had to fight an unequal and uphill battle, and was distinctly prejudiced in his defence by the procedure of the Magistrate.

The Government pleader admitted that the accused ought to have been allowed an opportunity to cross-examine the witnesses but said that the accused had once for all waived his right to be tried by a jury. He supported the conviction on its merits also, and asked the Judge to uphold it.

The Judge reserved his decision.

LORD Curzon, it is said, will presently consider the question of his autumn tour. So far, however, absolutely nothing has been settled.

MR. Louis Dane, Chief Secretary to the Punab Government, has deferred taking leave till October, when Messrs. Fenton and Maynard are also likely to leave the Secretariat and take up district work.

THE Amir of Afghanistan is reported to have at last offered large reward for the capture of Najamuddin, better known as the Hadda Mullah.

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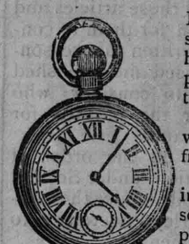

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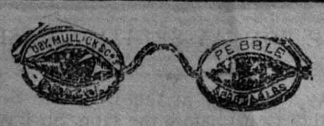

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