

Amrita Bazar Patrika

BI-WEEKLY EDITION---PUBLISHED EVERY THURSDAY AND SUNDAY.

VOL XXXVI.

CALCUTTA THURSDAY, FEBRUARY 4, 1904.

No. 19

PTHISIS INHALATION.

A new Remedy for Consumption. All Consumptive patients to know that Dr. Paul's "Phthisis Inhalation" kills the specific germs (bacilli) of Consumption and thereby induces prompt and radical cure in the early stage of the disease. In the more advanced stage the Inhalation checks its further progress at once and brings them round gradually in a short time. A trial would prove its beneficent results even in the last stage, when life is certain to be prolonged by its use. One bottle is quite enough for a patient. Medical practitioners would do well to give the Inhalation a trial in their practice.

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MEDICAL OPINION.

Dr. Hem Chandra Dutta, L. M. S., Medical Officer, Bhagawat, Doyal Singh's Charitable Dispensary, Chaitpur, Daltongunge, Palamou, writes:—"I have tried your 'Phthisis Inhalation' in several cases of consumption with satisfactory results, and I have found that before the formation of cavities in the lungs the 'Inhalation' is highly efficacious. I heartily recommend it to the public. Our professional brethren would do well to give this remedy a fair trial in their practice. Please send me again a bottle of your 'Inhalation' per V. P. P. for another patient of mine and thereby oblige."

Dr. A. N. Roy Chowdhury, M. B., Calcutta, writes:—"I have tried your 'Phthisis Inhalation' in several cases of consumption and, I am glad to say, the results have been highly satisfactory in the first stage of the disease. I always recommend it to my patients. Please supply a bottle of your 'Inhalation' to the bearer whose brother has been suffering from consumption for the last five months and oblige."

Dr. Eudjee Cowasjee, L. M. S., Sir Jansette's Sanitarium, Khandalla, Bombay Presidency, writes:—"As I have found your 'Phthisis Inhalation' beneficial, I always recommend it to my patients. Please send me per V. P. P. one bottle of your 'Inhalation' for my wife who has been suffering from the symptoms of the first stage of consumption."

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THE DECEMBER INDIAN REVIEW

CONTAINS THE FULL TEXT OF 1. THE MARAJAH OF MYSORE'S speech at the Madras Industrial Exhibition. 2. THE HON. NAWAB SAYED MAHAMAD'S Address of welcome to the Congress delegates. 3. MR. LAL MOHUN GHOSH'S Congress Presidential address. 4. THE HON. MR. JUSTICE CHANDAVARKAR'S address on Social Reform. 5. MRS. BESANT'S address on Hindu Social Progress on National Lines and also her address on Value of Theosophy. Only a few extra copies of the December number are printed. The price per copy is Re. one. Subscribers to the Indian Review will get the number free as usual. Those that are not subscribers are requested to take this opportunity to enrol themselves as such. The annual subscription to the Indian Review Rs. Five only. New subscribers can either pay Rs. 5 in advance or allow us to send the December number by V. P. P. for Rs. 5. The December number will be given gratis to new subscribers. G. A. Natesan Co., Madras.

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removes the evil effects of 'youthful indiscretions, vicious habits, abnormal excess, dangerous absorption—rejuvenates the old—thickens the manly fluid—recuperates the wasted frame—sharpens the memory—purifies the blood—wonderfully increases the power of retention—arrests the decay of age—brings on appetite. Try VIGOUR PILL once and you will use VIGOUR PILL always. Impermeable certificates—no fear of imposition. We say less than VIGOUR PILL achieves. Price per phial Rs. 2. Postage and Packing as usual. MANAGER, BHARAT VAISAMANIYALA, 1, Bagbazar Street, Calcutta.

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LARGE SALE: Since we have introduced this formula it has been selling very largely amongst the Medical circle. In the cold season POWELL'S NO. 1 ASTHMA CURE is ordered by all the leading Physicians who have been thoroughly convinced by proof of its intrinsic value.

Its value is beyond all price and praise.

Its Effects:—Powell's No. 1 Asthma Cure is a great favourite remedy with many to be relieved of the Asthmatic fits and it is undoubtedly a valuable remedy in the worst forms of cases. It relieves the chest of congealed Phlegm by expectoration without straining, thereby removing all difficulty in Breathing. It affords wonderful relief in the most distressing cases.

Bottle Rs. 2.

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Babu Bepin Behari Dhar of Rampur Boalia, Rajshahi, is a jeweller of high reputation. His designs are excellent and he executes orders with precision, promptitude, and integrity. I had some Rs. 500 to Rs. 600 worth of ornaments prepared by him and had the gold tested by an expert at Calcutta and was glad to find that he was honest as regards the price of gold and rate of labours.

(Sd.) Dina Nath Mukherjee, Dy. Magistrate, Rajshahi, Rajshahi, the 28th Oct. 1901.

Babu Bepin Behari Dhar, Jeweller of Toalia, ad several orders through me from my friends. In all cases his dealings were honest and straightforward. He is a reliable goldsmith and his executions are neat. I can safely recommend him to the public.

(Sd.) ANNADA CH. GUPTA, Dy. Magte. BOALIA, 1-5-02.

জুয়েলারি কার্ম। এই কার্ম রামপুর বোয়ালিয়াতে আদি স্থাপিত ও এখিৎ এবং পুরাতন বসিয়া বিখ্যাত। স্বৰ্ণ রৌপ্য ও জড়েরা কলকার চানীর বাসন ইত্যাদি সৰ্ব্বদা বিক্রমার্থে প্রস্তুত থাকে ও এর সময়ে প্রস্তুত হয় ও মূল্য সুন্দর পাওয়া যায়। অত্যন্ত স্থান হইতে সুলী। বিশেষ বিবরণ সচিৎ ক্যাটালগে প্রের্য। ১/০-০-০ ম্যার জাক টিকিট পাঠাইলে রেজিষ্টারি করিয়া পাঠান হয়।

এতদ্ভিন্ন এই জুয়েলারি কার্মের সঙ্গে ও মটকার কলকারি কারবার শুলিয়াছি। বালুচেরী শাড়ী, মুচী শাড়ী, চাদর ও কোট পাট বন্দার উপযোগী সাদা ও কাল বুনট ধান প্রকৃতি কলবিধ রেশমী কাপড়াদি বিক্রমার্থে প্রস্তুত থাকে। অর্ডার পাঠাইলে সম্বন্ধ পাঠাইয়া থাকি। মূল্য তালিকা বিশেষ বিবরণ ক্যাটালগে। পরীক্ষা প্রার্থনীয়।

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If not equally HORRIBLE as the PLAGUE yet in no respect less injurious are Gonorrhoea, Spermaorrhoea, Nervous Debility, and the evils due to Youthful Indiscretion and Excesses. The safest, surest, speediest and most popular remedy of the day for these and the concomitant evils is the old-renowned

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Price ONE RUPEE only. Postage for upto THREE phials FIVE Annas nly. Mr. P. G. Mukherjee his not the Manager of our firm, nor can he supply the VICTORIA CHEMICAL WORKS here or elsewhere. We have no Agents or Branches here or elsewhere.

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THE BENGAL LEGISLATIVE COUNCIL.

A meeting of the Bengal Legislative Council was held at the Council Chamber, Writers' Building, on Tuesday at 10 a.m. The Hon'ble Sir Andrew Fraser, K.C.S.I., Lieutenant-Governor of Bengal presided.

PUBLIC PARKS BILL.

The Hon'ble Mr. Buckland presented the Report of the Select Committee on the Bill for the regulation of Public Parks in Bengal.

THE FAMILY SETTLEMENT OF ESTATES.

The Hon. Mr. Buckland presented the Report of the Select Committee on the Bill to facilitate the family settlement of estates in Bengal.

THE BENGAL TRAMWAYS ACT.

The Hon'ble Mr. Shirres moved that the Bill to amend the Bengal Tramways Act, 1883, be taken into consideration at the next meeting of the Council.

RULES FOR THE LEGISLATIVE BUSINESS.

The Hon'ble Mr. Macpherson moved that a Select Committee, consisting of the Hon'ble Mr. Woorone, the Hon'ble Dr. Asutosh Mukhopadhyaya and the Mover, be appointed to consider certain amendments which have been suggested in the Rules for the Conduct of the Legislative Business of the Council.

The Hon'ble Mr. Macpherson said:—The rules of the business of the Council are made by the Lieutenant-Governor in Council under the provisions of Sec. 48 of the Councils Act of 1861. These rules were last revised in 1890. The revision of some of the rules is now proposed at your Honour's instance in order to expedite and improve the work of the Council. The amendments proposed are explained in a Note which has been laid on the table. Briefly the first object of the proposed amendment is to save unnecessary delay and formalities in the early stages of the introduction of the bills, and reference of them to select committees. It has been of common occurrence as the volumes of the proceedings of the Council will show to suspend rules in order to expedite the business at this stage and to save the Hon'ble members the trouble of attendance at frequent sittings. But frequent suspension of rules were open to obvious objections, and when the rule is found to be unsuitable the better course is not to suspend frequently but to amend it. The proposed amendment under this head if approved will assimilate the practice of the Council in dealing with Bills in their early stages to that of the Governors-General's Council. The second object proposed is to amend the rules which require an Bill to be published not only in English but also in the vernacular. The rule for the Governor-General's Council is "that such publication will be made in the vernacular as the Council in each case may decide to be necessary for the purpose of giving notice to the communities affected by the Bill." It is proposed to adopt this rule for our Council. The other amendments proposed are formal and do not require any remarks from me. The rules might perhaps be amended with advantage in particular points other than those proposed in the Note, which has been laid on the table. But the present intention is to meet practical difficulties which have actually arisen and unless any real important proposal be brought forward in the Committee for further amendment than those said to be in the explanatory note, it would be an advantage to have some technical discussions and to confine the present work and revision within limits. It will be in accordance with the precedent of the last occasion on which the rules were revised. The Select Committee will consider the amendment proposed and I accordingly submit to the Council the motion which stands in my name.

The motion was put to and carried.

INTERPELLATIONS.

The Hon. Rai Tarini Pershad Bahadur said:—

(1) I have the honour to lay before Government the following for its favourable consideration:—

(a) that Shaikpura, in the district of Monghyr, Bhagalpur Division, is an important place, having a Railway Station (South Behar Railway); and not only the town of Shaikpura, but also Hosanaud and other adjoining places, are important owing to very many respectable and rich Muhammadan families having family residences there from time immemorial;

(b) that it is a well-known fact that the purdah system of the females, in Muhammadan as well as in Hindu respectable families, is strictly observed and maintained;

(c) that the Shaikpura Railway Station has a platform on only one side of the line and not on the other;

(d) that for want of a platform on one side of the line the females (purdah ladies) feel great difficulty and are inconvenienced by getting into, and coming out of, the railway carriages on that side of the line;

(e) that for want of a platform on one side of the line the purdah ladies of respectable families have to go, in palkees and otherwise, long distances to catch the trains at the stations which are provided with platforms on both sides of the line, thereby entailing unnecessary expense and trouble to them.

(2) Will the Government be pleased to draw the attention of the Railway Authorities to the importance of the necessity of supplying the want, by keeping a platform on each side of the line?

The Hon. Mr. Horn replied:—

"The Railway Authorities have already had under consideration the provision of a second raised platform at Shaikpura station on the South Behar Railway, but have been unavoidably forced to defer it owing to the heavy expenditure already incurred on the construction of the line and the poor returns received from it. They are desirous of providing every convenience for the travelling public, and with this end in view trains are dealt with, as far as possible, on that side of the line on which the raised platform is situated. In the circumstances no further expenditure can, in the interests of the shareholders of the Company, be incurred under present conditions in supplying extra platform accommodation at Shaikpura station."

The Hon. Rai Tarini Pershad Bahadur said:—

I beg to draw the attention of Government to the fact that the Deoghar Sub-division,

amongst other sub-divisions of the district of the Sonthal Parganas, is far advanced in education, manners, customs, habits of life and business, and that the number of the Sonthals, compared to the number of Non-Sonthals, living in that sub-division, is very small; whereas it is very different in other sub-divisions of that district.

(a) Will the Government be pleased to place on the table a statement from the last Census, showing the Sonthal and Deokoo (other than Sonthals) populations separately, living in the following sub-divisions of the district of the Sonthal Parganas:—

(1) Deoghar; (2) Jamatra; (3) Rajmahal; (4) Dumka; (5) Godda; and (6) Pakur?

(b) Will the Government be pleased to consider and to state whether the Deoghar Sub-division, in its present condition, specially since the opening of the railway lines and from other points of view, should or should not be brought under the category of places enjoying the boon of the operation of laws and regulations in force there; no additional expenditures by Government being rendered necessary by the change, and the officers now employed in that sub-division being allowed to act as officers administering laws and regulations in regulation districts, and subject to such other condition or conditions or changes as may be deemed fit and desirable?

The Hon. Mr. Macpherson replied:—

"(a) The statement asked for is placed on the table.

"(b) The present would be a very inopportune time to make any change in the system of administration of the Deoghar Sub-division, as the sub-division is now under settlement. Nor is the Lieutenant-Governor of opinion that any case exists for making the change indicated by the Hon'ble Member. He is not prepared therefore to take up the question."

Statement showing Sonthal and Non-Sonthal population of each Sub-division of the Sonthal Parganas district.

The Hon. Rai Tarini Pershad Bahadur said:—

I beg to draw the attention of the Government to an article in the "Amrita Bazar Patrika" of the 12th December last, in its 4th column, page 5, complaining of the conduct of some Raj and British officials towards a number of Sonthals in "Serakheh," a tributary State in Chota Nagpur, about 10 miles from Chaibassa, the principal town of Singhbhum.

(a) Is it fact that a memorial has been submitted by the Sonthals to the Government representing their grievances and seeking redress?

(b) If it has, will the Government be pleased to state whether an inquiry has been ordered?

(c) If the complaint be well founded, will the Government be pleased to take serious notice of the conduct complained of to prevent a recurrence of similar instances of oppression upon the poor "semi-barbaric" Sonthals?

The Hon. Mr. Macpherson replied:—

"It is not a fact that a memorial from a number of Sonthals of the Serakheh State representing their grievances and seeking redress has been addressed to Government. A memorial from a proclaimed offender of the Serakheh State, named Debi Sonthal, who is absconding from a criminal charge, was received by Government last month. His counsel, who submitted the memorial, has been informed that when he surrenders himself for trial his grievances, if any, will be duly enquired into, but that Government cannot consider a memorial from a fugitive from justice."

The Hon. Rai Tarini Pershad Bahadur said:—

I beg to draw the attention of Government to a question asked by me relating to the existing rules as to whether service in the grades of Sub-Deputy Collectors, before confirmation, does or does not count for pension, as well as the answer of the Hon'ble Mr. Hare, which was to the effect that "under the existing rules, such service did not count for pension and that the subject was under the consideration of his Government," vide Abstract of the Council Proceedings, dated the 4th April last, page 102, and to request the favour of being informed of its decision, if any has since been arrived at?

The Hon. Mr. Macpherson replied:—

"The question of reckoning service in the grades of Sub-Deputy Collectors prior to confirmation towards pension has been referred for the decision of the Government of India and the orders of that Government are awaited."

The Hon. Rai Tarini Pershad Bahadur said:—

I beg to draw the attention of Government to the following facts:—

(i) that there are many important Government letters and notifications laying down general principles of administration in the Sonthal Parganas, which are and have to be frequently referred to in Courts of that district;

(ii) that copies of such letters and notifications, as well as copies of the Sonthal Civil Rules and the Regulations specially passed for that district are, as is understood, not sold to the public. These are Act XXXVII of 1855, Act X of 1857, Act V of 1859, Regulation III of 1872, Regulation II of 1886, Regulation III of 1886, Regulation V of 1893, and the Sonthal Parganas Rural Police Regulation, III of 1900, and the Sonthal Civil Rules lately framed and passed in 1901;

(iii) that for the above reasons the suitors generally and the legal practitioners, when authorised to act for them, are put to much inconvenience and difficulty.

(b) Will the Government be pleased to state whether it is open to the public to publish and sell the Government letters, notifications, Regulations, Acts and Civil Rules referred to above? If not, will the Government be pleased to consider the advisability of allowing publication of the same to be made on behalf of itself for sale to the public and inform the Council of its decision in the matter?

The Hon. Mr. Macpherson replied:—

The special Acts and Regulations in force in the Sonthal Parganas are sold to the public

separately, in Volume 1 of the Bengal Code and in the Reprint of Laws and of selected Notifications, Orders and Rules specially in force in the Sonthal Parganas, which was published from the Bengal Secretariat Press in 1898.

"The former Rules of Civil Procedure in the Sonthal Parganas were published in the reprint of 1898 just named. The rules were revised in the year 1901, when a copy was given to each petitioner-writer in the district. The rules of 1901 are now again under revision."

"Notifications of Government are published in the Calcutta Gazette. Many of the Notifications relating to the Sonthal Parganas are contained in the reprint."

"Copies of letters issued by Government are not ordinarily sold to the public, but certain letters issued by Government have been included in the reprint; and the policy laid down in other letters, has long since been incorporated in the rulings of the Courts which are available to the public. The stock of copies of the reprint of 1898 has been exhausted, and a new and revised edition will be published hereafter, probably after the completion of pending settlement operations."

"There is no objection to private publication of Rules, Acts, Regulations, Notifications and Rules relating to the Sonthal Parganas. The Government publications would, however, have more authority."

The Hon. Rai Tarini Pershad Bahadur said:—

In answer to a question asked by the Hon'ble Manvi Soraj-ul-Islam, Khan Bahadur, on the 28th March, 1903, about the improvement of the prospects of the officers of the Provincial Educational Service, Government was pleased to answer:—

"The matter has lately come up again, and the question whether it is practicable to improve the prospects of the Provincial and Subordinate Educational Services it at the present time under the consideration of the Lieutenant-Governor."

Will the Government be pleased to state whether it has come to any conclusion in regard to this matter, and if so, what?

The Hon. Mr. Earle replied:—

"The question of improving the prospects of the Provincial and Subordinate Educational Services has been referred by the Lieutenant-Governor to the Government of India, and is, at the present time, under the consideration of that Government. It is inexpedient at this time to make any statement regarding the views of this Government on the subject."

The Hon. Babu Bhupendra Nath Bose asked:—

(1) Has the attention of the Government been drawn to an editorial paragraph published in the "Amrita Bazar Patrika" of the 19th December last, alluding to an order issued by the District Magistrate of Hooghly to the effect that no accused person should be allowed to enter the dock with shoes on, and noticing a case in which a gentleman belonging to an aristocratic family in Calcutta, who was involved in a fishery case, was compelled, in spite of his protest, to put off his shoes before he got into the dock?

(2) Considering that it is neither the policy of the Government nor the intention of law that law-abiding and respectable people, who have the misfortune to be involved in criminal cases, should be put to unnecessary indignities such as the order of the District Magistrate of Hooghly seeks to impose upon all accused persons, irrespective of their social position and of the nature of their offence, will the Government be pleased to direct the withdrawal or modification of the order so as to allay the alarm which the order has created among the people of Hooghly?

The Hon. Mr. Macpherson replied:—

"The Lieutenant-Governor has seen the paragraph in the "Amrita Bazar Patrika" of the 19th December last, to which attention is drawn, and has made inquiries of the District Magistrate of Hooghly."

"It appears that the salutary provision of Rule 14, Chapter XV, of the Police Code, regarding the searching of prisoners so as to be satisfied that no offensive weapons are carried into Court, and that prisoners do not enter the precincts of the Court with their shoes on, had not been enforced in the Courts of the Hooghly district in respect at least of the last precaution. The District Magistrate therefore ordered in November last that the rule regarding shoes should be enforced. In his order he omitted to add the words which had been made an addition to the Code by the Police Order of 6th February, 1903. These words limit the order to prisoners who wear shoes of Indian fashion. A few weeks after the Magistrate's order was issued, his attention was drawn to this omission; and he modified his order accordingly."

"In the case referred to, the Deputy Magistrate directed the accused to remove his shoes; and this was apparently done in accordance with the order without any protest. The Lieutenant-Governor has had no reason for directing the withdrawal or modification of the District Magistrate's order, as he had already of his own motion brought that order into strict conformity with the orders of Government."

The Hon. Babu Bhupendra Nath Bose asked:—

(1) Will the Government be pleased to prepare a statement for the information of the public, showing the amount of revenue and expenditure under each head of receipts and disbursements of each of the five districts of Bengal that are proposed to be transferred to Assam?

(2) And will the Government be pleased to state how the proposed transfer would affect the financial position of Bengal, and if it leaves Bengal poorer, how the deficiency is proposed to be met?

The Hon. Mr. Shirres replied:—

"A similar question was asked by the Hon. Dr. Asutosh Mukhopadhyaya in the Supreme

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Council on the 22nd January. In reply he was told that any consideration of financial details, such as were referred to in his question, would be premature at the present stage. When a final decision is arrived at, any adjustment that may be found necessary will be made in connection with the Provincial Settlement. It is not necessary to say more than this at the present time."

The Hon. Babu Bhupendra Nath Bose asked:—

Will the Government be pleased to lay on the table a statement showing the order of rotation of the different constituencies which vote for the election of Members to the Bengal Legislative Council, as was done in 1893 on the re-constitution of the Council?

The Hon. Mr. Macpherson replied:—

"It was decided last year by the late Lieutenant-Governor to defer preparation of such a list as was published in the Bengal Government Resolution of 25th March, 1893, showing the rotation in which Municipalities and District Boards should exercise the privilege of nominating Members for the Bengal Council."

"His Honour does not consider that it would be expedient for him at present to cause such a statement to be drawn up. He proposes to take up the matter later."

The Hon. Babu Bhupendra Nath Bose asked:—

(1) Has the attention of the Government been called to an article appearing in the "Unity and the Minister" (an organ of the Brahma Samaj) of the 27th December, 1903, under the heading "Extended employment of Europeans and Eurasians in the Bengal Secretariat clerical service?"

(2) Will the Government be pleased to make known its reasons for reserving 40 appointments in the superior grades of the clerical establishment of the Bengal Secretariat, carrying salaries between Rs. 60 and Rs. 400 a month, for Europeans and Eurasians?

(3) Is the Government aware that the reservation so made gives the following percentage of appointments to the reserved classes:—

Grade I. Rs. 400 33.3, Grade II. Rs. 300 42.85, Grade III. Rs. 200 25, Grade IV. Rs. 150 26.3, Grade V. Rs. 125 31.57, Grade VI. Rs. 100 27.22, Grade VII. Rs. 80 28.57, Grade VIII. Rs. 70 26.31, Grade IX. Rs. 60 23.07 Total Grades I to IX. Rs. 27.77, whereas the percentage of the reserved classes with reference to the general population of Bengal is only .05?

The Hon. Earle replied:—

"The article in the "Unity and the Minister" of the 27th December last, and the question of the Hon. Member, appear to proceed on the assumption that the Notification of this Government of the 6th December, 1903, contemplates that Europeans and Eurasians should be more extensively employed in the Secretariat than has been the case in the past."

"2. This is not the case. It has always been accepted as necessary that a certain number of appointments in the Secretariat should be held by Europeans and Eurasians; but, under the system of examination in force, it was found that the requisite number was not being recruited. It was necessary to arrange for recruiting European and Eurasian clerks separately. The special cadre has been formed with the object of securing that the requisite number of officers of this class shall be available."

"3. The appointments reserved have been distributed between the several grades in accordance with what past experience has shown to be expedient."

TIBET MISSION.

Phari, Jan. 22.

From Darjeeling to Lhasa is 360 miles. These are mostly on end. The road crosses the Tibetan frontier at the Jalapa (14,350ft), eighty miles to the north-east. From Observatory Hill in Darjeeling one looks over the bleak hogbacked ranges of Sikkim to the snows; to the north and north-west the Kinchenjunga and the tremendous chain of mountains that embrace Mount Everest. To the north-east stretches a lower line of dazzling grits and spurs in which one can see a thin grey wedge like a slice in a Christmas cake. That is the Jelap. Beyond it lies Tibet.

There is a good military road from Siliguri, the base station on the plains, to Rungpo, forty-eight miles along the Teesta valley. By following the river bed it avoids the two steep ascents to Kalimpong and Ari. The new route saves at least a day and conveys one to Rungpo, nearly seventy miles from the base, without compassing a single tedious incline; it has also the advantage of being practicable for bullock-carts and ekkas as far as Rungpo. After that the path is a six-foot mule track: at its best a rough dusty incline, at its worst a succession of broken rocks and frozen puddles which give no foothold to transport animals. From Rungpo the road skirts the stream for twenty miles to Rungpo along a fertile valley of some 2,000ft., through rice fields and orange groves and peaceful villages, now the scene of bustle and military preparation. From Rungpo it follows a winding mountain torrent, whose banks are sometimes sheer precipitous crag. Then it strikes up the mountain-side and becomes a ladder of stone steps over which no animal in the world can make more than a mile and a-half an hour. From the valley to Gnatong is a climb of some 10,000ft. without a break. The scenery is most magnificent, and I doubt if it is possible to find anywhere in the same compass the characteristics of the different zones of vegetation from tropical to temperate, from temperate to Alpine, so beautifully exhibited.

A SENSATIONAL RIDE.

At ordinary seasons transport is easy and one can take the road in comfort, but now every mule and pony in Sikkim and the Terai is employed on the lines of communication and one has to pay Rs. 300 for an animal of the most modest pretensions. It is reckoned eight days from Darjeeling to Chumbi, but by riding all day and most of the night I completed the journey in two. Newspaper correspondents are proverbially in a hurry. To send the first wire from Chumbi I had to leave my kit behind and ride with postbag and sleeping bag tied to my saddle. The moon did not rise till three and riding in the dark was exciting. At first the white dusty road showed clearly enough a few yards ahead, but after passing Lingtan it became a narrow path cut out of a thickly-wooded cliff above a torrent, a wall of rock on one side and a precipice on the other. Here the darkness was intense. A white stone a few yards ahead

looked like the branch of a tree overhead. A dim shapeless object to the left might be a house, a rock, a bear, anything. Uphill and downhill could only be distinguished by the angle of the saddle. Every now and then a firefly lit up the white precipice an arm's length to the right. Once when my pony stopped, panting with exhaustion, I struck a match and found that we had come to a sharp zigzag; part of the road had fallen, there was a yard of broken path covered with fern and bracken, then a drop of some hundred feet to the torrent below. After that I led my beast for a mile until we came to a Bhutias charcoal-burner's hut. Two or three Bhutias were sitting round a log fire, and I persuaded one to go in front of me with a lighted brand. So we came to Sedongchen, where I left my beast dead beat, rested a few hours, bought a good mule, and pressed on in the early morning by moonlight. The road to Gnatong lies through a magnificent forest of oak and chestnut. For five miles it is nothing but the ascent of stone steps I have described. Then the rhododendron zone is reached and one passes through a forest of gnarled and twisted trunks whithering and contorted as if they had been thrust there for some penance. The place suggested a scene from Dante's "Inferno." As I reached the saddle of Lingtu the moon was paling and the eastern sky-line became a faint violet screen. In a few minutes Kinchenjunga and Kabru on the north-west caught the first rays of the sun and were suffused with the delicate rosy glow of dawn.

CHAFF FROM THE 8TH GURKHAS.

I reached Gnatong in time to breakfast with the 8th Gurkhas. The camp lies in a little cleft in the hills at an elevation of 12,200ft. When I last visited the place I thought it one of the most desolate spots I had seen. My first impressions were of a wilderness of grey stones and grey uninhabited houses, felled trees, trunks denuded of bark, white and spectral on the hill side. There was no life, no voices of children or chattering women, no bazaar, apparently; no dogs barking, not even a pariah to greet you. If there was a sound of life it was the bray of some discontented mule searching for stray blades of grass among the stones. There were some fifty houses, nearly all smokeless and vacant. Some had been barracks at the time of the last Sikkim war, and of the soldiers who inhabited them fifteen still lay in Gnatong in a little grey cemetery which was the first indication of the nearness of human life. The inscriptions over the graves were all dated 1888, 1889 or 1890, and though but fourteen years had passed many of them were barely decipherable. The houses were scattered about promiscuously with no thought of neighbourliness or convenience, as though the people were living there under protest, which very probably they were. But the place had its picturesque features. You might mistake some of the houses for tumble down Swiss chalets of the poorer sort were it not for the miniature fir trees planted on the roofs with their burdens of prayers hanging from the branches like parcels on a Christmas tree. These were my impressions a year or two ago, but now Gnatong is all life and bustle. In the bazaar a convoy of three hundred mules were being laden. The place was crowded with Nepalese coolies and Tibetan drivers, picturesque in their woollen knee-boots of red and green patterns with a white star at the foot, long russet cloaks bound tightly at the waist and bulging out with cooking utensils and changes of dress, embroidered caps of every variety and description, as often as not tied to the head by a wisp of hair. In Rotten Row the inscription of 1889 still remains. I met a subaltern with a pair of skates; he showed me to the mess-room where I enjoyed a warm breakfast and a good deal of chaff about correspondents who "were in such a hurry to get to a God-forsaken hole where there wasn't going to be the ghost of a show."

I left Gnatong early on a borrowed pony I reached the Jelap soon after noon. No snow had fallen, the approach was over broken rock and shale. At the summit was a row of cairns from which fluttered praying flags and tattered bits of votive raiment. Here was Tibet the forbidden, the mysterious. Far to the north-east Chumatar (23,929ft.), with its magnificent white spire rising from the roof-like mass behind, looked like an immense cathedral of snow; at my feet lay a narrow pine-clad ravine, through which flowed an affluent of the Ammo Chu. Far below on a yellow hill-side hung the lamasery of Rinchingong. In the valley beneath lay Chumbi, and the road to Lhasa.—"Statesman."

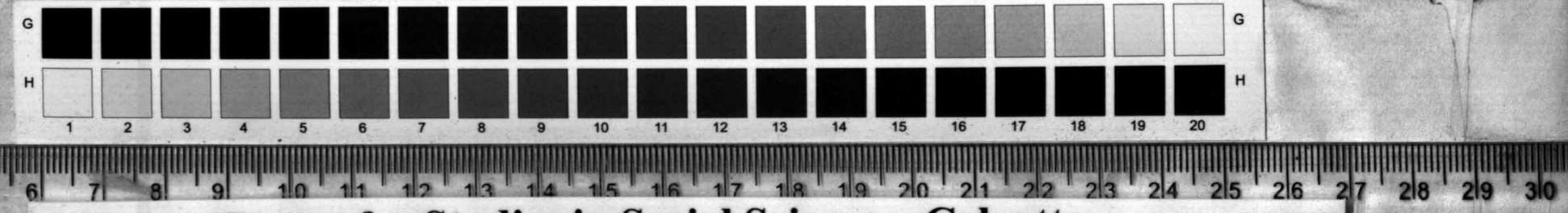
The Directors of the Bank of Bombay at a prolonged meeting decided not to raise the rate of interest which is one per cent under the rates of other Presidency Banks.

An incident is recorded in the Administration Report of Baluchistan that is reminiscent of the days of border raids. A Thanadar had gone to Korodak to inspect the water-supply, when he received news that a caravan had been attacked and carried off by a party of twelve Afghan bandashes. Although only accompanied by one sowar he promptly started in pursuit. During the pursuit he was joined by four more sowars, and coming up with the marauders, at a point 80 miles from where the raid was made, he attacked them, though they were twice his strength. He killed four of them and recaptured the caravan intact. This is a remarkably smart and plucky piece of work, and the Thanadar of Dalbandin is to be complimented on his achievement. The trade route had not suffered from such an outrage for 2½ years previously, and the prompt punishment that followed the episode is likely to be most satisfactory to the lawless.

Dysentery.

OR inflammation of the bowels or large intestine is of more frequent occurrence during the summer months. It can be checked and cured if Chamberlain's Colic and Diarrhoea Remedy is taken according to the printed directions with each bottle Chamberlain's Colic and Diarrhoea Remedy is in-bu-able to all medicine chests. Get a bottle to-day, may save a life.

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Amrita Bazar Patrika

CALCUTTA, FEBRUARY 4, 1904.

DANIEL O'CONNELL (II).

We showed the other day that the present Irish leader Mr. Redmond is the master of the situation, and he not only knows it, but is taking the fullest advantage of that knowledge.

When Parnell died there was a split, and immediately the Irish party became powerless. It is Mr. Redmond who has now been able to obtain the place created and vacated by Parnell and become a great factor.

Daniel O'Connell began life as a lawyer. Laws are usually meant for the purpose of binding the hand and foot of the weak for the benefit of the strong.

To understand O'Connell's part as an advocate in the law courts, realise that on the stage of the law courts there was played out at every assizes some one scene in the sad and prolonged tragedy, which has just been put an end to the landlord oppressor and the tenant serf.

Innocent or guilty, the peasant charged with one of the offences against property, was almost certain of conviction. The judge was against him, the jury had only his enemies there, and the Crown, with its long array of lawyers paid out of the boundless purse of the British Exchequer, pursued him to the cell on the scaffold.

In India we have no landlordism, but we have, in its place, police rule. Something like what the British Government did for the landlords of Ireland, has been done in India by the Government, for Police and Magistrate.

It is universally admitted that O'Connell was one of the greatest of lawyers that the world has ever seen. When he went to the Assizes it often happened that he was employed in almost every single case, pending before it.

Now lawyers of India mark, how the ablest lawyer in the world acted when he had acquired name and fame. Do some of you likewise help your poor country. Daniel was likened by some of his worldly-minded friends for having given up a profession which was proving a mine of gold to him.

It is Daniel O'Connell who by his self-sacrifice paved the way for others, and made it possible for Redmond to become the power that he is now.

The eyes of the British Government were of course constantly upon Daniel. The Viceroy and the law officers, and all the other dominant powers of the land examined every speech to see if the great lawyer—subtle and astute, as well as fearless—had brought himself within the meshes of the law, and with their well stocked armoury of penal law still unrepaled, with their packed and savage juries and their partisan judges, they wanted only the excuse to put the nose around the neck of O'Connell, and to silence his voice either in the cell or the grave.

But the keen and resentful eyes of the British Government were not the only peril that threatened Daniel.

He found himself into the clutches of the duellist. In a speech delivered in 1815 he alluded to the Irish Municipality as "the beggarly Corporation." There was in the Corporation at that moment a very remarkable member named D-Esterra. He was not only a noted duellist, but a dead shot. A challenge came from him, and Daniel had to accept it. Though the eight millions of Irishmen who followed him would each of them have sacrificed himself to save the valuable life in which was centred their whole hope, yet the then state of society did not permit the patriot to decline the challenge.

We have now to see how the patriot prepared his country for the constitutional fight. It must be borne in mind he had to deal with material as unmanageable and as unpromising as we have now in India.

DANIEL O'CONNELL (III).

We have seen already how Daniel O'Connell, who earned a lakh of rупees per annum as Barrister, which was at that time a very large sum, gave up his profession for the sake of his country.

He had appealed to Parliament without success, and he, therefore, made up his mind to direct his efforts to the restoration of the old Irish Parliament, that Parliament which he had seen in his youth and against the destruction of which he had made his first speech.

Every door was barred, of course, with plate-holders, and heaps of pence at the front gates told the willingness of people to reward their champion. The car-boy who drove me had paid his little tribute of fourpence at morning Mass. The waiter who brought my breakfast had added to the national subscription with his humble shilling, and the Catholic gentleman with whom I dined, and between whom and O'Connell there is no great love lost, pays his annual donation out of gratitude for old services to the man who won Catholic Emancipation for Ireland.

Thus the O'Connell Tribute was made up of small subscriptions, pice contributions realized from the masses. Efforts have now and then been made to realize pice-subscriptions in India, but all such attempts have failed.

When O'Connell took the cause of his country in hand there was already an organisation which had been working for that cause for generations. But the organisation depended entirely for its support on the big subscriptions of a wealthy few, and on the patronage of the few members of the aristocracy who were Catholics.

Four years after that meeting O'Connell's Association had become so powerful that it surprised even the mighty power of the Empire within the shores of Ireland.

Simply for the sake of the timber the ryots will not clear the jungle nor will a contractor in almost every case. If in any case I find that a contractor will undertake the work and pay for the trees, I propose to prefer this means as more expeditious than any other.

The movement gained strength as it went on with extraordinary velocity, until, in the end, there came those series of meetings, known as Monster Meetings, which were perhaps as astounding an instance of great popular demonstrations as the world has ever seen.

the eye could see those vast crowds could be beheld, carrying banners, playing bands, wearing cockades, marshalled by men on horseback with something like military precision, all thrilled by a great springtide of aural hope, dreaming dreams and possessed by visions of a new Ireland—prosperous, happy, free.

Of course, the success of O'Connell turned the heads of some of his followers, and they advocated force. But he resolutely and rigorously condemned such proposals. Yet he allowed himself to be caught once. It was at Mallow that he used the most vehement language. During the day there had been a monster meeting of 400,000 people to greet and to hear him, and in the evening there was a banquet.

"Oh, where's the slave so lowly, Condemned to chains unholy, Who, could he burst His bonds accurst, Would pine beneath them slowly?"

At this point of the song, O'Connell sprang to his feet trembling with passion, his eyes blazing with fury, and raising his arms aloft, he cried out, "I am not that slave!"

For the moment the language of O'Connell was justified for its results; the Cabinet drew back from violent measures. This O'Connell won again, and he became more and more hopeful. The Cabinet was afraid to strike, for there was no mistake about the genuine and constitutional nature of the agitation that moved Ireland.

MR. GARRETT AND PIG-STICKING.

The reader, we believe, has not yet forgotten the doings of Mr. Garrett, the late Magistrate of Puri. In his quarrel with the Rajah of Puri, he committed illegalities after illegalities in so flagrant a manner as to make even such a peace-loving ruler as Sir John Woodburn lose his temper and rebuke him in the presence of others.

I have already represented the matter to Government in connection with the Puthia Charani and Sarkutia Court of Wards Estates and asked that funds may be placed at my disposal for the purpose and I am reporting the matter to the Rajas and Zemindars especially of Natore Sub-Division.

(1) Mortality and ill-health from fevers. (2) Danger to human life owing to the presence of wild boars in very large number. (3) Loss to the tenants and the estate owing to the damage done to crops by wild pig. (4) Loss to the tenants and the Estate owing to the same cause as whole villages are deserted and large tracts of land remain uncultivated.

Let us now see how his real object may be misconstrued. It is disclosed when he proposes that he should lead the undertaking, and the Rajas and Zemindars should play the role of hosts. In short, what he wants is that a pig-sticking sport should be organised for his own pleasure and that of his sport-loving European friends, and that the cost of the undertaking should be borne by the Zemindars.

stand from those whom I have consulted in the matter that the sacrifice will be more than atoned for by the gain.

You will see that I have recommended even fruit trees being cut. The chief of these is of course mango. But the mango trees in the jungle so far as they have any value, owe that value not to their fruit bearing but to their timber producing qualities.

I expect to encounter a variety of difficulties in each different locality and have accordingly left a wide margin in the terms of my suggestions. Further I expect to find that after exhausting all the ways of negotiations and cajolery it will be impossible in some cases to cut the jungle without making some kind of payment and in order to expedite the work I shall provide some of the most necessary implements such as Kurals, Dhoo's &c.

Lastly I propose to kill the pig by large Shikar parties. I have promised from all the villagers of every village which I have yet visited that they will turn out in a body to hunt for me. I propose this cold weather from January to March to invite parties of gentlemen Europeans and natives to join in the sport. I have selected the tract of country between the Mansakhia Jhalmaia in the west to Dighapatia in the East as the area to be cleared of jungle and pig as far as possible.

I propose that the Rajas and Zemindars joining me in this undertaking should be hosts and that all should be invited to join in the sport both Europeans and Natives. I shall be very glad if you will nominate a gentleman to associate himself with me in this matter, to assist me in the business part of arrangements as well as in those for the sport. I would ask you to contribute Rs.—to the scheme. I am asking Government to sanction Rs. 4000 each from the Puthia and Sarkutia Estates. I propose if you and others approve of the undertaking to appoint an Honorary Secretary to assist me personally and also a clerk to keep the account for me.

I would ask you to let me have as early as possible a list of your villages where the pigs are most numerous within the area mentioned and also to state the nature of the jungle i. e. thick, light, big trees or scrub jungle grass & also whether the country is rideable or at present under water and when it will be fit to ride on.

I shall be obliged by your asking the assistance and co-operation of your co-sharers in this matter and instructing your officers to take petitions from the ryots stating that they are willing to cut the trees & also by instructing your managers to act in consultation with me. I shall at once tour around several villages on receipt of a reply from you.

In justice to Mr. Garrett, we must say, the letter does not purport to be addressed by the Magistrate as such, though it is over his signature. However, this makes very little difference; for Mr. Garrett, in the body of the letter, confesses that he has already represented the matter to Government no doubt in his capacity as Collector. Let us now see how malicious people may misconstrue the object of Mr. Garrett in issuing the letter.

His statement briefly is this. There are jungles in the various estates of Rajshahye. These jungles not only breed malarial fevers and thereby cause mortality and ill-health, but give shelter to wild boars in large numbers, which, again, are a danger to human life and commit serious havoc to crops. The Zemindars, in his opinion, should clear these jungles and rid them of the pigs; though it is not made clear where the pork is to be sent, the advice is very good, and shows that Mr. Garrett is a sincere well-wisher of his people; but, there is a condition attached to his advice, namely, the Zemindars should not themselves undertake the business, but utilize his guidance and active co-operation. To this point we shall refer later on.

First of all, it is not a fact that there are no big jungles in the locality mentioned by Mr. Garrett? Our information on the subject, derived from the people of the locality, is that such jungles as exist there are of the nature of village jungles, to be found in every ordinary village in Bengal, that is to say, the outskirts of the villages are sometimes over-run by thick clumps of cane and hardly occupy more than an acre or so. Thus, it is not a fact that they affect the health of the villagers in any way; for, the theory that was started forty or fifty years ago that every bush in the village conceals within itself the germs of the epidemic fever, has long been exploded.

As for wild boars killing the villagers, the cases are so rare that, one who is thoroughly acquainted with the districts of Puthia and Rajshahye, assures us that he has not come across more than two such accidents during the last 18 years. Of course, some damage is done to crops, but not to an appreciable extent. There is such a large quantity of wild roots and other things in these so-called jungles that the pigs seldom seek any other food. The only crop likely to suffer from their depredations is the paddy crop when ripe. But there is no village who does not raise this crop at night and have recourse to very effective means for keeping pigs away.

If the protection of crops were the real object of Mr. Garrett, the wholesale destruction of the pigs would be necessary; but, hunting parties would kill only wild boars, not sows or small pigs. Indeed, no pig-sticker would ever think of spearing a sow. According to the rules of some hunt clubs, a member spearing one even by mistake is liable to pay a few gold mohurs as fine; and if the mistake is repeated, his name is removed from the hunt club. It will thus be seen that the proposition of Mr. Garrett is unsound from the beginning to the end.

Let us now see how his real object may be misconstrued. It is disclosed when he proposes that he should lead the undertaking, and the Rajas and Zemindars should play the role of hosts. In short, what he wants is that a pig-sticking sport should be organised for his own pleasure and that of his sport-loving European friends, and that the cost of the undertaking should be borne by the Zemindars. Is this not a nice arrangement? And has the reader an idea of the cost which this undertaking may entail upon the Zemindars? At a pig-sticking meet, every huntsman has at least 3 horses and sometimes more. A party of six huntsmen would cost for a week over Rs. 5,000! Mr. Garrett is good enough to promise that he would provide the Zemindars with some of the most necessary implements such as axes, etc. What generosity! And this generosity is enhanced by the fact that these implements are to be purchased from the funds to be raised by the zemindars!

fact that these implements are to be purchased from the funds to be raised by the zemindars!

Crooked hearted people may say that pig-sticking and not clearing the jungles is the main object of Mr. Garrett's proposition. Or else why are the Zemindars asked to furnish the Magistrate with a list of villages where pigs are to be found. The presence of fruit and other trees prevents riding; and hence they are to be cut down. And Mr. Garrett feels no hesitation to ask the Government to help him with Rs. 4,000 from the estates of some helpless minors so that he and his sport-loving friends may enjoy pig-sticking!

We understand that some Zemindars, for fear of incurring the displeasure of the Magistrate have cleared some of their village jungles, and the result has proved disastrous to the inhabitants. The pigs in those tracts now remain huddled up in very small patches and often come out at night in the courtyards of their dwelling houses. To add to their misery, notice has been given through local police warning people from killing them. The name of any respectable man doing so is sent up to the Magistrate.

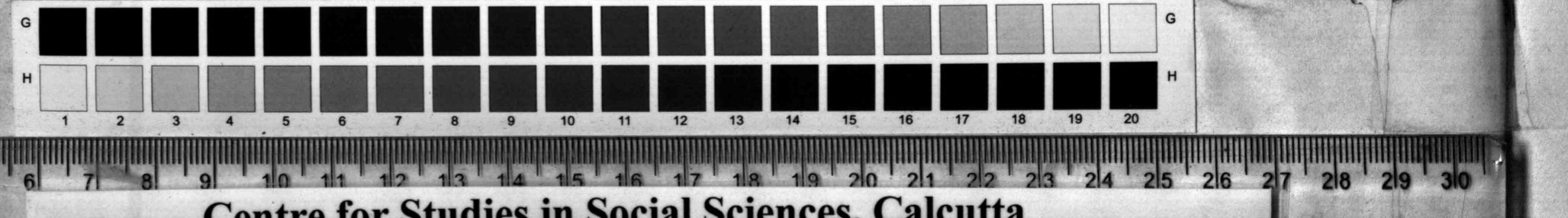
We hope, the matter will attract the notice of the ruler of the Province and the rising scandal will be nipped in the bud. If the Magistrate really apprehends mischief from wild boars, let him supply the villagers with guns, and they will do the needful more effectively than a party of European pig-sticking hunters are likely to do. And then why should the Zemindars be taxed in this way in a matter in which they have very little interest?—and, none of them, we believe, eats pork. As Magistrate of the district, Mr. Garrett, we think, has more serious duties to do than to hunt pigs and clear jungles at the cost of the Zemindars.

We must admit that the publication of the Notes of Sir H. Cotton and the High Court on the transfer of the Chittagong Division, was been an impolitic act, as it has the likely effect of irritating the Government. For our part, we would have never published the documents, if the "Bengalee" had not already published one and meant to publish the other, for, there was an understanding that the documents should not, at least for the present, see the light of day in deference to the wishes of the Government. How after such an understanding, the documents came to be published we cannot say. But we regret the incident greatly. For, we must not do anything to disturb the equanimity of the Government at a time when they have two such important measures in their hands, as the Official Secrets Bill and the partition question. The attitude of the Government has hitherto been what it should be. Both these measures did not emanate from Lord Curzon, but, as the supreme ruler, His Excellency had to identify himself with them. The agitation, which followed the dismemberment project surprised the Government, and Lord Curzon immediately resolved to go to Dacca to confer with the leading men of the district. This showed conclusively that he had kept an open mind with regard to this matter.

The question of giving address to the Viceroy is naturally very much exercising the minds of the people of Eastern Bengal. The all-engrossing topic of the day is the partition matter. It is in connection with this subject that His Excellency is proceeding there. Would it not, therefore, look very odd if the people were prevented from alluding to the question in their addresses? From the letter of our Chittagong correspondent, published elsewhere, it seems the local authorities are loath to allow the Peoples' Association there to include the matter in the way they desire. We hope the Viceroy will be pleased to issue necessary instructions on the subject without delay.

One of our Dacca correspondents has sent us a copy of the following communication which, he says, has been received by the Divisional Commissioner of Dacca, from the Bengal Government agent the tour programme of H. E. the Viceroy:—

"H. E. going on tour on the 13th February, 1904, goes first to Chittagong on Wednesday the 17th; embarks on s. s. "Buzard" and arrives at Naraingunj at 8-30 on Thursday the 18th; the arrival will be public to the extent that there will be a guard of honour but no addresses; will arrive at Dacca at 9-30 a.m. on the same day the 18th; the arrival will be public but no addresses; H. E. will be the guest of the Nawab, will stay at Dacca till the evening of the 19th, Friday. He will receive addresses at the Palace sometime during his stay. The Nawab and Mr. Garth were present when the arrangements were made and they know all about them. You might fix on a time for the addresses in consultation with Mr. Garth and then, write to Col. Barrington after dinner on Friday the 19th H. E. will



leave by train for Mymensingh going dead slow and arriving at a decent hour in the morning, he will breakfast with the Maharaja and receive an address and probably drive round. He will leave at about 1 p.m. and go straight to Naraingunj and embark in the "Buzzard." The steamer will leave in time to arrive at Barisal in afternoon of 21st, Sunday. The forenoon of Monday the 22nd will be devoted to Barisal, (addresses?) and in the afternoon he goes off with the Nawab shooting probably till the 28th and then back to Calcutta through the Sunderband.

"The party will compose 6." Our correspondent remarks:—"In this case at least Mr. Garth seems to have 'superseded the poor Divisional Commissioner'; for we know no such second instance of a Commissioner's having been instructed to consult with a private party as to the wishes of the Government on a contemplated Viceregal visit."

To play the role of a popular leader and an apologist of the Government, at one and the same time, is rather a risky game in this country, even for an Englishman. If the Trades Association of Calcutta is held in esteem by the general public, it is mainly on account of its unofficial character and bold independence. Its Master, Mr. E. B. Eden, who occupied the chair at the annual meeting of the Association last Friday, should have therefore weighed his every word regarding the Official Secrets Bill before he uttered it. The impression his speech leaves upon the mind is that he sought to both defend and condemn the measure—a somewhat difficult feat, especially in connection with the subject he took up for criticism. Now he begins with the statement that the Bill "has provoked dissatisfaction from one end of India to the other," and he ends by "fully and freely admitting very complete sympathy with the Government of this great country in the objects they have in view." As a representative of an independent and non-official public body, how could he sympathize with a measure which has been universally condemned? Addressing his audience he said, "the public may rest assured that their protests will receive every consideration and attention." We fancy, Mr. Eden is aware of the nature of the protests which the public have entered against the Bill. The existing Act was passed on the distinct understanding that only those who would disclose military and official secrets of the Government would come under the operation of the law. But the Government now proposes to protect its civil affairs also. The contention of the public is that the Government should not do it, as the English Act, of which the Indian Act is only a copy, does not contain any such provision. Then again, while the Official Secrets Bill was passed in England in 1889, the Law Committee distinctly declared that newspapers were to be exempt from the operation of the Act. So the public want these two safe-guards. First, the disclosure of "civil secrets," unless they were communicated to "the enemy of the sovereign" with a sinister motive, should not be treated as an offence. Indeed, this is the definition of "official secrets" in the English Act, as one can see by referring to Parliamentary discussions on this subject in 1889. Secondly, Indian newspapers, like newspapers in England, must not come within the scope of the proposed legislation. Is Mr. Eden sure that the Government is prepared to give us these two safe-guards? If not, then he must not talk of the public resting assured that the Government has listened to their protests.

A VERY valuable prize was once offered to the man who would be able to devise a measure which would affect every man, woman, and child in Bengal, and lead them to shriek in distress. Many competitors entered the field. One suggested the measure of the salt tax, but he was adjudged a failure, because, such a measure would not affect wealthy men like the Maharaja of Durbhanga and Maharaja Jotindra M. Tagore. Another suggested the imposition of a poll tax, but the wealthy would thereby suffer little. It was Mr. Risley who got the prize by suggesting that East Bengal should be cut off from the West, and added to Assam. He got the prize because his measure has fully met the requirements of the case, for, it has affected prejudicially every man, woman, and child of Bengal, both in the East and the West.

MR. JUSTICE GURUDAS BANERJEE formally retired from the Bench on the 1st of February last. In his retirement the country has suffered an irreparable loss and the Government a model officer. Babu Gurudas is a self-made man, and his life, therefore, ought to be the special study of all. Neither wealth nor birth helped him in any way to rise to the foremost position he occupies now. He owes his elevation purely to his own sterling merit. The main reason why he is held universally in such high respect is his character. He would never deviate from his principles, but stick to them at all hazards. If he is intellectually great, he is also morally so; but he has something more in him which is rarely to be found in others—it is his spirituality and ardent piety. It is the latter feature of his character which makes him so sweet to every one. When he disclosed his intention of resigning his appointment to his friends, some of them whom he could not disoblige, pressed him hard to stay. His reply was characteristic of him. He said he was moved mainly by two reasons to take this step. He could perceive that he was again in good health and thus able to do his duties efficiently for a few years more. So his health had nothing to do with his retirement. His first reason was that he felt it a supreme duty to pass the rest of his days in a sphere of life where he could satisfy his intellectual and spiritual cravings with greater freedom than he could possibly do as a Judge of the High Court. His other reason was that a seat on the High Court bench is a very valuable gift of the State to which a native of the soil is entitled. He should not be so selfish as to occupy it longer than he had done, and must vacate for another deserving countryman of his. The first reason may be considered a personal one, but the latter is not only eminently unselfish but it betrays the real nobleness of his soul. The Viceroy and the ruler of Bengal may need a representative Indian, in whom they can put absolute trust, and from whom they can ascertain the real sentiments and views of the people upon important measures of Govern-

ment. In Babu Gurudas Banerjee they will get such a man now that he is freed from disabilities that attach to a Government official.

As we have already said, the appointment of Babu Saroda Charan Mitra in the place of Mr. Justice Banerjee has given great relief to the people of Bengal. The information of the "Pioneer" is not correct that Mr. Justice Mitra will have to retire in two years. He is now in his fifty-fifth year and has therefore nearly five years to complete the term when, under the rule, he is bound to retire. As he has already served as a Judge of the High Court for about a year, he may likely get himself entitled to the lowest pension allowed to a Judge of the High Court. Perhaps it is not generally known that, an enquiry was made by the authorities whether or not Babu Saroda Charan was popular among the members of his own profession. Needless to say that the Government was satisfied on that point.

We are glad to find that, Sir Andrew Fraser has taken an early opportunity of stating his policy with regard to the appointment of the members of the various communities in Bengal in the Provincial Service. The Mahomedan Association of Muzaffarpur in their address to the Lieutenant-Governor drew His Honour's attention to "the want of representation of the Mahomedan community on the district head quarters staff of the Provincial Service." His Honour, while agreeing with the address-givers that the Mahomedans should be represented and that a Mahomedan Deputy Collector would soon be sent to Muzaffarpur, made the following observations for the benefit of the general public:—

"In connection, I wish to say clearly that I am strongly of opinion that in our public bodies and in our official service it is very desirable that the different sections of the community should have due representation. I have already pointed out that to make this possible, it is necessary that there should be an adequate number of the members of each section both willing and capable to act as their representatives. It is impossible to give offices or places of influence to men who are not fit to occupy them. This is a truth which is sometimes described as a truism, but which is in practice often forgotten not by one community only but very generally. I am asked to have a certain community represented on a certain body. I ask that a fit person belonging to that community be nominated; and the demand for fitness seems to occasion surprise. A father brings his son to me, point out the excellent service that he himself has rendered to the state and asks that his son should be allowed to follow him in office. I ask what are the qualifications of the son; and I am told that his father has taken no trouble to give him a liberal education. It is the father's fault, not mine that I am unable to appoint his son to a Government service. This is a matter which I desire to impress on all sections of the community that they must make every effort to qualify themselves for any office which they desire to hold. I am glad to think that the Mahomedan community in this Province has awakened to the necessity of this; and he is by no means the friend of that community who would seek in any way to weaken their sense of that necessity."

The principle laid down by Sir Andrew is so sound that no one will have the hardihood to differ from it. It is not colour or creed or community but fitness which should be the basis of the distribution of public offices. No one should claim an appointment or a place of influence because he is a European, or a Mussalman, or a Hindu, but because he is qualified to hold it with credit to himself. That should be the guiding principle of both the donor and the receiver of state patronage. But, if this truth or truism is generally forgotten in practice by the members of every community as His Honour complains, it is equally forgotten in practice by most of the rulers of Provinces and heads of departments. Is it not a fact that the rule is honoured more in the breach than in the observance when the competition lies between Europeans and Indians? Among the Indians, do not the deserving Hindus frequently go to the wall when they have to compete with the members of other Indian communities? And among the Hindus, are not the Bengalees, though holding higher places in competitive provincial service examinations thrown over-board in favour of less competent candidates on the ground that they belong to a backward race? We think Sir Andrew for having promised to inaugurate a fairer and juster policy than what exists now.

NATIONS beyond India know very little how India is governed. What they know has been told to them by officials in their reports which are naturally painted in bright colours. But one outside world have come to know a good deal about the philosophy and religion of the Hindus, and they have come to respect them. It is the Theosophists who are mainly instrumental in spreading this knowledge. Much is also to be found in books like the Geeta, the Bhagvat, the Mahabharata and the Vedas. When the Hindus have disappeared from the face of the earth, it is likely their philosophy and religion will yet remain. We have before us a few monthly publications, each with an Indian legend. Here is a list of pamphlets, say the publishers who are Marcus & Co. Jewellers, 544 Fifth Avenue New York to be published monthly. The illustrations are by Carlo De Fernando.

- The Legend of the Diamond
- The Legend of the Ruby
- The Legend of the Pearl
- The Legend of the Sapphire
- The Legend of the Emerald
- The Legend of the Cat's-eye
- The Legend of the Moonstone
- The Legend of the Jade
- The Legend of the Coral
- The Legend of the Topaz
- The Legend of the Turquoise
- The Legend of the Opal

Elsewhere will be found the "Legend of the Diamond." We publish elsewhere some important official papers relating to the Bain Case. The Chamber of Commerce and the British Indian Association submitted two memorials on the subject, each in its own way. We hold over the publication of the Memorial of the B. I. Association to-day as it is lengthy and very important document. The

reply of the Government is not unsatisfactory though it shows nervousness on its part when dealing with the letter of the Chamber.

Scraps.

News reaches us to the effect that very heavy snow has fallen all over the Dir and Chitral country during the last fortnight. Two of the dak runners to Chitral were the other day overtaken by avalanches, and were only rescued with difficulty by the escort.

We understand that there have been no further meetings between Colonel Young-husband and the Tibetan delegates, as the latter insist upon the retirement of the Mission to Yutung, as the basis of negotiations. There were heavy falls of snow on the Jelap Pass on Sunday last.

Mr. Arbutnot, who, as our readers will remember, has been deputed by the Government of India to inquire into the labour arrangements of South India, is now in Madras, and is shortly going on a tour through the Nilgiris and Wynnaid, and then proceeds to Ceylon.

Travellers in Siberia and Manchuria state that among the foreigners in trade there the Germans are the most conspicuous. They quickly adapt themselves to the conditions of the country and in many cases become naturalised Russians. This is done chiefly to acquire the right of purchasing land, as foreigners are debarred from doing so. There are many Germans to be found among the high officers of the Russian Army and Navy, and they have become entirely Russian in every respect. German influence has made itself so felt that 20 per cent. of the Russians in the Far East speak German fluently and the language is freely used in the Russian towns. British and American trade falls behind the German trade in extent and importance.

A public meeting convened by the Sheriff of Madras was held at the Pachayappa's Hall Madras on the 27th, to protest against the provisions of the Madras City Municipal Bill. Rai Bahadur Amada Charlu was voted to be the Chair. Three resolutions were passed—(1) protesting against the bill as a grave infringement of the rights of the ratepayers; (2) maintaining that the Standing Committee should be selected as heretofore by the general body of Commissioners; and (3) deprecating the proposed increase of the house-tax.

The recent agitation for legislation to prevent the sale of tobacco to boys and growing youths at first sight seems to chronicle a state of affairs never previously known. That is not so, however. A writer "Good Words" tells that in the closing years of the seventeenth century smoking was almost universal. All classes and all ages of both sexes smoked. The French traveller De Rochefort, during his visit to England, arrived at Worcester. While walking about the town with his guide, the latter asked him if it was the custom in France, as in England, that when children went to school they carried in their satchel with their books their pipes and tobacco, and that at stated hours the master smoked with them "teaching them how to hold their pipes and draw in the tobacco?" There is ample corroboration that this is no mere idle tale.

Well does the "Barasa-Hitaihi" declare that it has grown quite sick of chronicling cases of criminal outrage committed upon young women of the district. May we be permitted to enquire of the lords of the district how long will such an abject state of things continue both in the dark and in the daylight? But let us state the facts of the recent case that has only the other day been disposed of by the Sessions Judge of Barisal. The complainant one Jabbar Ali is a half-witted fellow. One night he was returning home from his father-in-law's with his wife, who was only twenty years old and very handsome. Now, near an arable field on their way they were attacked unawares by a gang of four budmashes. Two of the party held Jabbar fast while the other two took the poor unprotected girl to a little distance and ravished her. Fortunately three of them were subsequently arrested, of which two have been sentenced to seven years' hard labour and the other acquitted for want of proper identification.

The Press representative with the Tibet Mission wires thus from Chumbi on Saturday:—"Four thousand Tibetans are now reported at Guru, and additional reinforcements are said to number 1,700. The force is said to possess a thousand firearms of various descriptions, the remainder being armed with bows and spears. A Phari rumour credits them with the possession of two long range guns which will carry for four or five miles. The force consists only of tall gaunt Tibetans dressed in nondescript uniforms. There are no Chinese. So far there has been no hostile movement in spite of alarms and rumours current in Chumbi." Owing to this threatening attitude, we are told that, it has been deemed necessary to stiffen Colonel Macdonald's force. Two hundred and four Mounted Infantry with British Officers accordingly left Umballa on Sunday for Darjeeling and two maxims with detachments leave for the same destination. So the rumour prevalent in Darjeeling a few days ago, "that a force of Russians and Tibetans" was advancing was not altogether a myth in spite of the solemn contradiction which the Government of India deemed to issue. Perhaps the story of the Russians joining with the forces of the Lama representative in his interview with Colonel Young-husband. But it is manifestly baseless for there are no Russian troops near Lhasa.

Portuguese possessions in India amounted to just over Rs. 3 lakhs—of which the imports were of the value of Rs. 2.67 lakhs; while as regards the coasting trade the value was Rs. 37.24 lakhs, of which Rs. 27.82 lakhs were imports. Compared with the previous year the foreign trade increased by about Rs. 1 lakh and the coasting trade decreased by about the same amount. Of the imports from foreign ports, wines were responsible for more than a third, while of the exports, oils represented about one-fifth of the value. As regards the coasting trade, the imports of rice were valued at Rs. 8 lakhs, followed by piece-goods, Rs. 4.97 lakhs, sugar Rs. 2.15 lakhs, and kerosine oil, Rs. 1.15 lakhs, the value of no other article being as much as Rs. 1 lakh; of exports, coconuts were the chief item (Rs. 1.57 lakhs), dry unsalted fish coming next (Rs. 1.57 lakhs) followed by other fruits beside coconuts and betel nuts (about Rs. 1½ lakhs each).

ANGLO-INDIAN AND ENGLISH TOPICS.

[FROM OUR OWN CORRESPONDENT

London, Jan. 15.

MR. BRODRICK'S FIRST PUBLIC APPEARANCE AS SECRETARY OF STATE FOR INDIA.

Last evening, Mr. Brodrick, Secretary of State for India, reminded me of his titular chief (I may not say, leader) Mr. Balfour. The leader of the House of Commons once, ingenuously, said that he was a child in such matters. Yet he occupied the post of Leader in the House, and ought to have been more conversant with its ways than are the Clerks at the Table, or than even the Speaker himself. Nothing is more humiliating than the spectacle afforded by Mr. Balfour when a difficulty in procedure arises. He does not recognise that there is a difficulty until the House is in an inextricable bog. Then this precious Leader tries to get matters into a satisfactory state. He prepares an amendment or a motion, and reads it to the House, which, at once, either laughs or derides, or does both. Then, pushing past his colleagues, Mr. Balfour consults the Speaker, the whole House looking on in an amused or amazed mood. The Speaker having tried to put him right, Mr. Balfour amends his former proposal, which, more often than not, is still ineffective, and once more, right hon. gentlemen are incommodeed as the First Man in the Houses again forces his way to the Speaker's side, and beseeches guidance. As Mr. Balfour in his position as Leader of the House of Commons, so is Mr. Brodrick as Secretary of State for India. He accepted the post, knowing little or nothing of the country whose affairs he administers, though he has visited it. He actually said last evening, at one of those academic meetings of the Indian Section of the Society of Arts, that he, India's supreme ruler, went to the meeting to learn, to listen rather than to speak, and that he valued the opportunity of thus gaining knowledge. If anybody had said this of the right hon. gentleman before the fourteenth day of January in this current year, he would have been charged with uttering a libellous statement. What, however, the stoutest critic of the Secretary of State for India would never have said to the detriment of that "statesman," Mr. Brodrick says of himself. Poor India, that it should be ruled by one who confesses that a lantern lecture on Bombay by a lecturer who only casually referred to plague and famine, should afford him a valuable opportunity of gaining information. The most notable fact in the history of Bombay, and, indeed, of India, is that plague has come to stay. For the first time in history, plague is one of the standing features of Bombay civic life. At other times, plague has come, has committed ravages, has passed away. Now it does not pass away. As I have said this is the most notable fact in the whole history of British connection with India for it is under that connection that the evil thing has become a permanent presence. When next Mr. J. D. Rees asseverates in his forcible and eloquent way that he will never, no never, subscribe to the statement that the prosperity of India has lessened under British rule, let him take into consideration this fact of an ever-present visitation of plague. Mr. Rees, however, in spite of this vigorous protest, deserves well of that part of India which is so dreadfully unfortunate as not to be under the rule of the Governor of Bombay. He ridiculed some of the lecturer's assertions, and supplemented a remark of Sir William Lee-Warner regarding Bombay's buildings that finished with "And then there is the High Court" by saying that Bombay's devotion to splendid buildings nearly landed her into the Bankruptcy Court. More than this, the ex-Madras civilian said that he would rather know that the money was in the pockets of the peasants than that it was lavishly expended on public buildings, while he explicitly denunciated the assertion that agriculturists were worse off in the "confusion" so-called of pre-British days than they are at the present time. There is great hope for Mr. Rees! He is growing fast. The keen contest he is waging in Wales is doing him a world of good, and if the attractions of office, when he gets into the House of Commons, do not demoralise him, he will do good for the people of India. I need not further refer to the mutual admiration Anglo-Indian coterie which filled the forum of the Society of Arts last night, save to remark that in true Bombay "superior" fashion, the lecturer talked about Maharrata Brahmins pretty much as did his distinguished colleague, Mr. Arthur Crawford. And as one noted what the ex-civilian of Bombay said, the bitter and unslaking vendetta pursued against Mr. Bal Gangadhar Tilak was made as clear as if it were written with the finger of omnipotence on the cloudless sky above those "Ghats which cause road-making in Bombay to be so expensive." The Maharrata Brahmin obsession which possesses nine which deserves careful study and, after study, revelation. For, as the recent proceedings against Mr. Tilak have proved, a young civilian thinks and acts exactly as does an ancient civilian like Sir William Lee-Warner—one of the bitterest opponents of the Indian people (who provided for him a "jumping-off place" to greatness and wealth) have ever known or are likely to know.

TIBETAN TROUBLES DISCUSSED AT A POLITICAL DINNER.

The political House Dinners at the National Liberal Club have been mentioned in this Letter more than once. They are potent means of spreading knowledge and of dispelling ignorance. Sir Henry Cotton was the guest at such a function on Monday last. Tibet was his subject, the action of Lord Curzon and Mr. Brodrick in connection with that country the object of his comment and animadversion. Sir Henry dealt with his topic in his usual thorough and effective manner, and in doing so greatly interested his audience. Meanwhile, Sir Henry is keeping up his fight in the papers. "The Times," strange to say, gives him all the space he requires, and, what is more, puts his letters in the large type reserved only for a few of its many correspondents. In a letter published on Saturday last this eminent ex-civilian told the great journal that the physical difficulties in the way of an advance into Tibet were much greater than it allowed. After proving this by an abundance of evidence Sir Henry

went on to say that, after all, it is not so much with the difficulties of the expedition that the British public are concerned as with its justification and object. "I am glad to see," he told "The Times," that in your columns you have practically abandoned the hollow pretence that our advance is a counter-move against Russian intrigue. You say that 'the Tibetans are bound by treaty with us to keep an open market at Yutung,' and imply that they have broken this provision. It is to be inferred that the object of our expedition is to enforce compliance with this treaty. But it is always forgotten that this treaty was concluded, not with the Tibetans, but between the Government of India and the Chinese Government, and that no obligations were imposed upon the Tibetans to maintain an open market anywhere. This obligation was imposed on China, and was accepted on behalf of China by Mr. James Hart, the Chinese Commissioner specially appointed from Peking for the purpose." If this obligation has been contravened, there is, he contends, an obvious diplomatic remedy in negotiation with China. That some such negotiation took place is evident from Lord George Hamilton's statement in the House of Commons in August last, but it is a curious outcome of this negotiation that the only result was to send an armed mission into Tibet. It is not surprising that the Tibetans held aloof from such a mission and that they should have recorded a formal protest against its intrusion into their territory. That mission then withdrew, but it has now re-entered Tibet by another route with a larger armed force which it would be a mockery to call a peaceful escort. Such are the facts, and this is a fair summary of the knowledge the British public has of the reasons for this expedition. It may be presumed (Sir Henry considers that, when Parliament meets, some further light will speedily be thrown upon what appears to be a remarkable instance of wanton aggression upon a foreign country. I am told that Mr. John Morley is to be asked to take up the question when Parliament meets; perhaps he will move even if he be not asked. Sir Charles Dilke will certainly be ready to move in the House of Commons. But, for many reasons, it would be well if Mr. Morley would lead in this and in other Indian matters. He is due to help. Two years ago he told the writer of this Letter that, when Mr. Gladstone's life was completed, he would give some attention to India. Everyone will hope that, if Sir Henry Cotton should see Mr. Morley on the Tibetan trouble he will be able to induce him to call the Indian Government to account for their gross breach of statutory law. Clause 55 of the Act of 1858, which transferred the Government of India from the East India Company to the Crown, runs as follows:—

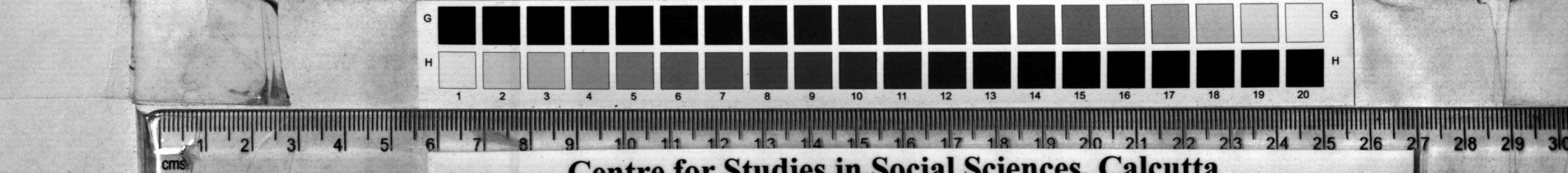
"Except for preventing or repelling invasion of her Majesty's Indian possessions, or under other sudden and urgent necessity, the revenues of India shall not, without the consent of both Houses of Parliament, be applicable to defray the expenses of any military operation carried on beyond the external frontier of such possessions by her Majesty's forces charged upon such revenues."

Very appropriately does Sir Henry Cotton, in citing this clause, remark:—"A clearer evasion of this statute than the present military operation involves can hardly be imagined."

I venture to suggest that your news Editor should take from last Wednesday's issue of "The Daily Paper," an interview therein reported with Sir Henry Cotton. The subject matter of the interview makes it deserving of a place in your columns. In addition, the fact that it is written by Mr. Everard T. Digby, B. Sc., a member of the editorial staff of Mr. Stead's paper, should make it none the less acceptable. Mr. Everard Digby is the second son of a gentleman once an Anglo-Indian Pressman, and bids fair to become a better journalist than was his father,—not a difficult task, some people may think! I should be inclined to agree with those who thus expressed themselves.

THE WRECKING OF THE UNIONIST ORGANIZATION.

The voluminous correspondence between the Duke of Devonshire and Mr. Chamberlain concerning the Liberal Unionist organization has excited much interest. I dare say you will find room for most of the letters which have passed between the Duke and his recent colleague; therefore, a summary of their contents is not needed here. All that is required is a reference to the manner in which the controversy is regarded by the public. In this respect Mr. Chamberlain comes off second best. The honours of the controversy alike in the tone adopted, and in the underlying purposes of the correspondence, clearly lie with the Duke; the commoner out-classes himself completely. I do not trust Mr. Chamberlain; I think his methods of political warfare harmful alike to the country as a whole and to the moral welfare of his fellow-countrymen. Therefore, I may be thought to be prejudiced against him in anything condemnatory of him which I may say. This being so, instead of giving my own opinion I will place before my readers those of the most thoughtful and capable London correspondent I know. That gentleman says that most of the comment on the Devonshire-Chamberlain duel reveals an inclination to view the episode as an instructive study in character as well as an event in political history. Traces of this feeling are to be detected even in the remarks of devout protectionists. Like other people, Mr. Chamberlain's friends have been struck by the psychological aspect of their leader's part in the correspondence, and, judging by their subdued, not to say apologetic, demeanour, they have derived little satisfaction from the experience. The further stages of the conflict are foreshadowed in the correspondence itself. Mr. Chamberlain is assured in advance of a vote of confidence from a majority of the Liberal Unionist Associations, since, as he is well aware, those bodies have already lost many of their Free Trade members. Probably, however, the Duke of Devonshire will resign his position forthwith, an event which would be followed by further secessions from the already enfeebled organization of which he has been the head since 1886. Some question may then arise as to the disposal of the funds. Hitherto the Duke's control of the pursestrings has acted as an effective check on attempts to run the central organization as a Protectionist Machine.



THE BAIN CASE.

THE BRITISH INDIAN ASSOCIATION MEMORIAL.

The following memorial was submitted by Rai Rajkumar Sarvadhikari, Bahadur, Secretary, British Indian Association, to the Secretary to the Government of India, Home Department, on 22nd December, 1903:—

I have been directed by the Committee of my Association to express their profound thankfulness to the Government of India for their lucid and dispassionate statement in regard to what is known as the Bain case, and for the interest evinced by them in protecting tea garden coolies from violence and oppression. As the subject is of considerable importance to the general public and involves several grave principles affecting the administration of justice in this country, I am further desirous by my Committee to approach His Excellency's Government with the following humble representation on the same, in the hope that it will receive due consideration at their hands, I beg to observe here that the facts stated therein are gleaned not only from official records of the case but also from other sources equally reliable.

That the case resulted in gross failure of justice would be clear to every mind, not blinded by passion or prejudice. The Administration of Assam, the Government of India, the Crown Law Officers, the Divisional Bench of the High Court and others who had studied the subject with some attention, unanimously came to the same conclusion, namely, that six months' simple imprisonment did not meet with the gravity of the offence and as the Assam Administration observed Mr. Bain ought to have been sent to jail at least with hard labour. His Excellency's Government were thus compelled to direct that the High Court be moved under section 417 of the Code of Criminal Procedure for the enhancement of the sentence passed upon the accused a procedure justified only in such a case of palpable and gross failure of justice.

In order to realize fully the gravity of the situation it is necessary that the minutest details of the case, as far as they are available, should see the light of the day. My Committee will, therefore, with His Excellency's leave take the liberty of relating the peculiar circumstances under which accused was originally tried and convicted and subsequently acquitted, with a view to show how the European offender in this country is dealt with in a manner which no doubt neither the Legislature nor His Excellency's Government ever contemplated, and how, if this state of things is not remedied, not only are similar failures of justice likely to occur in future, but the confidence of the public in the purity of justice may be considerably shaken.

From the order of commitment by the Deputy Commissioner of Silchar, which is appended hereto for ready reference, the following facts can be gathered. Mr. P. W. B. Bain was Assistant Manager of the Kumbigram Tea Garden in Cachar, of which the agents are Messrs. Steel and Co. Three of his coolies named Lalsa and his wife and one absconded. They were caught and brought before Mr. Bain, who, it was alleged, flogged Lalsa with a stirrup leather, so that he collapsed and presently died, and that he (Mr. Bain) had also caused the two women to be beaten. The manner in which he punished Lalsa and the two female coolies, according to the prosecution, was cruel and barbarous in the extreme. The accused made Lalsa take off his coat, and two of his men, acting upon the orders of the accused, held the coolie against a post by the arms. The accused then began to beat Lalsa with a leather stirrup strap, and continued doing so for a considerable time till the man dropped his head on one side. When he was let go, he fell to the ground and died immediately, or almost immediately, without any return of consciousness. The accused then called up the two women and, handing up the stirrup leather to the chowkidar in charge of them, he ordered him to punish them. The chowkidar beat them on the buttocks with the strap.

The Deputy Commissioner remarks that, according to the evidence, not only was every attempt made to hide the party who had beat the women, but steps were also taken by the accused to prevent the real facts being brought to light. The European Doctor of the Planters, Dr. Candler, having been thus kept in ignorance of the actual situation, came to the erroneous conclusion, when he made the first "post-mortem" examination upon the corpse of Lalsa, that his death was due to pleurisy. His mistake was discovered when the second "post-mortem" was held by the Civil Surgeon, who did not find a trace of that disease in the body of the man, and attributed his demise to shock, and not pleurisy.

But, in spite of the endeavours of the accused to keep the real facts concealed, a police enquiry, conducted under the direct supervision of the European District Superintendent of Police, elicited the circumstances mentioned above; and the Deputy Commissioner committed Mr. Bain to the Sessions Court on charges of culpable homicide not amounting to murder, grievous hurt, and voluntarily causing simple hurt.

The accused was tried in February last by the Sessions Judge of Silchar and a jury composed of five Europeans—all of whom were planters of that district, and one of whom, named Mr. H. D. Gilling, was employed under Messrs. Octavius Steel and Co.

The manner in which these jurors were empanelled will enable His Excellency's Government to fully realize the fact that, unless the system of jury trial in the tea, and for the matter of that, in the indigo, districts as well is thoroughly recast and placed on a sounder basis, cases between planters and coolies are bound to result frequently in gross failures of justice, thereby throwing serious obstacles in the way of the noble attempt of the Government to protect the latter from injury and ill-treatment.

The jury empanelled to try Mr. Bain in the Court of Mr. Newbold, Sessions Judge of Silchar, consisted at first of the following gentlemen:

Mr. H. M. Crozier (Foreman), of Doodputtee Tea Co.

TELEGRAMS.

REUTER'S TELEGRAMS.

London, Jan. 29.

It is reported that Sully, the leader of the cotton ring in America, is turning his attention to coffee, and has already bought 175,000 bags.

Austria and Russia have refused to entertain the Turkish suggestions for working the Reform Scheme. The Porte has now intimated to them that the Macedonians and Albanians have conspired to kill every foreign Gendarmerie officer. The Porte, therefore, objects to officers wearing foreign uniforms.

The insurrection is spreading in Damara-land, where the Kafirs are joining the Hereros. Lieutenant Zuclow, Commanding at Okahandja, has been severely pressed, and has unsuccessfully attempted to establish communication with Karibib by a train, which was attacked. He lost seven killed and wounded.

London, Jan. 30.

The new Siamese Minister to-day called on Lord Lansdowne at the Foreign Office.

The prospecting expedition in East Africa, which according to a report transmitted officially had been overwhelmed, is now reported in the Dodosi country. All was well on the 20th instant.

The Ayr Burghs election has resulted in the return of Mr. Dobbie, the Liberal candidate, by a majority of 44 votes over Mr. Younger, the Conservative candidate, and replacing the deceased Conservative member, Mr. Orr Ewing. The polling was as follows:—Dobbie 3,221, Younger 3,177 votes.

Unusual activity prevails at Simonstown where the British warships are taking in large quantities of coal and ammunition.

It is stated at St. Petersburg that merchandise traffic on the Trans-Siberian railway will be provisionally suspended from the 2nd February in order to leave the line free for conveyance of troops and stores. It is reported that in the event of war, the command of the Russian land forces will be entrusted to General Kuropatkin.

Reuter wires from Port Arthur on the 29th instant says the railway is overtaxed by the work of transporting recruits; the substitutes for the regiments despatched to the Yalu river. Passenger traffic is greatly delayed.

A despatch from Pretoria states that a Commission has been appointed to report upon the rights of Asiatic traders before the War. Heavy slumps in cotton took place in the New York and New Orleans markets yesterday, and wild excitement prevailed.

London, Jan. 31.

Lloyd's News states that Mrs. Maybrick was released from prison by special license on the 25th instant.

The Commonwealth not having received tenders for the mail service from Australia to Britain, the time of tendering has been extended one month.

The Macedonian situation appears to be entering upon a more acute phase. It is reported that relations between Hilmi Pasha and the European assessors are the reverse of cordial.

A letter from Sir Edgar Vincent to "The Times" asks whether the fiscal reformers propose to grant India the same right as Canada and Australia of protection against British manufacturers, and if not why not? But if so how was she to indemnify Lancashire for the loss of her cotton market.

Messrs. Vickers, Maxim and Armstrong's received orders on Saturday to proceed with the construction and complete equipment of two new Japanese warships in the speediest manner possible. Each will be 16,400 tons, with a speed of nineteen knots; they will be heavier armed than the best British warships.

Reuter wires from Tientsin that Russia has ordered large quantities of Kaiping coal to be delivered at Port Arthur within the next few days.

It is officially announced that with the recommendation of the War Office Committee the Government, with the King's approval, has decided to appoint an Army Council framed on the model of the Board of Admiralty. The office of Commander-in-Chief ceases to exist and a new post of Inspector-General will be created, the principal duty of which will be to inspect and report on the efficiency of the military forces under the control of the Home Government. In order to secure continuity and consistency the Committee recommends the addition of a permanent nucleus to the Defence Committee consisting of a Secretary appointed for five years and under him two naval and two military officers selected by the Admiralty and the War Office and two Indian officers nominated by the Viceroy and one or more representatives of the Colonies. These should not be of high rank and be appointed for two years.

London, Feb. 1.

In view of the recent complaints the Italian Under-Secretary of the Postal Department travelled in the mail train and personally superintended the shipment of the last Indian mails at Brindisi.

London, Feb. 2.

A Russian Army Order, dated the 21st ultimo, increases the strength of the infantry reserves in Russia.

It is stated at St. Petersburg that 50,000 troops are expected shortly at Vladivostok to strengthen the garrison there.

All the Russian reserves in the Far East will probably be mobilised soon.

The Daily Chronicle states that Mr. Balfour is laid up with an attack of influenza, and was absent from his official dinner last night.

Further records of the New York Cotton Market show that the quotations are the highest known for forty years. It is expected that the bulls will succeed in establishing a corner.

Correspondence between Mr. Lyttelton and Sir W. Hely Hutchinson has been published. The latter on the 4th ultimo telegraphed a minute of the Cape Government, renewing its protest against the introduction of Asiatics.

Mr. Lyttelton on the 20th ultimo repeated his declaration that the Transvaal must be trusted as a self-governing Colony in this matter, and cites a precedent long established in Natal.

Lords Roberts, Generals Grenfell, French and Buller have been invited to join the Army Council.

Calcutta and Mofussil.

Public Works Department.—Mr. L. D. Cross, Assistant Engineer, 1st grade, is, on return from leave, posted to the Arrah Division.

India Government.—The Government of India, it is understood, will close in Calcutta on the 30th March and re-open at Simla on the 5th April.

Calcutta Improvement Scheme.—It is understood that Government intend appointing a Committee to consider and report upon the Calcutta improvement scheme.

Budget.—The forthcoming Budget will, says the "Pioneer" show a very handsome surplus. Not only are railway and opium receipts abnormally large, but excise is expected to show 60 lakhs over the estimate.

Orissa Text Book Committee.—Munshi Mahamed Ali, Translator in the office of the District Judge of Cuttack, is appointed to be a member of the Orissa Text Book Committee, vice Babu Harish Chandra Datta, resigned.

A New Ry. Lins.—The Government of India have sanctioned a survey by the East Indian Railway of a line of railway 94 miles in length from Barharwa via Azimganj to Katwa, and a second through State Agency of about 50 miles from Sara to Serajganj.

Calcutta University Convocation.—The Convocation of the University of Calcutta for conferring degrees will be held on Saturday the 13th current, at 3 p.m., in the Senate House, College Square, Calcutta. His Excellency Lord Curzon, Chancellor of the University will preside.

Deoghur Lodging House.—The Lieutenant-Governor intends to sanction the members of the Lodging-house Committee of Deoghur town for a loan of Rs. 4,000 from Government, bearing interest at the rate of four per cent. annum, and repayable in forty equal instalments of Rs. 146-3-6 each.

Sixty Years Age Rule.—The new sixty years age rule, as applied to Judges of High Courts recently appointed, will apparently apply first to the most lately appointed Judge. Mr. Sarada Charan Mitter, who joins the Calcutta High Court on the 1st February, will only have some two years to serve before he attains the age limit.—"Pioneer."

Chief Commissioner of the C. P.—His Excellency the Viceroy has appointed the Hon'ble Mr. F. S. P. Lely, C.S.I., C.S., Additional Member of the Council of the Governor-General for making Laws and Regulations, to act for the Hon'ble Mr. J. P. Hewett, C.S.I., C.I.E., as Chief Commissioner of the Central Provinces, when the latter proceeds on leave in March next.

The Mohurbhanj State Railway.—The little State of Mohurbhanj as is well known to our readers has now under construction a narrow-gauge line from the capital of the State to Baripada, a station on the Bengal-Nagpur Railway. The engines for this line (a length of about 23 miles) are being arranged for by Messrs. Balmer Lawrie and Co. of Calcutta and are expected in the country shortly. They are to be erected by the Bengal-Nagpur Railway between whom and the Maharaja an agreement for working the line is now under consideration.—"Indian Engineering."

High Court.—It is stated that Mr. J. T. Woodroffe will go on leave again next summer but it has not been quite decided as to who will officiate for him. If he does go on leave some say the unexpected may happen. The name of an European barrister of standing is prominently mentioned in connection with the Barrister Judgeship that will fall vacant when Mr. Justice Hill retires. The High Court Bar is likely to be weakened by this appointment if made. If Government decides to bring out Barrister Judges from England it should heed Sir Francis Maclean's repeated representations that none but tried and capable men should be sent out. And these can be had for honest asking.—"Hindu Patriot."

"Journalistic Enterprise."—Certain items of news regarding Afghanistan appear in the "Pioneer." They are reproduced—and very properly so, since they are telegraphed over as soon as they appear—as telegrams from Allahabad by the "Englishman" and the "Indian Daily News." The "Bengalee" however, in its eagerness to prove itself superior to its contemporaries in the matter of journalistic enterprise, improves on this particular method and invariably publishes these items as telegrams from Peshawar! The trick is so transparently silly that one is surprised that the "Bengalee" should have such a poor opinion of the intelligence of its readers as to think that such a thing would go down with them. If this had occurred once or twice, we should have passed it over in silence. But it seems to have grown into an established practice against which we find it necessary to protest, for the very honour of Indian journalism. One of our contemporary's correspondents presumed the other day to lay down the law to the "Patrika" and the "Mirror" on the subject of journalistic morality. Is he sure that every thing is quite fair and above-board nearer home?—"Indian Mirror."

European Vagrancy in Calcutta.—"Veritas" writes to the "Englishman":—"May I appeal through you to the authorities that be to check the evil that exists at present in the Old Dhurruntollah Market. The place is infested with European loafers (healthy, able-bodied men) who loiter about there both on account of the "Chop house" in the place and the grog shop that adjoins it. At night especially these men are to be seen in the main thoroughfare, accosting every passer-by and demanding money for drinks. Several gentlemen visiting the Bristol Hotel have complained of these waifs, and only on Thursday last, at about 8.30 p.m., when I was on my way to the Theatre I was accosted by two of these men, who virtually demanded from me the price of a drink. On my refusing, one of them held on to my coat-sleeve and told me to search my pockets and see if I had any money. I reported the matter forthwith to the Inspector of the division, who has promised to inquire into the matter. Surely, Sir, it is time that Calcutta was rid of such men. It is a different thing to beg for alms, but when it amounts to extortion I feel sure every citizen will agree with me that steps should be taken by the custodians of peace to stop the evil."

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OPERATING ON A LION.

The post of veterinary surgeon to a wild beast collection must have its thrilling moments, and should be correspondingly lucrative. M. Dumari, who holds the retainer in animal surgery for Bostock's establishment in Paris, had such an experience. Caesar, the grandest lion in the show, had bullied his fellow lions, and one of them had revenged himself by biting nearly off about seven inches of his tail. This lacerated remnant, including, of course, the tuft, M. Dumari had to amputate. The feat was accomplished in this way. Caesar was first lured into a narrow cage, in which there was just length to stand in, but none for turning round the tail projecting through the bars for almost its whole length. Upon the tail half-a-dozen assistants seized while the surgeon went swiftly to his work, which was successfully gone through, though the lashing and roarings were awful. And out of that cage Caesar could only be got by a fearful scouring with iron bars. But his glory is gone.

It is still true that "the English dearly love a lord"; at least they like that the forms of polite address, which belong to such great beings as are our English aristocratic leaders should be maintained in addressing them. Therefore, it was with little surprise that I found, on Tuesday, the Radical *Manchester Guardian* calling Mr. Chamberlain to account for the improper way in which he addressed the Duke of Devonshire. Mr. Chamberlain's way (according to a critical correspondent of your contemporary) of addressing the Duke of Devonshire as "My dear Devonshire" in the letters just published does some violence to civility. This is the way between near relations and the closest friends. But the almost universal way if you are on formal terms is represented by the form "Dear Duke of Devonshire." If you are on familiar terms the form would be "My dear Duke" or "Dear Duke." Thus George Canning wrote to the Duke of Wellington on the formation of his Government in 1827, "My dear Duke of Wellington." The Duke of Wellington wrote to the Duke of Buckingham on Sir R. Peel's attempt to form a Government in 1834, "My dear Duke." The Duke of Cumberland wrote to the Duke of Buckingham on the same event, "Dear Duke." It was not of any of these that Disraeli remarked in the House of Commons that he "mistook familiarity for gentlemen-like ease." So, even in the form as well as in the essence of his letter-writing, Mr. Chamberlain was wrong.

Calcutta Gazette.—Feb. 5.

The following confirmations and promotions are sanctioned in the grades of Dist. and Asst. Suptd. of Police, with effect from the 1st Nov. 1903, but the officers concerned will continue to act in higher grades until further orders:—

Confirmed in the first grade of Dist. Suptd.—Mr. P. A. Sandilands.

Promoted to the second grade of Dist. Suptd.—Mr. H. C. Clogstoun, and Mr. E. Muspratt.

Promoted to the third grade of Dist. Suptd.—Mr. S. N. Walker.

Promoted to the fourth grade of Dist. Suptd.—Mr. W. T. Moore.

Promoted to the fifth grade of Dist. Suptd.—Maulvi Jannat Hosain Khan, Khan Bahadur.

Promoted to the sixth grade of Dist. Suptd.—Mr. C. E. Ezechiel.

Promoted to the first grade of Asst. Suptd.—Maulvi Amjad Ali, Khan Bahadur.

Maulvi Shyama Pada Chowdhury, Dy. Mag. and Dy. Coll. is allowed furlough up to the 4th Feb. 1904, in extension of the furlough already granted to him.

Babu Janendra Nath Lahiri, Dy. Mag. and Dy. Coll. is allowed leave on medical certificate for three months, and extraordinary leave for nine months, in extension of the leave already granted to him.

Babu Rai Charan Ghosh, Dy. Mag. and Dy. Coll. 24-Parg. is allowed leave for one month.

Mr. W. Y. Reilly, Dist. Suptd. of Police, Bankura, is allowed leave for three months.

Dr. Vipina Chandra Roy, Munsif of Sherpur, on leave, is transferred to Mysmening.

Babu Kamini Kumar Mukerji, Munsif, Mysmening, is transferred to Patiya.

Babu Aswin Kumar Das Gupta, M.A., B.L., is appointed to act as a Munsif of Bajitpur.

Babu Mohendra Nath Das, M.A., B.L., is appointed to act as a Munsif of Giridih.

Babu Anango Mohan Lahiry is appointed to act as a Munsif of Gaya.

Babu Nando Lal Dey, Subte. Judge, Jessore, is allowed leave for thirty-two days, in extension of the leave already granted to him.

Mr. A. S. M. Ziaur Rahman, Munsif of Comilla, is allowed leave for one month, in extension of the leave already granted to him.

Babu Nriya Gopal Sarkar, late Munsif of Faridpur, is allowed for six months.

Babu Sukumar Bhattacharji, Munsif of Faridpur, is allowed leave for six months.

Babu Upendra Nath Biswas, Munsif of Bajitpur, is allowed leave for twenty days.

Babu Bunwari Lal Banerji, Munsif of Khartia, is allowed leave for two days, in extension of the leave already granted to him.

Mr. Syed Nasimul Huk, Munsif of Gaya, is allowed leave for one month.

Babu Bissesar Das, Sub-Dy. Coll. is posted to the Burdwan Div. on being relieved of his appointment as Suptd. of Distillery, Burdwan.

The gentleman named below are appointed sub pro tem to be Sub-Dy. Coll. of the fourth grade and posted to the Divisions mentioned opposite their names:—Babu Jogendra Nath Banerji, Burdwan Division, Rajendra Narain Banerjee, Presidency Division. They are also vested with the powers of a Magistrate of the third class.

Major E. H. Brown, I.M.S., having been permitted to return on the afternoon of the 31st Dec. 1903 from the leave granted to him the unexpired portion of his leave is cancelled.

Dr. Frederick Pearce, Offg. Spl. Health Officer, Calcutta, is appointed to be a Member of the Board of Health.

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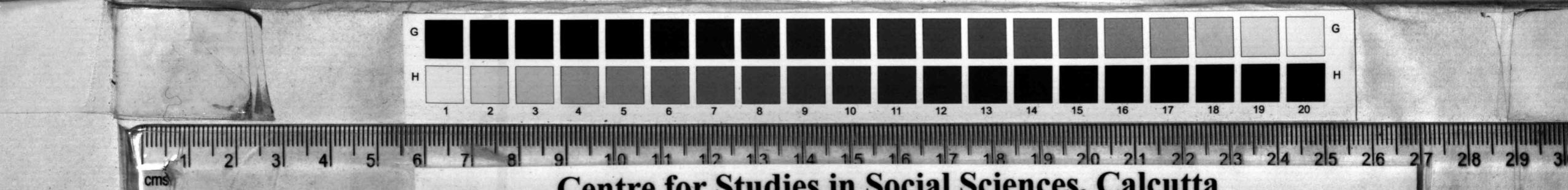
Mr. H. Girling, of Cherra Tea Co. Mr. J. Greg, of Iringmora Tea Co. Mr. J. Mackay, of Dulchera. Mr. W. Bryce, of Chinchorie Tea Co. It will be observed that there was not a single Indian gentleman among the jurors. The examination-in-chief of the first witness for the prosecution had nearly been finished, when it was discovered that the jury were not sworn. The Judge at once stopped the proceedings and directed the administering of oath. One of the jurors, Mr. J. Mackay, complained, when the Bible was handed over to him, that he had recently recovered from an illness, and he was yet too weak to serve on the jury. The Judge accepted his plea and allowed him to retire. And the procedure adopted to procure a substitute for Mr. Mackay was not only irregular but presumably illegal, and shows the unsatisfactory character of the jury system as it prevails in the ten districts of Assam.

The Government, however, did not hastily take this step. As explained by the Hon'ble Sir Denzil Ibbotson in his statement before the Imperial Legislative Council on September 18th last, the Government of India, in accordance with the standing orders, telegraphed for a copy of the judgment in the Bain case on the 27th of February, 1903. When all the papers of the case had reached the Government, they were considered by the Department concerned, and the Chief Commissioner of Assam was then addressed on the subject. The views of the Government of India, as conveyed to him, were to the effect that the sentence passed on Mr. Bain was inadequate, and that the High Court should be moved to enhance it. The Chief Commissioner was of opinion that the offence demanded a severer sentence than that which had been passed, and that the term of imprisonment ought to have been extended with hard labour, but, at the same time, he was disinclined to apply for the enhancement of punishment on "general grounds of expediency."

Whether the action of Mr. Justice Sale was or was not legal it is for lawyers to decide. My Committee would, therefore, respectfully direct the attention of the Government to an article in the "Calcutta Weekly Notes" appended herewith which concludes with these words: "In view of these authorities we cannot but say that the procedure followed by Mr. Justice Sale was not in accordance with law. It would have been both legal and proper, if the learned Judge had patiently waited to place his view of the evidence at a stage of the trial where he is allowed by law to do so. By an expression of opinion on the evidence before the commencement of the trial, the Judge only contributed to further legal complications in the case."

Indian Society is either not qualified or exempted from serving on a jury; juries in European cases are therefore now empanelled from among English shopkeepers or railway employes in the big towns; this is the very class in which the arrogance of a conquering race is most offensively strong, and their moral sense does not endure the legal theory that an Englishman should alone with his life for killing a "nigger."

case are bound to be his own countrymen. And in this way, to quote the words of the author of Imperial Rule in India, "discredit" is brought "on the most venerable of free institutions" and trial by jury is proved, "unsuitable to a country of mixed nationalities."



THE BAIN CASE.

OFFICIAL CORRESPONDENCE.

The following Memorial was submitted on 18th November, 1903, to His Excellency the Viceroy, by the Secretary of the Bengal Chamber of Commerce:—

The attention of your memorialists, and they believe of all Europeans in India, both Civil and Military, has recently been markedly drawn to the action taken by the Government of India in those cases which have been described as "collisions between Europeans and Indians," but which would seem to mean particularly those collisions in which Europeans are charged with assaulting Indians; and with regard to that action, your memorialists now proceed to lay before Your Excellency certain considerations, to which they feel constrained, in the interests both of the State and the people, to invite Your Excellency's special attention.

It would be futile to ignore the fact that Europeans of all classes in India entertain the belief that, at the instance of the Government of India, the law has of late been unduly strained to the prejudice of Europeans charged with offences against the persons of Indians, and that the intervention of the Executive Government in these cases has been incompatible with the due administration of justice, as also with the fair and impartial trial of Europeans so charged.

The recent case of the Emperor vs. Bain, as also the cases of Emperor vs. Casey, Emperor vs. Rennick and Emperor vs. Emerson, the facts of which are too well known to need recapitulation or comment here, have especially attracted the attention of the public. And with reference to the carefully considered statement recently made respecting the Bain case in Your Excellency's Council, your memorialists would observe that, while the purpose of these official pronouncements was professedly to exculpate the Government from the charge—so uncompromisingly preferred in the Press—of undue and improper interference with the trial of Europeans, yet, in point of fact, the admissions made on that occasion, and the explanations then put forward, did but serve to strengthen the apprehensions on the part of the European community, already alluded to, and to demonstrate that the same were only too well founded; notably in the significant admission that the Government of India—apparently from motives of policy—disregarded and set aside the recommendation of the Local Administration arrived at after a full and impartial consideration of all the facts and circumstances.

Your memorialists feel that the cases above cited show that the action of the Government of India, however well intentioned—as to which it is needless to say your memorialists entertain no doubt—was in its result erroneous and unjustified.

With regard to cases in which Planters have been accused, it has not escaped your memorialists' attention that some justification of the action in question is apparently sought on the ground that the Government of India feel themselves to be in a special sense responsible for the due protection of labour under penal contract. But your memorialists believe that this solicitude is very fully shared in both by executive and judicial officers, who might therefore well be trusted efficiently to safeguard such interests; and in any case your memorialists respectfully submit that, when such solicitude on the part of Government leads, as in certain cases it undoubtedly has led, to both unfairness and injustice to the accused, it is not only misplaced but undesirable from every point of view.

Your memorialists are convinced that such intervention by the Government tends to encourage false and exaggerated complaints against Europeans; to render the management of labour—never an easy task in this country—an increasingly difficult problem; and to foster in the minds of the police and the magistracy an impression that their action in such cases is being narrowly scrutinised by the Government with the object of securing convictions—an impression which may well have created, and is certainly calculated to create, a most undesirable effect on the administration of justice and the conduct of criminal trials.

Your memorialists would also venture to point out to Your Excellency a further result of this course of action, which appears to them to be, if possible, of even graver political import, namely, that the inevitable discussion in the public press, both European and Indian, of such delicate questions as those now unfortunately raised, tends needlessly to arouse, or at any rate to emphasize and embitter racial feelings, whereas it should be, and they firmly believe it is the object of Government as well as of all right-thinking men in India, of whatever community, to allay or mitigate, rather than to encourage such feelings.

Your memorialists beg, therefore, to present this memorial to Your Excellency, and pray that Your Excellency will be pleased to consider their representation, and to take effective steps to remove the apprehension to which they have referred, and to restore that implicit confidence in the impartial administration of justice in this country, which they feel assured it is the object of Your Excellency's Government to maintain.

And your memorialists will ever pray, etc.

The Madras Chamber of Commerce also presented a similar memorial.

THE GOVERNMENT'S REPLY.

The following reply to the above memorial has been issued to the Secretary of the Bengal Chamber of Commerce by Mr. H. H. Risley, C.I.E., Secretary to the Government of India:—

I am directed to acknowledge the receipt of a memorial, dated 18th November, 1903, from the Committee of the Bengal Chamber of Commerce to His Excellency the Viceroy, on the subject of the administration of justice in India, more particularly in cases of collision between Europeans and Natives. The Government of India desire to acknowledge the memorial in the temperate language in which the memorial is couched. But it contains charges of the gravest nature against the Government of India, in connection with a number of recent cases, of which the one more especially selected for notice is that known as the Bain case. The contents of this memorial are endorsed by the Madras Chamber of Commerce which, in a communication to the Private Secretary to the Viceroy, dated 27th November, forwarded to the Government of India by the Madras Government, expressed its concurrence with the views of the Calcutta

Chamber. Almost simultaneously, a long memorial, dated 22nd December, 1903, was addressed to the Government of India by the Committee of the British Indian Association in Calcutta, in which that body expressed its thankfulness to the Government of India for their action in the Bain case, and for the protection afforded by them to coolies from violence and oppression. The Government of India propose on the present occasion to confine themselves in the main to the views of the two Chambers of Commerce, the Committee of the British Indian Association having raised a number of independent issues which it will not be appropriate to deal with here.

The Committee of the Calcutta Chamber commence by the statement that "it would be futile to ignore the fact that Europeans of all classes in India entertain the belief that, at the instance of the Government of India, the law of late has been unduly strained to the prejudice of Europeans charged with offences against the persons of Indians, and that the intervention of the Executive Government in these cases has been incompatible with the due administration of justice, as also with the fair and impartial trial of Europeans so charged," and in support of this statement, reference is made to four cases, viz. those of the Emperor vs. Bain vs. Casey, vs. Rennick, vs. Emerson. Inasmuch as there are the cases upon which the Committee appear to rely for a charge against the Government of India as serious as it is possible to level against any responsible Administration, it seems desirable to state the facts briefly in each case.

The incidents to which the memorialists are understood more particularly to refer in the Casey and Rennick cases are not the prosecution of those persons for culpable homicide and assault respectively (since it has not, so far as is known to the Government of India, anywhere been contended that there was not sufficient ground for these proceedings), but the facts that in the Casey case pressure was put upon the native witnesses in order to induce them to tell what they knew; and in Rennick case that that officer was not permitted to compound with the native whom he had assaulted. It does not seem necessary in either of these cases to enter into any defence of the action taken—although in both an explanation is forthcoming, because it is against the Government of India that what was done has been made the basis of an accusation. It is sufficient, therefore, to say, in reply to the memorial of the Calcutta Chamber of Commerce, that the Executive Government had nothing to do with either incident, that they issued no orders or instructions on the subject, that the local Military authorities acted exclusively on their own responsibility in both cases, and that the Government of India first heard of what had happened in the public press. So far, therefore, as the charge against the Government of India rests upon these two cases, it fails to receive from them the slightest support.

The next case is that of the Emperor vs. Bain. It would seem superfluous, to repeat what is already public property in respect of this case, were it not that the memorial commits itself to the statement that the explanation made by Government in September last "did but serve to strengthen the apprehensions of the European community, and to demonstrate that they were only too well founded. Inasmuch as it is impossible to pass such a statement unnoticed I am directed to point out that there was not in the Bain case any interference with the course of justice, but only the execution by Government of a duty which it is absolutely incumbent upon Government to perform. If, on examining the record of a trial, the Government sees reason to think that there has been a serious failure of justice, the only proper and regular course to pursue is that it should ask the Advocate-General, who is its constituted legal adviser, whether he would advise an appeal. If he answers in the affirmative, the Government would assume a serious responsibility did it fail to act upon his opinion. If that opinion is further sustained, after a long and careful hearing, by two Judges of the High Court, who ultimately disposed of substantial justification. The right of appeal against the verdict of a jury, confined as it is to an appeal on matters of law, is a part of the criminal law of India; the power to enhance sentences has also been considered necessary in this country, where Magistrates, both Indian and European, often pass inadequate sentences. It was formerly exercised by all Courts of Criminal Appeal; it is now limited to the High Court.

In acting, therefore, as they did in the Bain case, the Government of India were adopting the regular procedure recognized by Indian law, and imposed upon them by the duties of their office. That their action should be described as an undue and improper interference with judicial proceedings, is the less justifiable when it is remembered that it is not in the power of the Government to order a retrial in any such case. The utmost that they can do is what they did in the Bain case, viz. acting upon responsible legal advice, to refer to a higher Court the question whether justice was satisfied before the Lower Court. It is for the Court, not for the Government, to decide. Had the single Judge of the High Court, also ultimately disposed of the Bain case, taken the same view as his two learned Colleagues, who heard it in the penultimate stage, it is open to doubt whether anything would have been heard of an undue and improper interference with the administration of the law.

If, on the other hand, it is the argument of the memorialists that the Government should have abstained from taking action in the Bain case, because the accused person was a European and not a Native, the plea has only to be stated to be condemned. The Bain case was one in which one man was alleged to have beaten another man until the latter collapsed and died. Whether the assailant was a European and the assailed a Native, or vice versa, made not the smallest difference. Viewing all the circumstances, it was a case in which it was essential that Government should take such steps as the law permits to see that the matter should be pronounced upon by the highest judicial authority in the land.

A further charge is however made against the Government of India by the memorialists, namely, that "apparently from motives of policy they disregarded and set aside the recommendation of the Local Administration. This is far from being a complete or accurate statement of the facts, since from the information which has already been made public it is known that the Assam Government agreed with the Government of India in the view

that justice had not been satisfied by the result of the first trial of Mr. Bain. In reporting on the case, Mr. Bolton, the Acting Chief Commissioner of Assam, held that the offence demanded a severer sentence, and that the term of imprisonment might have been extended or might have been one with hard labour. He deprecated, however, any reopening of the matter because it would bring the case again into prominence and excite public discussion, which he thought undesirable on political grounds. The Government of India were unable to accept this plea. Neither can they accept the proposition that it is the duty of the Supreme Government to defer in all such cases to the view of the Local Administration; and still less could they accept it in a case where the reasons against further action that were tendered by the Local Government, were reasons of expediency alone. There are higher considerations than those of expediency, which it is the duty of the supreme authority to bear in mind. These considerations were not, as the memorialists suggest, identical with "motive of policy;" they were the simple but paramount obligation to see that justice is done and that right shall prevail.

There remains the fourth or Emerson case. Private Emerson was one of a party of three soldiers, who, while shooting without authorization in a reserved forest in Madras, were accused of having shot a native forest watchman who endeavoured to stop them. When the case was brought before the High Court Bench, one of the accused was discharged, because there was not a "prima facie" case against him. Lane, the second, was committed to the Sessions on a charge of grievous hurt. As regards the third, Emerson, the High Court, of their own motion, caused a notice to issue to him to show cause why the order of discharge by the District Magistrate in the earlier part of the case should not be set aside. Emerson, however, had in the interim been allowed by an oversight on the part of the local Military authorities to take his discharge and leave the country. At this stage the Government of India asked the Madras Government for a full account of the proceedings and suggested that the Advocate-General of Madras should be consulted as to the advisability of moving the Judges to require the attendance of Emerson under the Fugitive Offenders Act.

The Advocate-General officially recommended this course; and after hearing him, the High Court issued a warrant for the apprehension of Emerson. The subsequent proceedings, in the case of which Emerson was summoned before the Police Magistrate at Bow Street (who, after hearing Counsel, ordered his extradition) was then brought out to India, and was tried by a special Sessions in Madras, were the sequel of the order issued by the High Court. As the learned Judge who tried the case remarked in his summing up, "with regard to the order directing the commitment of Emerson, that was an order made by the High Court after the matter was argued before it, and the High Court must be responsible for it. Government had no power to order anybody to be committed; it could only be done in a regular way through the High Court. Government were entitled to instruct the Public Prosecutor to move the Court, and the whole responsibility rested with the latter."

In the face of these facts, the contention that in the Emerson case "the law was unduly strained to the prejudice of a European" or that "the intervention of the Executive Government was incompatible with the due administration of justice, as also with the fair and impartial trial of the European so charged" is manifestly untenable. The action of the Government of India neither had, nor could have, any other object than to submit to the highest tribunal the single question whether a person accused of a grave assault, believed to have been committed by the party of which he was a member, should escape trial by the accident of his having left the country. The Judges after fully considering the matter, answered this question in the negative; and the Government of India took no further part in the case until, Emerson having been acquitted, they ordered a sum of money to be handed to him, in order to recoup him for the losses suffered by his absence from England.

It has thus been shown that out of the four cases mentioned in your Memorial, the Government of India took no part in two, and that in the remaining two their conduct was of the strictly constitutional character that has been described, and had no connection with either the motive or the consequences erroneously attributed to it.

With this vindication of the Government of India might have been content to leave a charge which has been shown, in the cases specifically adduced in its support, to be destitute of any foundation. But the wider charge so frequently made in the course of the recent controversy, and apparently believed in some quarters, that the means which have been chosen by Government for the execution of the policy wrongly ascribed to it, have been an unfair use of the powers conceded by the law for appeals against verdicts of acquittal by juries or for revision of sentences in cases where collisions between European and Natives, have been involved, has led the Government to make a careful examination of all such cases during the past ten years in order to see whether they supply any excuse for the general impression which is echoed in paragraph 2 of the Memorial. The result of this inquiry has been to show that within that period the Government of India have only on five occasions asked Local Governments to consider the desirability of taking further action in such cases, that in only two of them was the sentence in question based upon the verdict of a jury, and that in three the Local Government had

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already taken, or was about to take, action on its own account. Pursuing the enquiry, the Government of India have further examined the complete record or appeals against judgments or acquittal and applications for revision of sentence that have been made to the High Court by Local Governments, without reference to the Government of India, during the same period, in order to see whether there is in the returns any justification for the belief that this power is more frequently exercised in the case or to the detriment of Europeans than of natives. The figures show that from 1893 to 1902 inclusive there were 336 such appeals against judgments of acquittal, and 322 applications for revision of sentence. In only nine out of the former, and in only ten out of the latter, were the accused persons Europeans; and in only two out of the former, and two out of the latter, was the appeal against the verdict of a jury. The idea, therefore, that the powers in question are, or have been used, either of the Supreme or by the Local Governments in India to the prejudice of Europeans in this country is one that does not stand for a moment the test of examination.

It, however, the charge that is brought against Government had been that cases between natives and Europeans, are more fully reported and more closely scrutinised than was once the case, the Government of India would have felt no disposition to resent such a charge. The rules about reporting that were instituted 1897, and the greater publicity that is given by the Press to such incidents, in themselves compel a more watchful attitude and closer knowledge at headquarters. But vigilant administration of justice is a very different thing from the "straining of the law;" and the claim that the natives of India shall enjoy no less protection under the law than Europeans is also a very different thing from acting to the prejudice of the latter. These are the two charges that are contained in paragraph 2 of the Memorial, and in support of neither of them have the memorialists produced, or can they produce, any evidence whatsoever.

The administration of even-handed justice in India, where two races differing so widely in many of their ideas as the European and the Indian, are placed side by side, is a matter of no small difficulty. It can only be successfully pursued by the exercise of patience and consideration on both sides, and by a mutual reluctance to impute unworthy motives. Miscarriages of justice are not frequent, and are only condoned by the general belief that the successes of the law are immeasurably in excess of its failures. But the last thing that would be likely to promote the steady growth of this confidence would be any endeavour on the part of Government, to differentiate on racial grounds. No such attempt has been made or is likely to be made, by any responsible Government. The Government of India are probably in a better position to form an opinion on the subject of the general administration of justice in India than any individual class or section of the community can be; for whereas the latter see only isolated cases or groups of cases, the Government are necessarily acquainted with what is proceeding in all parts of the Indian Empire. Before replying to the present memorial they have made a careful study of all the cases of collision between Europeans and Natives and of the Judicial action that has been taken upon them during recent years. There is not in this record the least justification for the belief that the balance of justice has been deflected to the detriment of the European, or that the instrument of the law has been more readily set in operation against him, or that he has met with severer penalties than the native. On the contrary it would be much easier to argue that the reverse is the case, and it would only be necessary to publish an entire list of cases with the facts, the judgment, and the sentence in each case, to demonstrate that the European has no reasonable ground for complaint. If the Government of India do not adopt this course, it is only because they are sincerely anxious to take no step that might lead to a revival of controversy.

It is also not inopportune to add that the last thing of which a Government, almost entirely European in composition, is likely to be guilty—is a straining of the powers conferred upon it by the law to the detriment of its own countrymen. The due protection of their legitimate interests is not likely to appeal less forcibly to the Government of India than to the Chambers of Commerce or any other section of the community. On the other hand it is perhaps even more peculiarly the duty of Government to protect the interests of the subject millions for whose security from violence or oppression they are the responsible trustees, and to see that the equal justice between man and man, upon which it is the constant boast of Englishmen that their empire in India depends, exists in reality as well as in name.

With the seventh paragraph of your Memorial the Government are in cordial agreement. They entirely concur in the belief that the discussion of these delicate matters in the public press tends to emphasize and embitter racial feelings, and that it should be the object of Government as well as of all right-thinking men to allay or mitigate these feelings. Had the facts of the cases in question been more fully known it is possible that the discussion in the Press to which you refer might have assumed a different tone. However that may be, it is the sincere desire of Government that the misapprehensions which have prevailed should now cease, and their hope that all parties, abstaining from recrimination or charges, will strenuously co-operate in the maintenance of those friendly relations which are the basis of citizenship in this country, and without which neither can the Europeans nor the Indians play their due part in its future development. I have, etc.

Imaginary Ailments

THERE are many who have pains in the back and imagine that their kidneys are affected, while the only trouble is a rheumatism of the muscles, or, at worst, lumbago, that can be cured by a few applications of Chamberlain's Pain Balm, or by damping a piece of flannel with Pain Balm and binding it over the affected parts.

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The judgment of the First Additional Judicial Commissioner of Lucknow has been reserved in the case in which Mr. G. T. Jackson appeals from a sentence imposed by the Cantonment Magistrate. The Government Pleader said that the Cantonment Code required householders in cantonments to keep their properties in such a state of repair as to admit of military officers obtaining ready accommodation. There were no rulings on similar points in Indian Courts and the main difficulty hinged upon the definition of the word "insanitary" as applied to a house, the terms in use in Courts in England being "nuisance" and "injurious to health."

A ZENANA HOSPITAL FOR DELHI.

The Victoria Memorial Committee at Delhi, who appealed for Rs. 50,000 to build a commemorative zenana hospital, have received so hearty and generous a response that they now feel themselves the happy possessors of Rs. 1,50,000. The hospital will be built on the southern side of the maidan on land generally allotted by the Government of India. The difficulty of finding a more central position was insuperable owing to the great increase in the value of land during the last few years, rendering the purchase of private property sufficient for the hospital practically impossible. The hospital will be ready for use next cold season, and should prove a boon, not only to Delhi, but to the whole of the Southern Punjab. Lady Rivaz has kindly consented to lay the foundation stone next month.

ELECTRIC TRACTION IN RANGOON.

On the 2nd. December the Rangoon Municipal Committee accepted the tender of the Brush Electrical Engineering Co. for lighting and electric traction, and recommended it to the local Government for sanction. The Lieutenant-Governor is prepared to accept the recommendation for the grant of license under Section 3 of the Indian Electricity Act, 1903, to the Brush Electrical Engineering Company, Ltd., and for the supply of electric energy in Rangoon; but before a license can be issued the following points require further consideration: (1) His Honor is advised it is not within the power of the local Government or Municipal Committee to extend the term of the license beyond a period of forty-two years. The legislature have conferred upon the local authority discretionary power to be exercised on the expiration of the period for which the license may be granted, and it would seem that neither the Government nor the Committee are in a position to undertake that discretionary power, which shall not be exercised. It is necessary, therefore, for the Municipal Committee to ascertain whether the Brush Electrical Engineering Company, Ltd., and the British Electric Traction Company, Ltd., are willing to waive their stipulation for the extension of the franchise for a period of seven years over and above the original period of forty-two years. The second raises the question, namely, the purchase of the tramways. The Brush Company offer four lakhs, the price put on them by the owners is nearly nine lakhs. Finally, the Shanghai reports as to the Brush Company is to be inquired into. Thirdly, it is alleged that owing to the difficulty of raising funds the Brush Electrical Engineering Company, have been obliged to abandon a similar concession at Shanghai. It seems desirable that the inquiry should be made as to whether their ability to take up the Rangoon contract is thereby affected.

THE CONFERENCE AT THE BENGAL LANDHOLDERS' ASSOCIATION.

On the invitation of Nawab Abdus Shovan Chaudhuri or Doga a large number of Hindus and Mahomedans gentlemen met together at the Bengal Landholders' rooms on Sunday last to consider what are the differences, if any, between the interest of Hindus and Mahomedans in regard to the question of Partition of Bengal as well as in other matters. Amongst them present were:—Maharaja Bahadur of Nattore, Maharaja Bahadur of Mymensingh, Raja Bahadur of Dighapatiya, Kumar Upendra Chandra Chaudhuri, Maharaj Kumar Banowari Ananda, Rai Parvati Sankar Chaudhuri, Mr. Lal Mohan Ghose, Mr. A. Chaudhuri, Babu Dharani Kanta Lahiri, Babu Srinath Pal Chaudhuri, Babu Ramani Kanta Mullick, Mr. P. L. Roy, Mr. Surendranath Tagore, Messrs. Satish Chandra Ghose, J. N. Roy, Jnanada Prossanna Mookerjee, P. Chaudhuri, J. Chaudhuri, S. R. Das, K. N. Sen Gupta., Hon. Bhupendra Nath Basu, Khan Bahadur Moulvi Md. Eusuff, Hon. Khan Bahadur Moulvi Serajul Islam, Mr. Motahar Hossein, Moulvi Samsul Huda, Syed Abdol Hamid, Syed Abdol Latif, Syed Abdol Mohsen, Syed Abdol Khan Chaudhuri, Syed Abdol Jabbar, Mr. A. P. Chaudhuri, Syed Abdol Hossein of Barisal, Nawab Meer Moazzam. The Nawab wrote regretting his inability to be present owing to illness but expressing every sympathy with the objects of the Meeting. Mr. Motahar Hossein, however, speaking both for himself and his father the Nawab strongly condemned the proposed partition. Moulvi Md. Eusuff as the President of the National Mahomedan Association introduced Moulvi Samsul Huda as one who could speak authoritatively being the person who had been placed in charge of the preparation of the reply to the Government letter asking for the opinion of that Association. The Moulvi spoke at some length and assured those present that there was no more difference between the Hindus and Mahomedans on this question of partition than in other questions of a similar nature. The interest of the Hindus and Mahomedans were at stake and the condemnation of this measure by representative Mahomedan bodies should be as strong and unmistakable as that of the Hindu bodies. Speaking on behalf of the National Mahomedan Association he was there to say that they did not want this partition nor were they likely to submit to it without an emphatic protest. The Hon. Moulvi Serajul Islam followed. Speaking on behalf of himself and Chittagong he also condemned the proposed partition. Several other Mahomedan gentlemen spoke, unanimously condemning the partition of Bengal. After a vote of thanks to the Chair which was taken by the Maharaja Bahadur of Nattore the Conference broke up. Light refreshments were provided and the whole affair was a great success.

