REG. NO .C.59.

Amrita Bazar Patrika

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

VOL V XXXVI. CALCUTTA SUNDAY, MARCH 6, 1904. NO. 19.

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PUSA FARM AND COLLEGE.

IMPORTANT RESOLUTION.

The following resolution dated Feb. 29 has been issued by the Government of India in the Revenue and Agriculture Department:—

The Honourable Sir Denzil Ibbetson in his speech at the meeting of the Legislative Council held on the 25th March 1903, referred to a scheme which was then being elaborated for the establishment of an Agrinultural Research Station, with an Experimental Farm and an Agricultural College, on the Government estate of Pusa in the Darbhanga district of Lower Bengal. During the past year the scheme has been further developed, and in August last the sanction of His Majesty's Secretary of State was obtained to the proposal. The preparation of the necessary plans and detailed estimates for the central laboratory, the houses of the staff, and the various subsidiary buildings is now fairly advanced, steps are being taken to get the land into order for experimental cultivation and it is expected that the houses for the staff and the other subsidiary buildings will be completed by the beginning of 1905. The central laboratory is, however, unlikely to be ready for six or nine months after that date, and the College will not therefore be in full working order and ready for students until August or September 1905. Meanwhile, however, the Government of India desire to explain, for the information of the various Local Governments and of the public in general the main features of the scheme, the scope of the institution, and the objects which it is desired to attain.

2. When, two years ago, the Government of India appointed an Inspector General of Agriculture for India, it was recognized that this was an essential step towards the more active prosecution of that policy of scientific and practical enquiry and experiment in agricultural matters on which so much stress had been laid by the Famine Commissioners of 1878, and the necessity for which was again emphasized by Dr. Voelcker, who was deputed in 1890 to advise on the best course to be adopted in order to effect improvements in Indian agriculture. It was realized moreover that, in order to enable him to perform the task entrusted to him, it was essential that he should gradually be provided with an adequate staff of experts, and a Cryptogamic Botanist and an Entomologist were at once added to his staff, in addition to the Agricultural Chemist whose services were already at his disposal. It had, however, always been apparent that if the desired progress was to be made in the field of agricultural investigation, it would be necessary to provide a fully equipped research laboratory in which the agricultural experts could pursue their various enquiries; and the establishment of such a laboratory was already under the consideration of the Government of India when Mr. Henry Phipps came forward with his munificent donation of £20,000, to be devoted to whatever object of public utility (if possible in the direction of scientific research) His Excellency the Viceroy might prefer. In accepting this generous offer it appeared to His Excellency that no more practical or useful object could be found to which to devote a portion of the gift, nor one more entirely consonant with the wishes of the donor, than the erection of a laboratory for agricultural research. He therefore decided to utilize for this purpose the greater portion of Mr. Phipps' donation, and it may be added that Mr. Phipps expressed his warm approval of the decision, and generously added a further sum of £10,000 to his original contribution.

3. It was the original intention of the Government of India to locate the laboratory at Dehra Dun, where the Agricultural Chemist and other scientific officers under the control of the Government of India were already stationed, and which appeared to offer many advantages for the pursuit of agricultural research. But on further consideration it appeared that the agricultural staff would be unable to derive full benefit from the use of a laboratory, however well equipped, unless they had at hand a farm where practical as well as scientific work could be carried out, and where the crops which are of most importance and require closest investigation could be grown in the immediate neighbourhood. For these purposes Dehra was unfitted, and some other more suitable locality had therefore to be sought.

4. While the question of the situation of the research station was under consideration, the Bengal Government submitted a scheme for the establishment of an agricultural research station and experimental farm on the Government estate of Pusa in the district of Darbhanga. This estate had in old times been used as a stud farm. When the stud was broken up in 1874, the property was for a short time utilised as a model or experimental farm, special attention being devoed to the growing and curing of tobacco; but the management was unsuccessful, and in 1877 it was leased out to Messrs. Begg, Dunlop and Co., for tobacco-growing experiments. This firm continued to hold the farm up to 1897, when in consequence of their finally deciding to abandon their experiments, the Government, of Bengal resolved to take the land under its own management. It was proposed at first to start a cattle breeding and dairy farm, and a scheme for this purpose was drawn up in 1899. Meanwhile, however, the question of agricultural research in Bengal had come into prominence; and eventually, on the recommendation of a committee which was convened to consider the question of the disposal of the estate proposals were submitted to the Government of India for the establishment of an agricultural research station combined with an agricultural school and a cattle and dairy farm. The suitability of the farm for the purposes proposed had been fully examined and considered, and the scheme as finally submitted by the Government of Bengal contemplated the creation of a very complete institution under the management of the provincial Agricultural Department, though hopes were expressed that, having regard to the general benefits to be expected to agricuture in Northern India, some contribution towards the cost of its establishment and maintenance would be made by the Imperial Government and the Government of the United Provinces.

5. When these proposals came before the Government of India, they recognised that if they were accepted the scheme for a central research laboratory at Dehra must be at least postponed, since the large expenditure that would be required on the two separate but similar institutions could not at present be justified. In view, however, of the possibility that a station in the plains might be less suitable for chemical and bacteriological work than Dehra with its cooler climate, they referred the question of the comparative merits of Dehra and Pusa for consideration to a strongly constituted committee, the members of which unanimously reported in favour of Pusa. The Government of India were throughly satisfied from the information collected by the Bengal Government, as well as from the reports of the Inspector General of Agriculture who visited the place on several occasions, that Pusa was eminently adapted for the purposes in hand; but they were not prepared to incur any large expenditure unless the management were placed under Imperial control. It was therefore decided to make Pusa the headquarters of the Imperial Agricultural Department, and to establish there the laboratories required by the experts, combining with them farms which will offer every convenience for practical work, and an Agricultural College organised on the lines more fully explained below. The estate has been placed by the Government of Bengal at the disposal of the Government of India for that purpose.

6. Thus the scheme as finally approved by the Government of India and sanctioned by the Secretary of State includes the establishment on the Pusa estate of an experimental farm and research station with fully equipped laboratories, the funds for the erection of which will be provided from Mr. Phipps' donation, together with an Agricultural College for the training of students, and a cattle farm for the improvement of the local breeds of cattle. The institution will be an Imperial one under the general supervision and control of the Inspector General of Agriculture. It is unnecessary for the Government of India to dwell at any length upon the great importance of an institution of this kind. It need only be remarked that the necessity for similar institutions has been recognized, not only in England—as in the institution founded by the late Sir J. Lawes at "Rothamsted" in Hertfordshire—but also in America and in most Continental countries. In India it is, as has already been pointed out, only a further and necessary step in the development of the policy which led to the appointment of an Inspector General of Agriculture and his expert staff. Indeed in the absence of some such institution as which the agricultural staff can combine experiments with growing crops with research in the laboratory, India cannot expect to derive full benefit from their services.

7. The Government estate at Pusa covers an area of 1,280 acres, of which about 800 acres are culturable, the remainder being occupied by roads, avenues, house-sites, etc. It is situated almost in the centre of the old district of Tirhut, close to the boundary between the present Muzaffarpur and Darbhanga districts. It is five miles from Waini station on the Tirhut State Railway to which there is a good road, and it is within easy reach by road of the towns of Darbhanga and Muzaffarpur. The river Gandak, which is navigable for boats of moderate size, forms its boundary on the north and east, and will afford water for irrigation, while its navigability forms a practical advantage of some value. It is in a tract of country with a comparatively good climate, where the heat is not so severe as it is higher up the Gangetic plain. The area of the estate may be roughly divided into tracts of three distinct classes:—

(1) The central upland tract of about 500 acres, upon which the buildings, the avenues, and most of the roads are situated, including about 350 acres of culturable land.

(2) The southern low-lying tract of about 350 acres, suitable for the cultivation of rice and rabi crops.

(3) The riverain tract of about 150 acres, extending along the bank of the river Gandak. This tract is usually flooded in the rains and is chiefly suitable for grass-cutting and grazing.

If the estate is utilised as proposed, 400 acres, or if necessary a larger area, can be made available for cultivation. The remainder will provide grazing for a herd of 200 cattle, which it is proposed to establish for the improvement of the local breed, and which will profitably consume the fodder grown on the farm and provide the manure that will be needed for it. The cultivation will deal with all the more important dry and irrigated crops known in India. The character of the cropping of the tract of country in which Pusa is situated is, the Inspector General reports, extraordinarily varied, comprising many of the most valuable crops grown in all parts of India so that it is peculiarly adapted for experimental work which will be of general value. There is no other station in Northern India where Government possesses land suitable for the purpose.

8. The main functions of the farm may be stated as follows:—

(1) To serve as a model for similar institutions under Provincial Governments. Some of the latter are at present susceptible of improvement and a model institution will indicate the lines on which improvement should be sought.

(2) To initiate lines of experiment and test them, before recommending them for trial under local conditions on the provincial experimental farms.

(3) To test and improve varieties of crops and to grow seed of improved varieties for distribution in the different provinces.

(4) To test, under different conditions and more highly skilled supervision, results reported from provincial farms, and in particular to secure continuity for any particular experiments which may have been tried and then discontinued on a provincial farm.

(5) To serve for the practical training of students at the Imperial Agricultural College.

(6) To provide a field for experimental cultivation for the research work at the research station. This last is a matter of vital importance.

For all these purposes the estate is unusually well adapted. "The conditions of soil and climate are such," says Mr. Mollison, "that many of the more important field and garden crops can be grown as dry crops, and with irrigation (for which the river which adjoins the estate affords special facilities, and which is also possible from wells) practically every important crop known in India can be grown."

9. Another consideration which the Government of India regard as of very great importance, is that Pusa is situated in perhaps the most densely populated agricultural tract in India, and in a part of the country where successful experiments are more likely to be taken up and applied in practice than anywhere else. It is not only that the estates of planters, whose attention has been largely turned of late to the possibility of improving the yield of ordinary country crops as a substitute for or a supplement to indigo will afford numerous demonstration farms on which the results of successful experiments can be shown, but also that the ryots of that part are, owing to their connection with the planting community, more ready to adopt new ideas than is usual among the cultivating classes in India. As regards the cattle farm, the estate is reported by the Inspector General, Civil Veterinary Department, to be admirably adapted for cattle-breeding. It is proposed to maintain the farm for the purpose of improving the local breeds, rather than of introducing foreign strains. It will be a headquarters from which bulls can suitably be supplied to the districts of Bengal (other than the rice tracts) or to the Eastern districts of the United Provinces.

10. The Research Institute, to the erection of which the greater portion of Mr. Phipps' generous donation will be devoted, and to which it is proposed to give his name, will adjoin the farm, and it is the intention of the Government of India to make it in every way as complete as possible. As at present proposed, the building will contain a library, museum, herbarium, such laboratories and offices as are necessary, a large central hall, and one or two lecture rooms for the students of the Agricultural College which it is proposed to establish as part of the scheme. Any expenditure which may be required to supplement Mr. Phipps' donation will be borne by State funds, from which the cost of the future maintenance of the institution will in any case be met.

11. The Government of India now turn to the portion of the scheme which relates to the establishment of an Agricultural College; and in this connection it is desirable to explain somewhat fully the present position of agricultural education in India, and the objects which the proposed college is designed to attain.

12. The question of establishing an Agricultural College in connection with the research station at Pusa naturally first came before the Government of India from the point of view of Bengal, which at present possesses such a College at Sibpur near Calcutta, with a course of two years (formerly 14 months) where a training in the elements of agriculture is given to students who have taken their D.A. degree, or have passed the F. E. standard in the Engineering College. There are at present only six students in the second year's course. There was formerly a lower class, which had a 14 months' course afterwards lengthened to two years, but it was discontinued in 1900 as it failed to attract students. The qualification for entry to this class was the Entrance Examination; and it was intended for the instruction of kanungos and others in the Subordinate Revenue Service. In both classes the education was in English. This College has for various reasons not been altogether a success, and it would probably have to be closed in any case, if for no other reason than that its situation is unsuited to its purpose. There is no suitable place in Bengal where a new college could be started with the advantage of an experimental farm in its neighbourhood, the only farm belonging to Government being at Chittagong. It appeared essential therefore that the Imperial Institution at Pusa should include a college that would take the place of the Provincial Agricultural College of Bengal even though admission to it should not be confined to that province.

13. But an Agricultural College is required at Pusa, not only in order to provide for the needs of Bengal, but also to serve as a model for and raise the standard of Agricultural Colleges in other provinces, and to provide for a more complete and efficient agricultural education than is now possible in any of the existing institutions. The provision for agricultural education in India outside Bengal is at present as follows. In Bombay and Madras there are colleges at Poona and Saidapet, where the students pass through a three years' course. In the United Provinces there is a school at Cawnpore with a two years' course especially intended for the training of kanungos in which direction it has done and is doing very good work. In Nagpur there is also a school with a two years' course, and special arrangements are made there for a vernacular class for sons of landowners and the like. A good practical education is given there, and a promising student is yearly sent to Poona to finish his education, with promise of an appointment if his progress is satisfactory. The Saidapet College is under the Education Department, as is the one at Poona, though to a less extent. The Cawnpore and Nagpur Schools are under the Agricultural Department. In all these institutions the education is given in English, and at present this is unavoidable in all but the most elementary classes, owing to the want of advanced text books in the vernacular. In the Punjab and Burma there is at present no agricultural school or college.

14. At none of these institutions, however are there arrangements for a complete agricultural education. Facilities are required for better practical training than it has been found possible to give at Poona or Saidapet, and these it is hoped to find at Pusa with its large farm and strong teaching staff. At the same time, provision is necessary for the extension and completion of the education acquired in provincial schools or colleges. A three years' course may possibly, especially if supplemented by practical work, afford a sufficiently good qualification for men whose life is not to be devoted to especial agricultural work; but it is necessary also to provide for the training of the teachers of the future and of the specialists in the various branches of science connected with agriculture whom it is at present found necessary to import from Europe. Some organisation by which the men required for these purposes may be trained in India itself is essential, if the scheme of agricultural education is ever to be placed on a broader basis and made really efficient. The necessity for such an education is constantly becoming more apparent, but progress must begin at the top and spread downwards. Before education in the vernacular is possible, it is necessary that natives of the country should be taught in English, who will provide the text books for general use. It is admitted that for the production of a satisfactory text book, even of an elementary character, in any subject, a high degree of training is requisite, and in the scientific subjects now under consideration, such training is at present possible only in English. The education at the Pusa College will therefore be in English, with a view to the training of men who will make the spread of agricultural education in the vernacular possible in the future.

15. Having regard to the present condition of agricultural education, it is essential in the first place that the college should be organised in such a manner as to provide for the education of the class of youths who at present attend the provincial schools or colleges. It must begin where those schools begin, so as to provide for provinces in which no agricultural school exists. The second essential is that the college should provide for the carrying on of the training of pupils beyond the stage at which they leave their provincial schools or colleges and that its course should be sufficiently extended to give a thorough education to those who wish to qualify for professorships, or for research work, or for posts requiring special scientific attainments.

16. For this purpose it is proposed that the complete course of instruction at Pusa should be one of five years. The general educational standard required for admission would be the School Final or the Entrance Examination. Those students who only require an elementary education with some practical work to qualify for the lower posts in the revenue service, would go through a two years' course, at the end of which time they would correspond with students who in the ordinary colleges have passed the First Arts Exomination. The third year's course would bring the education up to the standard now given at Poona and Saidapet, in so far as length of time is concerned, and it is hoped to a high point as regards efficiency. This three years' course (which would extend to four years in the case of these who did not satisfy the tests imposed by the college) would complete the education of the majority of the students, and would correspond in a general way with the B.A. course in ordinary colleges. At this stage students proceeding with their education would be encouraged to specialise in any branch for which they seemed peculiarly adapted, such as entomology, chemical analysis, botany, and the like. Some students also, it is expected, would remain at the farm in order to still further accustom themselves to practical work, with a view to qualifying for the management of estates, either of Government or of private persons, without the intention of engaging in higher scientific work. It is perhaps open to question whether, if the school is successful, the students who have come for a two years' course only can advantageously be trained together with those who have come with the intention of undergoing the three years' or the complete course. The former class will consist of men qualifying minor appointments, or aiming only at a practical training in the elements of agriculture, and their association with students who have higher aims may tend to retard the progress of the latter. But it is, the Government of India think unnecessary at this stage to consider the question of having a separate two years' course specially adapted for elementary practical work, and apart from the general college course; and in this and other respects, matters of detail must be left for arrangement as the institution developes.

17. It will be open to provinces other than Bengal to send students to the school, either for the whole course, or (with the consent of the Government of India) after completing or partly completing their training in the provincial college. Instruction at provincial institutions would be accepted in the place of that given at Pusa up to any point to which it was found to be efficient; that is to say, the existing provincial institutions would on the analogy of the Universities, be affiliated up to that point to which each was considered to give a thoroughly practical training. This power of affiliation will, it may be anticipated, enable the Government of India to exercise over the provincial schools and colleges for agriculture an influence which can hardly be otherwise than beneficial, and to gradually raise the standard of efficiency.

18. The detailed curriculum which the college will embrace will be more fully elaborated by the Government of India in consultation with their agricultural and educational advisers when the scheme is further advanced. So far as it is at present formulated it will include:—

1. Agriculture (theory and practice.)
2. Chemistry (inorganic, organic and agricultural.)
3. Systematic and Crytogamic Botany.
5. Geology, as applied to agriculture.
6. Elementary Physics and Mechanics in their application to agricuture.

The practical side of the training will include:

1. Veterinary Science, so far as required by agriculturists.
2. Land Survey and Mensuration.
3. Farm management (practical,) farm accounts and allied subjects.

19. The Government of India turn now to the question whether there is likely to be a sufficient demand for the educational facilities which it is proposed to afford, and in what directions they may be exported to be of benefit to the public service and to private landowners in the country. There is, they consider, no reason to doubt that the classes of the first three years' course will be well filled with students, apart altogether from the lower class who join only for a two years' course. Men with a still higher education will be required to fill posts in the Department of Agriculture itself, such as those of Assistant Directors, Research Experts, Superintendents of Farms, Professors, Teachers, and Managers of Court of Wards and Encumbered Estates. If the results arrived at in the various experimental farms are to have wide effect within any reasonable period, it will be necessary to establish small demonstration farms in all parts of the country and the Pusa institution will provide the men who will take charge of them. The Government of India have also on several occasions emphasized the importanne of having a leaven of men with an agricultural education in the higher posts of the revenue service, and if the college opens a way to this service, it may be anticipated that considerable numbers of pupils will attend it. The practical character of the instruction should provide a better class of men for active work, such as that of the Tashildar and the like, than does the purely literary education which is at present available. But it is not only Government service that is looked to as offering inducements to young men to qualify themselves at the Pusa College. For some years past, if the insistence of the native press is to be accepted, there has been growing up among the landowning classes a demand for men with agricultural training; and if the new College succeeds in turning out men of the right class who combine with a sufficient theoretical training a thoroughly practical acquintance with their subject, a demand for their service may arise among the great landowners of India which will do more to promote our object than any attractions which Government service can offer. It is possible however that the two final years of the school course may not at first attract very many students, and that those who come at this stage will, as a rule, be persons who have a practically assured prospect of an appointment. Provincial Governments will probably be prepared to send the most promosing men from their own Agricultural Colleges to take the higher course or to undergo a period of practical training at Pusa, giving them a snholarship, and holding out the expectation of an appointment on their return if they are well reported on. The Government of India would cordially approve of such arrangements. It is moreover not at all improbable that scholarships may also be provided by private persons. The fact, however, that a comparatively small number of pupils may take up the highest part of the course is an additional reason for making the institution an Imperial one, which students from all provinces may attend.

20. As regards the equipment of the college in addition to the central building which has already been described, it will be necessary to provide house accommodation for the experts and professors, and a hostel for the students. It is also proposed to erect a separate building for class rooms, which can be added to as the college expands.

21. The staff which it is proposed to entertain will include a Director of the Institute and Principal of the College, who will give practical instruction in field work and farm management and will supervise the students generally. In matters connected with scientific research and scientific teaching, he will be assisted by the staff of experts attached to the Agricultural Department, who will in future have their head-quarters at Pusa. This staff at present consists of an Agricultural Chemist, a Cryptogamic Botanist, and an Entomologist, but it will be necessary that it should be further strengthened and completed. The Agricultural Chemist who is at present attached to the Agricultural staff will not be able to deal single-handed with the problems which will arise at Pusa, in addition to the various questions which are continually submitted for investigation from all parts of India, and at the same time to deliver courses of lectures to the students of the college on inorganic, organic, and agricultural chemistry. It is therefore proposed to appoint a second Agricultural Chemist, preferably one with a special knowledge of Bacteriology. A Biological Botanist is required to study varieties, to watch variations, and to investigate improvements induced by cross breeding, and at the same time to teach Agricultural Botany to the students and possibly to take charge of a botanical garden. The Director will be assisted in out-door work by an Agri-Horticulturist who will also give agricultural lectures. The Agri-Horticulturist will be an expert who will be capable of teaching the principles and practice of agriculture to students, and who can be placed specially in charge of plant breeding seed growing and orchards. The work of plant breeding and seed growing is one which is of great importance for India; not only from the point of view of the improvement of varieties, but also as one of the chief aids to the work of the Cryptogamic Botanist and the Entomologist, since new and vigorous varieties are often better able to resist fungoid diseases and insect pests; and it is therefore proposed to carry out at Pusa extensive plant breeding experiments on lines similar to those which have met with such success in the United States of America, and which aim at producing improvements by cross fertilization among varieties.

22. It is the intention of the Government of India that, at least at the beginning, the experts employed on research work should take as active a part in teaching as their duties permit, and that even in the lower classes, which will be taught by a subordinate staff, they should be made responsible for the efficiency of the tuition given. At the same time they recognize the injury that might be done to research work if the experts were obliged to give continuous courses of lectures during prolonged periods, when possibly some important investigations might require their attention at a distance. And in any case it would manifestly involve a serious waste of power for highly trained experts to be employed in teaching the elements o ftheir subjects to the lower classes in the college. It will therefore be necessary to appoint a subordinate staff who will be able to undertake the work of teaching the lower classes, and who will at the same time be capable of guiding the laboratory and other work of the senior students when the higher experts are on tour. For this purpose it will be necessary to appoint assistants to the Agricultural Chemist, the Biological Botanist, the Cryptogamic Botanist, and the Entomologist. In addition it is proposed to complete the staff by the entertainment of a Surveyor, a Teacher of Physics and Mechanics, and a Veterinary graduate.

23. The Government of India recognize that the success or failure of any institution of this kind, however elaborately planned and however complete in its inception, will depend inception, will depend mainly upon the qualifications and capacity of the person in whose charge it is placed. It is out of the question to place the institution in the immediate charge of the Inspector-General of Agriculture. The duties of that appointment necessitate continual touring and the supervision of agricultural research and experiment in all parts of India. Although the institution will be under the general supervision and control of the Inspector General, he could not without serious detriment to his other duties, and without imperilling he prospects of the college, undertake its immediate charge. It will, therefore, be necessary to appoint a principal to take charge of the Pusa Institution. The qualifications required for such a post are of a very special nature. It is essential that the person appointed should be a thoroughly skilled and practical agriculturist; and though it is preferable that he should not himself be an expert in any special branch of science, yet he

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THE
Amrita Bazar Patrika

CALCUTTA, MARCH, 6, 1904.

HINDU AND CHRISTIAN SAINTS AND PROPHETS.

HINDU Saints and Christian Saints are marked, generally speaking, by distinct characteristics. A Christian Saint is aggressive—he enforces submission by the display of his superior merits. A Hindu Saint, on the other hand, is meek and retiring—he distributes sweetness by his humility and gentleness. The first conquers and dazzles; the second attracts and charms. Hence the most frequently used name of God of the Hindus is Krishna, that is "One who attracts."

The aggressiveness of the Christians proceeds from one of the doctrines of their faith, which lays down that there can be no salvation without Christ. This means that those who are not believers of the Christian Prophet are accursed, that is to say, they are considered enemies of God and destined for everlasting tortures. Such a doctrine naturally leads a believer to take much liberty with a non-believer, who is in the position of a man doomed. Hence heretics were burnt by over-zealous Christians.

The Christians are now getting more charitable, and this is mainly because of their contact with the Hindus. The Christians possibly know not how much they are indebted to Hinduism, all the same they do owe much to it. Some of those pious Christians who have read Babu Shishir Kumar Ghoses' "Lord Gouranga" have come to realise what Christ actually taught mankind, and some actually have come to admit it. In short the teachings of the Prophet of Nadia explain the teachings of the Prophet of Jerusalem more fully.

The liberality which pervades the Hindu religion, at first aroused the envy and admiration of the Christians; but they are gradually, though slowly, oftentimes unconsciously, imbibing it. Calvin, Knox, Luther were Christian Saints, but the Hindus perceived a ferocity in their teachings which, according to their notion, ought to be foreign to all really pious men. Many Christians are now ashamed of the doctrine of eternal torture, and of the ferocity displayed by their Saints, and this they have learnt, not only from the spread of liberal thought, but also from their contact with Hinduism.

One of the greatest Saints of the Christians was Joan of Arc. She was no doubt a woman inspired from above and her fate extorts tears from every eye. But she fought with lethal weapons which a man or a woman of God should never do. The one Christian saint who is after the heart of the Hindus is Saint Theresa, the Spanish Vaishnava; for, Vaishnava she was, though she worshipped Christ. And the result was that the priests considered her one possessed of the Devil and wanted to reclaim her from its clutches. Her fault was that she regarded Jesus Christ as her "Bride-groom," just as the Vaishnavas, male and female, regard Sree Krishna as their "Lover."

The only Hindu teacher whom the Christians generally honor is Sakhya Muni, commonly known as Budha. This is because he resembles Jesus Christ, the Prophet of the Christians, in several respects. If Christ rules one half ofthe world, Sakhya Muni rules the other half. Sree Krishna was previously an object of contempt to the Christians; but after reading the Geeta, they have come to respect Him more. Every one has to bow before that Great Book.

There is very little likelihood of Lord Gouranga being accepted in Christian countries, demoralised as they are by drink and gunpowder. His religion is too pure, too subtle, too high, and too ethereal to commend to the materialistic peoples of the West. Yet one who has studied his life with an unprejudiced mind will be obliged to admit that he is not only the last of Avatars but also the highest.

Among the Hindus there are two classes of stints. The first class are those who purify their souls by conquering their passions and thus make themselves fit to commune with God, just as women wash and beautify their persons so as to be able to please their husbands. ent method. They try to love God, leaving the passions alone, knowing full well that if they can really create an attraction for Sree Krishna in the heart, He will crush the passions which sway the minds of His devotees.

Of course most Hindus know the life of Billamangal from his book called "Krishna Karanamrita." Billamangal was devoted to a courtezan by name Chintamoni, and this woman once warned him of his beastly passions. The saint thereupon left her society, and came to Brindaban. There he spent his days in religious exercises. One day he saw a young lady who had come for ablution in the river. He was smitten. He folowed the lady to her home, and when she had entered in, the saint approached the master of the house who was her husband and enquired of him, "who was it that came just now from the river?"

"My wife" replied the master of the house.

"Bring her to me. I must see her," said the saint. Now this request, though outrageous, the house-holder could not refuse, for the presence of the saint was so awe-inspiring that he dared not. The saint asked the lady to uncover herself. Even this the damsel could not refuse. He then took a comprehensive view of her dainty figure, and thus addressed himself, not to those who were present, but to his own eyes:—

"Ye, wicked eyes, you tempted me; and now you have your fill. You have seen the lady, have you not? Are you satisfied? Now depart, don't tempt me again." Saying this, he penetrated two Bael thorns which he had brought with him into the two pupils of his eyes, and forever blinded himself. Hence he acquired the name of "Billamangal." Billa being the Sansgrit for the fruit Bael." Subsequently he became one of the most ardent devotees of Sree Krishna.

ACQUITTAL OF MR. TILAK.

THE fate of Mr. Tilak shows that the liberty of His Majesty's subject in India is a myth. Any Indian gentleman of light and leading may be dragged from his peaceful home and put to all the horrors of a criminal trial at the sweet will of the Government. It is quite true that Mr. Tilak has been honorably acquitted by the High Court, but that is because the Criminal Bench was presided over by a Chief Justice who is exceptionally able, honest and independent. One can easily imagine how Mr. Tilak would have fared if, instead of Sir Lawrence Jenkins, he were tried by a Judge of the Strachey kind He was convicted of sedition and sentenced to 18 months' rigorous imprisonment by Mr. Justice Strachey on grounds which made him an object of wonder.

So, if a Judge of his type had presided over the Criminal Bench of the Bombay High Court when the case came before it on revision, it was more than possible that Mr. Tilak would not have been able to extricate himself from the clutches of the executive and another term of rigorous imprisonment. His acquittal is a pure accident, showing that Providence is not always asleep but quite awake at times to confound Indian authorities who consider themselves irresistible and above all law, human and divine.

Now can any body tell us why was Mr. Tilak persecuted in this ferocious manner and the confidence of the public shaken in the purity of the administration of justice in this country? On the former occasion the Government had this excuse that it completely lost its sense in consequence of the plague incidents in Poona which struck terror in the mind of even the boldest official. And hence, the administration of Bombay was at that time disgraced by a chapter of horrors the like of which has a very few parallels.

The Natu brothers, whose grandfather had helped the English to overthrow the rule of the Peshwas, were deported, deprived of all their property, and kept in vile durance on mere suspicion and without even the farce of a trial like that of Mr. Tilak; the editor of the "Protad" was sentenced to transportation for life by that famous District Judge, Mr. Aston, for stating in his paper that British rule in Canada was better than what prevailed in India; the conductors of some other newspapers were also hauled up and convicted for preaching sedition, that is to say, for offering criticisms upon the inhuman plague policy of Government which permitted the forcible separation of wives and husbands, daughters and parents, in the event of any of them having been overtaken by the horrible disease; and, lastly, the whole country was convulsed by the incarceration of Mr. Tilak in a most outrageous fashion.

Mr. Justice Strachey, the author of Mr. Tilak's misfortune in 1897, is no more in this world. We sincerely hope that he was able to justify his conduct towards his victim before a greater Judge than himself—the great Judge of puny mortal Judges—when he was made to stand before His tribunal to render an account of his doings.

As we said, the authorities in the Bombay Presidency, both executive and judicial, had then been so thoroughly demoralized as to be unable to distinguish between right and wrong in many matters. But what justification has the present Government of Bombay to inaugurate another scandal at a time of profound peace? It should be noted here that the mischief originated with the same famous Judge, alluded to above, Mr. Aston. It was he who set the ball rolling and it was eagerly taken up by the executive. Mr. Tilak gave evidence in his Court in a civil suit and Mr. Aston charged him with having forged a document and perjured himself. And thus his misfortune commenced.

Although it was a private suit, the Government, throwing all decency to the wind, identified itself thoroughly with Mr. Tilak's opponent. The latter, a Hindu lady, became a tool in the hands of some unscrupulous people, and was backed with all the force of the mighty Government. The authorities did not scruple to spend the tax-payers' money like water to secure the conviction of Mr. Tilak. They did more. They appointed a Special Magistrate, a relation of Mr. Aston, to try him. The result was what every body expected. Mr. Tilak was convicted and sentenced to 18 months' hard labour and pay a fine of Rs. 1,000.

He was dragged to the jail hand-cuffed as if he were a cut-throat. His house was next invaded by the police and one thousand rupees taken forcibly from his box to meet his due, though his appeal was then pending. Needless to say, all these outrages only brought contempt upon their relentless authors. The Sessions Judge, who heard his appeal, passed a most astounding judgment. He admitted that the lower court had committed several illegalities and that there was practically no evidence to substantiate the charges against Mr. Tilak, yet he upheld the conviction on one count, and only reduced the sentence from eighteen to six months.

We shall discuss the case more fully when the judgment of the High Court reaches our hands. All that we need say to-day is that there is really such a thing as retributive justice. Now, picture the position of the Bombay Government. Does not all the humiliation to which Mr. Tilak was subjected now redound to it with compound interest? What can be a greater humiliation for a Government than to stand convicted of having lent its authority and money to crush an innocent man—a man held in universal esteem throughout the country? Then, fancy the act of disgorging the one thousand rupees of Mr. Tilak swallowed by the Government. For, the High Court not only sets aside the conviction and sentence but orders the fine, which has been extorted from Mr. Tilak, to be refunded. But the Government here knows how to swallow, but not to disgorge!

Lord Curzon is anxious to improve the administration of Bengal by dividing its population into two, and placing each under a separate Lieutenant-Governor. His Excellency's notion is that, as forty, insead of eighty, millions of people will be under the direct supervision of a Lieutenant-Governor, the arrangement will secure better administration. But are not even less than 40 millions ruled by the Governor of Bombay? Besides, is he not helped by an Executive Council? Yet such scandals as the deportation of the Natu brothers without a trial; the sentence of life imprisonment upon the editor of the "Protad"; the incarceration of Mr. Tilak and the forcible entry of British soldiers in the sacred precents of the Hindu household occurred in succession in the Western Presidency and drove the people mad. And the present scandal is as huge as its predecessors were. If Lord Curzon, instead of wasting his energy and creating seething discontent by his partition measure, had directed his attention to improve the administration in Bombay, he would have really been able to carry the good will of the country with him.

THE "Englishman" says that, Lord Curzon had poor sport in the Sunderbunds, as no tigers were seen and only two or three buffalos were bagged on the last day. We have also received similar information from Barisal. Our correspondent says that it is very strange that, though Backergunj abounds in wild animals the Viceroy did not meet with a single tiger or even a leopard or a boar. It will be remembered that this district has been disarmed since the last ten or twelve years on the plea that the people are turbulent, but really on the ground of the incapacity of the local authorities who can not detect the real culprits and put an end to lawlessness. The result is that wild animals have increased in large numbers, and tigers now and then are seen to prowl even in the vicinity of the town of Barisal. How is it then the Viceregal party did not come across any? Our Correspondent says:—"The first two days, His Excellency had no occasion to use his gun. A keen lover of sports, the result was very disappointing to him. On the last day he shot a few young baffaloes. The general impression is, that these were all domesticated animals which is of course an absurd supposition." The correspondent then goes on to explain why His Excellency had to come away without shooting any big game. He says the organizers of the Sikar selected a place which was rather close to the town, and therefore not always frequented by wild animals. This arrangement had to be done, continues our correspondent, to enable other Europeans to take part in the sport. The result is especially disappointing, as the Nowab of Dacca had to spend a huge sum of money to get up the "Sikar" party.

THE absurd rumour that Lord Curzon was sought to be imposed upon in Barisal, reminds us of the trick played upon a foreign prince. The Crown Prince of Roumania, who is nephew to the King of Roumania, once had an amusing adventure while shooting in the Carpathians. Prince Ferdinand was most anxious to kill a bear, and on this particular day he had not been out more than ten minutes when a couple of these animals were tracked, and he had the good luck to bring down one at the first shot. On examining the carcass it was found that the nose was pierced as though the bear had worn a ring, and subsequent questions elicited the fact that the local Amtsmann, anxious to please the Prince, had purchased the "wild" bears from a travelling showman and turned them loose in the Royal path. When the present Emperor of India, then Prince of Wales, came into this country a similar story went round the press. It is said that Sir Salar Jung wanted to provide him with splendid sport. For this purpose he brought into requisition about 360 elephants. Only a couple of leopards were found which however showed no fight and were easily bagged. And the rumour was spread that the couple were in a cage and had been let loose. Of course, it is impossible to ascertain whether there was any basis for the rumour. A story was told in these columns which is perhaps substantially true. It was in those days, though after the mutiny, when the authorities had come to hold that the Indian Princes had no business to exist. In short, Mr. Edger of the Bengal Secretariat was sent to Tipperah either with the object of deposing the Maharaja or paving the way for it. This was known to the Durbar and the Minister sat in conference to avert the threatened doom. It was known that Mr. Edger was passionately fond of angling and baiting the Mashir. Now, in some Tipperah streams these fish grow to an unusually large size. Mr. Edger was persuaded to try his hand at Mashir angling and he was made to sit in a place where it was easy to deceive him. Just as it was growing dark there was a tremendous pull at the line of Mr. Edger, and the biggest Mashir was at last safely landed. It is said that this creature was really caught by a net. Mr. Edger was however so delighted that he telegraphed the capture to the Calcutta Press, giving its exact measure. Tipperah was however saved. The rumour is that Lord Curzon was made to shoot buffaloes in Barisal which were tame. Now this rumour must be false, for no one would have ventured to play this trick upon a wideawake Viceroy like Lord Curzon.

IT is with sincere regret that we learn about the retirement of Mr. F. W. Latimar, C.I.E., Assistant Private Secretary to the Viceroy, from the service of the Government, on the 1st of April. Not only is he a man of superior education, but, what is more, of superior culture. His conversation and manners are so sweet that those who have the good fortune of coming across him, even by a chance, cannot but be attracted towards him. He has friends, both among Europeans and Indians; and it is difficult to ascertain whether he is loved and respected more by the former or the latter. Mr. Latimer came to India in 1868, and has been discharging ever since one of the most confidential duties of the Government in a most remarkable way. He has never been accused of any indiscreet act by any of his chiefs—and he has served under eight Viceroys—while he has never disappointed those who are after such information as can be made public without any breach of official confidence. Mr. Latimer is blessed with a wife who, like him, is also highly educated and cultured, and to whom, it is needless to say, he is deeply attached, and who, in her turn, is also equally devoted to him. Indeed, they are a most happy couple, each trying to contribute to the happiness of the other. Mr. Latimer carries with him the sincere and ardent good wishes of the Indians, and such of them as know him personally, will always cherish his memory lovingly in their breasts.

THERE was a time when the High Court respected itself and knew how to maintain its dignity. Gradually the Executive Government came to exercise control over the deliberations of judicial courts in India, not sparing even the highest. The other day an application was made to the Criminal Bench for the transfer of a case from the file of a Joint-Magistrate, Mr. Hamilton of Murshidabad. The ground was that the District Magistrate, Mr. Carey, was trying to influence his subordinate, the Joint. As a matter of fact the District Magistrate passed an order on an order sheet asking the trying Magistrate that the second party was in possession of the disputed land and unless the Joint Magistrate got an overwhelming number of evidence on behalf of the first party he should not declare the possession in favour of the first party, and that any order passed regarding the attachment of the "chur" would be ineffectual. Here we see the District Magistrate, who had converted himself into a party man, having descended from the exalted position that he occupied, sought unblushingly and recklessly to thwart the course of justice. We say unblushingly, because, he did not feel the least delicacy in appearing before the public as a party man. Recklessly, because, it seems, he has no fear of the High Court or of the Lieutenant-Governor. So we have at last come to this pass that the officials have not only lost all respect for law and procedure but are not ashamed of exhibiting themselves in this way. The High Court found fault with the proceedings of the Magistrate but dared not to go further. The case was not transferred As we said the other day, the first and the most inportant duty of our new Lieutenant-Governor is to keep the District authorities under proper control, for want of which many of them have got very much demoralised. We may one day describe some of the proceedings of Mr. Carey and show how his acts created terror, and how, in spite of gross high-handedness, he was not only not removed from Murshidabad but allowed to stick to the district, though his transfer was absolutely necessary in the interests of the public and those of his own. We say, in the interest of Mr. Carey himself, because, he has proved himself to be the reverse of a "ma bap," and lowered himself estimation of the public in consequence of his unjustitiable doings.

The object of the partition measure is made clear by the Dacca and Mymensing speeches of the Viceroy. The original intention was to transfer five districts of East Bengal to Assam; the alternative scheme which was so favourably noticed by His Excellency at Mymensing, contemplates the creation of a new Province by dismembering many more districts of Bengal under a separate Lieutenant-Governor with a Council. What this means was thus described by the Viceroy himself in his Mymensing speech:—

"The new Province, possessing as it would a Commission of its own recruited from England, would be administered by exactly the same class of officers and on the scale of pay as Bengal is now."

The above arrangement will not only throw the increased burden of maintaining two Lieutenant-Governorships, instead of one as now, upon seventy-eight millions of people of Bengal, divided into two,—thereby making them pay almost double of what they contribute as administration expenses,—but entail upon the inhabitants of the new Province the huge additional cost of building it up. That is to say, we have now to maintain 280 members of the Civil Service, but we will have to maintain almost another 280 Civilians, minus three or four Commissioners of Divisions and the Magistrates and Judges of the districts proposed to be transferred to the new Province.

Then again, the new Province will require its Belvedre, Revenue Board, High Court, Secretariat, etc. One can form some idea of the expenditure of making palatial houses for the new Lieutenant-Governor and his establishment, the High Court Judges, &c., &c., by taking into consideration the fact that, only the southern hall of the new Secretariat of the Bengal Government cost four lakhs, and the High Court building upwards of 20 lakhs, of rupees.

In other words, while the people of old Bengal, reduced to almost half of 78 millions, will have to bear alone the entire cost of the present administration, the inhabitants of the new Province will have also to carry a similar burden upon their shoulders, besides finding a fabulous amount of money for building up the new Bengal.

The dreadful effect of this arrangement will strike every body. It will mean either of two things; namely, either additional taxation will be imposed upon the already overtaxed people of Bengal, or all useful works will be starved for the purpose of securing funds. If fresh taxation is resorted to, the Government will be compelled to touch the land, for, all other sources of revenue have been tapped to their uttermost limits; if no taxation is imposed, funds, so urgently required for improving the Province in every direction, will be applied to meet the cost of the proposed double administration and to create a new Province.

A more dismal situation cannot be contemplated. If the scheme is carried out, Bengal will be levelled down to the position of starving Bombay and Madras. Every inhabitant of this Province should do his duty at this juncture.

WE understand that Mr. H. M. Kisch, lately officiating Director-General of Post Office, who is about to proceed to England on leave for six months, has been placed on special duty for a short time in connection with the scheme for the reorganisation of the Railway Mail Service Department of the Post Office. Under the proposed scheme the post of the Inspector-General of Railway Mail Service, we are told, will be abolished. The chief control of the Railway Mail Service, which has hitherto been vested in that officer, will be divided among the different Postmaster-Generals who will be helped in their increased work of supervision by a number of Superintendents of Railway Mail Service, whose posts will be created under the new scheme.

At the Madras High Court, before Mr. Justice Russell, Mr. T. Venkatasubba Aiyar, High Court Vakil, applied on behalf of Cartner, late an assistant in the firm of Messrs. Wrenn, Bennett and Co., for the admission of an appeal against his conviction and sentence by the Chief Presidency Magistrate, Egmore, to one year's rigorous imprisonment on a charge of theft in a building under Section 381, I. P. C. It will be remembered that the accused was convicted of theft in that he removed certain articles belonging to the firm and subsequently handed them over to Lewis, who was also convicted. The vakil submitted that there had been no dishonest intention on the part of his client, while on the other hand he only sent the goods on inspection, according to a custom prevailing in the firm to Lewis, and that his (appellant's) action had been "bona fide." His Lordship admitted the appeal, but refused a petition for bail.

THE SUPREME LEGISLATIVE COUNCIL.

A meeting of the supreme Legislative Council was held yesterday at 11 O' clock at the Council Chamber Government House. His Excellency Lord Curzon presided and there were present:—His Honour the Lieutenant-Governor of Bengal. His Excellency the Commander-in-Chief in India; the Hon. Mr. T. Raleigh; the Hon. Sir E. FG. LFaw; the Hon Major General Sir E. R. Elles; the Hon. Sir A. T. Arundel; the Hon. Sir Denzil Ibbetson; the Hon. Rai Sri Ram Bahadur; the Hon. Mr. A. W. Cruickshank; His Highness the Raja Bahadur of Sirmur; His Highness the Agha Khan; the Hon. Mr. Gopal Krishna Gholkhale; the Hon. Mr. E. Cable the Hon Nawab Saiyid Muhammad Sahib Bahadur. the Hon. Mr. F. S. P. Lely; the Hon. Mr. H. Adamson; the Hon. Mr. A. Pedler; the Hon. Mr. T. Morison. the Hon. Dr. Ramgrishna Gopal Bhandarkar. the Hon. Mr. J. B. Bilderbeck. the Hon. Mr. D. M. Hamilton. the Hon. Rai Bahadur B. K. Bose; the Hon. Dr. Ashutosh Mukhopadhyaya;

THE TRANSFER OF PROPEFRTY ACT.

The Hon'ble Sir Denzil Ibbetson presented the Report of the Select Commitee on the Bill further to amend the Transfer of Property Act, 1882.

THE ANCIENT MONUMENTS ACT

The Hon. Sir D. Ibbetson presented the Report of the Select Committee on the Bill to provide for the preservation of Ancient Monuments and of objects of archaeological, historical or artistic interest.

COOPERATIVE CREDIT SOCIETIES BILL

The Hon. Sir D. Ibbeston presented the Report of the Select Committee on the Bill to provide for the constitution and control of Cooperative Credit Societies.

REGULATION OF THE BORDER MILITARY POLICE FORCE

The Hon'ble Major-General Sir Edmond Elles move that the Bill to provide for the regulation of the Border Military Police Force in the North-West Frontier Province be taken into consideration.

The motion was put and agreed to The Hon. member also moved that the Bill be passed.

The motion was put and agreed to

BILL TO PROTECT GOVERNMENT STARES.

The Hon Major General Sir E. Ellis movtd for leave to introduce a Bill to provide for the better protection of Government stores.

The motion was put and great to The Hon'ble member then introduced the Bill. And to moveed that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English, and in the local official Gazettes in English and in such other languages as the Local Governments think fit.

The motion was put and agreed to.

THE INDIAN STAMP ACT.

The Hon'ble Sir Edward Law moved for leave to introduce a Bill further to amend the Indian Stamp Act, 1899.

The motion was put and agreed to.

He then introduced the Bill and moved that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English, and in the Local official Gazettes in English and in such other languages as the Local Governments think fit.

The motion was put and agreed to .

THE OFFICIAL SECRET ACT.

The Hon'ble Sir Arundel Arundel moved that the Report of the Select Committee on the Bill to amend the Indian Official Secrets Act, 1889, be taken into consideration. He said that he had no observation to make.

The Hon'ble Mr. Gokhale said:—

My Lord I desire to say a few words on the Bill as amnded by the Select Committee, before this motion is put to the vote. When the Bill was referred to the Committee in December last Mr. Hon'ble Nawab Syed Mahomed and myself deemed it our duty to enter an emphatic protest against the general character and the leading provisions of the proposed measure because in the form in which it then stood, it was impossible to have any patience with the Bill. Since then however, thanks to the assurances given by your Lordship onyour return to Calcutta and the conciliatory attitude by the Hon'ble member in charge of the Bill in the Select Committee the Bill has been largely altered and I gladly recognize that most of its worst features have either been wholly removed or have been greatly softened. Having made this acknowledgment I deem it necessary, my Lord, to submit that unless the Bill is further amended, on the lines of the more important amendments of which notice has been given the alterations made so far will fail to allay the apprehensions that have been so justly aroused. My Hon'ble friendse Mr. Bos and Nawab Sayed Mahomed and myself have signed the Report of the Select committee subject to dissent only on two points and expressed our dissent in the widest terms that we could possibly find to convey our meaning. We did this both to mark our sense of the conciliating manner in which the Hon'ble member in charge of the Bill received many of our suggestions and in the hope that by thus removing from our dissent all trace of the angry criticism to which the Bill has been subjected, we might make it easier for Government to proceed further in the direction of meeting the objections urged by the public. My Lord, I earnestly trust that in this hope we shall not be altogether disappointed. I do not wish to anticipate anything I may have to say when the amendments of whtch I havt given notice came up for consideration. I will say only this that the Bill even as amended is open to serious objection and that no case has been made out for it; that the sateguards to which the Hon'blt emmber referred in presenting the Report of the Select Committee are more or less illusory and unless the Bill is further amended it must tend unduly to curtail the liberty of, the press, not so much perhaps by what Government may actually do as by the fear of what thty may do. The striking unanimity with which the entire press of tht country, Anglo. Indian as well as Indian, has condemned that measure must convince the Govtrnmtnt that the opposition with Bill ts not of a mere partisan character but that it is based upon reaonable grounds, which it is the duty of Government to remove, If, however, Govern-

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ment are not prepared to do this, I would respectfully urge even at this last moment that this Bill should be abandoned altogether.

The motion was put to the vote and agreed to.

The Hon'ble Dr. Asutosh Mukhopadhyaya moved that in clause 2 of the Bill as amended, in the proposed definition of "civil affairs," after the words "means affairs" in line 1, the words "of such a confidential nature that the public interest would suffer by their disclosure and" be inserted, and that in sub-claues (b) the words "where these affairs are of such a confidential nature that the public interest would suffer by their disclosure" be omitted.

He said:—

Under the definition of "civil affairs" as it now stands in the Bill, are included all affairs affecting the relations of His Majesty's Government or of the Governor-General in Council with any Foreign State, no matter, whether these affairs are or are not of such a confidential nature that the public interest would suffer by their disclosure. I have not been able to discover any good reason why such a wide scope should be given to the part of the definition contained in cl. (a), while a much more restricted operation is given to the part contained in cl. (b). I am unable to understand why it should be necessary to penalise the publication of information of the most innocent or harmless kind, simply because it may refer to the relations of His Majesty's Government with Foreign States. Without expressing any opinion at this stage upon the broader question, namely, whether civil affairs ought at all to be included within the scope of this Bill, I venture to think, that if they are to be included, the test in every case ought to be, whether or not their disclosure would be prejudicial to the public interest. I therefore, suggest, that the qualifying words which stand at the end of clause (b) and consequently affect that clause alone, should be transferred to the beginning of the definition so as to be applicable to both the clauses (a) and (b).

The Hon'ble Sir Arundel Arundel made a short speech and said that he was not prepared to accept it.

The amendment was then put to the vote and lost.

The Hon'ble Dr. Mukhopadhya moved that in clause 2 of the Bill as amended, in the proposed definition of "civil affairs" in sub-clause (a), before the word "relations" the word "civil" be inserted.

He said:—

This amendment may properly be described as a drafting amendment, if we examine the definition which is proposed, we find, that it is too wide, inasmuch as it includes affairs, affecting, not merely the civil but also the military relations of His Majesty's Government. I therefore venture to propose that by the insertion of the word "civil" before "relations," the definition may be limited and made co-extensive with the term to be defined.

The Hon'ble Sir Arundel made a short speech and said that he was not prepared to accept it.

The amendment was put to the vote and lost.

The Hon'ble Mr. Morison moved that in clause 2 of the Bill as amended, in the proposed definition of "Civil Affairs" Sub clause (6) be omitted.

The Hon'ble Sir A Arundel, the Hon'ble Sir Edward Law, and the Hon'ble Mr. Raleigh were not prepared to accept the amendment. The Hon'ble Dr. Mukerjee, the Hon'ble Mr. Gokhale, and the Hon'ble Roy Suram Bahadur, were in favour of the amendment.

His Excellency the Viceroy said:—

Befor putting the motion to the Council, I must add a word. The excellent speeches delivered by my Hon'ble Colleagues on the right and left of Government -to and left hav e dispensed me from saying much from the point of view of Government, but I desire to make one observation from the point of view of the Bill itself and of its future. If the Hon'ble Mr. Morison's motion were carried, the motion would be fatal to the Bill. He has argued that the civil affairs under sub-clause (b) to which he refers, are not of major importance, and that their protection is not essential to the interests of the State. After some slight experience now of he Government of this country, I must beg respectfully but emphatically to disagree with him, and I must submit that probably we, who are Members of the Government, are better qualified to express an opinion on a matter such as this than he. The Hon'ble Sir E. Law has given us a most convincing illustration of the class of cases connected with the Department which he administers so well that ought to receive—that are entitled to receive—protection in any civilised State. I need not add anything to what he said upon that point. Then comes the category of questions relating to Native States. Upon this matter I have perhaps a right to speak with some authority, and I say deliberately and with a full sence of responsibility that I can conceive of nothing more unfortunate than that the relations of the Government of India, which in reality means the Viceroy, wit hthe Native Prifices of India, relations prized by both of them, and in the vast majority of cases honourable to both of them, should be made the subject of disclosure and discussion in the press with absolute impunity. Such a condition of affairs would not merely be distasteful to us, but would be repugnant to them, and would be injurious to the interests of the State. The Hon'ble Mr. Morison submits to us an alternative suggestion. He says, instead of providing the protection which you are so anxious to secure under the Bill, exhaust every device you can for improving your Departmental administration. Well, this is sound enough advice over the limited range to which it extends, but how, I would ask, could a superior staff of chaprasis or policemen protect the Government of India from the illicit disclosure of confidential information, we will say, about the succession to a Native State, about the administration of justice inside it, or about the condition of its finances? However, the point upon which I desire to lay strespD cr-d snbe-tsi tsbt-. ola-seb heh lay stress before Hon'ble Members vote is this, that if the Hon'bble Members' motion were carried, this Bill would be reduced to a nullity, because civil affairs would be left, it is true but they would be confined to the relations only between the British Government or the Government of India and Foreign countries. In that cast we might just as well drop the Bill altogether, because to lay down that the only civil affairs that require protection are those relating to the exceedingly exiguous class that I have described would be manifestly absurd. I therefore think that the Council may with confidence throw out the motion of the Hon'ble Member.

The amendment was put and lost.

The Hon'ble Dr. Asutosh Mukhopadhyay. moved that in clause 2 of the Bill as amended, in the proposed definition of "civil affairs" in sub-clause (b), the following words be omitted, namely:—

"affecting the relations of the Governor-General in Council with any Native State in India, or."

He said:—

This amendment, I confess, does involve an important question of principle. I regret, I am unable to accept the view, that the publication of information regarding the civil relations between the Government of India and the Native States, should be penalised in the manner proposed in the Bill. It is conceivable, that such publication may sometimes prove to be a source of serious inconvenience to individual officials concerned in transaction which will not bear the light of day, but I venture to point out that it would be a distinct advantage, not ony to a Native State, but also to the Government of India, that the civil relations between the two, should be of such a character as would stand the closest scrutiny; surely, if they are of the character I have described, honest criticism need not be feared; if on the other hand, these relations are of a very different complexion, the fullest and the freeest public discussion ought to be welcomed. So far as the materials have been placed before this Council, not the slightest foundation has been laid, in fact, for the position that the publication of information regarding Native States ought to be restricted; till the necessity for this new provision is established with reasonable clearness. I am unable to accept a new provision of this sweeping character merely because it is asserted that such a provision is necessary or desirable.

The Hon'ble Sir A. Arundel was not prepared to accept the amendment.

The amendment was lost.

The Hon'ble Dr. Mukhopadhaya moved that in clause 2 of the Bill as amended, in the proposed definition of "civil affairs" in sub-clause (b), before the word "relations," the word "civil" be inserted.

The Hon'ble Sir A. Arundel was not prepared to accept the amendment.

The motion was put to the vote and lost.

The Hon'ble Mr. Gokhale moved that in clause 2 of the Bill as amended, in the proposed definition of "civil affairs" in sub-clause (b), the words "or any other matters of State" be omitted, and the Hon'ble Dr. Ashutosh Mukhopadhayaya moved that in clause 2 of the Bill as amended, in the proposed definition of "civil affairs" in sub-clause (b), the words "or any other matters of State" be omitted.

The Hon'ble Dr. Mukhopadhyaya said:—

The reason for this amendment is obvious, as the words to which I take exception almost completely destroys the value and utility of the definition proposed. As soon as an endeavour is made to define the term "civil affairs," it must be upon the admission that the term is vague and does stand in need of a definition. The definition, however, becomes a delusion, if in addition to the mention of two or three specific cases, it contains words of a general character which make the definition all-embracing; such a definition, I venture to think, is rightly open to the charge of being a definition which defines nothing at all. One of the greatest legislators whoever sat in this Council laid it down, as the first principle of legislation, that we must have uniformity when we can have it, diversity when we must have it, but in all cases certainty. It would be difficult to conceive of another definition of "civil affairs" more uncertain than the one proposed in the Bill. It is impossible to say, with any approach to certainty, what is or is not included in the characteristically vague expression, "any other matters of state." But whatever vagueness may be admissible in other departments of the law, the law of crimes is undoubtedly the last place where any such vagueness ought to be tolerated specially when it is desired to create new offences. If we are not in a position to use language more precise, we ought to be content with the specific enumeration already contained in the definition.

The Hon'ble Rai Bahadur B. K. Bose said:

My Lord,—I have a clear conception of the change in the law which would result from the retention of the words "any other matters of State" in the definition of "civil affairs:" it will be convenient to state very briefly existing law regarding disclousure of information other than that relating the naval and military affairs. It is an offence (a) for any person wilfully and without lawful authority to make public any document or information which has been obtained by an act, which is an offence under the Act, and (b) for any person wilfully and in breach of confidence reposed or contrary to his official duty, to communicate any document or information to any person to whom it ought not to be communicated. In both cases, the publication or communication must be contrary to the "interest of he State" which I presume is the same thing as the "public interest." The abetment of these acts is also an offence under the Indian Penal Code. The Bill proposes to penalise unauthorised publication of any document or information relating to civil affairs, "in whatever manner the same has beenobtained," and not, as now, when the same has been obtained by any act, which the statute declares to be an offence. This expansion of the sphere under which the law would operate would place the press under a disability regarding publication of official information, which it does not now labour under. I has, however, been stated that the provisions of the Act read with the definition of "civil affairs" as proposed, would give all the protection that the press can legitimately claim in this respect. As has already been pointed out, the condition that the publication must be shown to have been wilful can scarcely be regarded as a real safeguard in the case of a newspaper, for anything appearing in its pages must necessarily be held to have been wilfully published, in the absence of evidence to the contrary. The other two safeguards when analysed resolve themselves into the same elimentary question, namely, whether the publication has injuriously affected the public interest. It has been rightly said that this is a matter, which it will be the function of the court to decide on the merits of each individual case. But the initiation of a prosecution and a conviction following a prosecution are two different things. For the former the view which the Government will take will be the sole determining factor, even though that view may not ultimately find acceptance in the court. Now the qualifying words constituting the conditions are so general and elastic that the opinion of the Government must always be an unknown quality and the newspapers will have to submit to the risk of that opinion differing from their own. Considering the disparity which exists between the facilities which tht state enter its resources will command in prosecuting and those which the offending newspaper will ordinarily be in a position to secure for the dtfence, it can hardly be denied that this liability to be made an accused in a Crown prosecution will not operate as a powerful doterrent. The qustion thus resolves in itself into this, is it for the public good that the liberty which the press now enjoys should be thus entailed in order that the Government might enjoy a larger measure of protection for the civil affairs generally than what the existing law gives. My view is embodied in the note attached to the report of the Select Committee and nothing has transpired since to induce me to alter my opinion."

The Hon'ble Sir A. Arundel and the Hon'ble Mr. Raleigh made short speeches and said that they were not prepared to accept the amendment.

The amendments were then put to the vote and lost.

The Hon'ble Mr. Gokhale then wanted a division to be taken with the result that 7 were for the amendment and 16 against the same.

The Hon'ble Sir Arundel moved that in clause 2 of the Bill as amended, in the proposed definition of "civil affairs" in sub-clause (b), before the words "matters of Sate" the word "important" be inserted.

The Hon. Dr. Mukropadhya said:—

My lord, I appreciate and welcome the spirit in which this amendment has been moved by the Hon'ble Member in charge. It is intended obviously to soften the rigour of the law and to limit the scope of its operation. I wish, however, I could persuade myself to believe that this object will be realised in practice, but I am afraid, however, laudable the object may be, in spite of this amendment, matters will remain where they were. It may serve as an index of the good intentions of the Government and may satisfy those who indulge in vague generalities but can hardly appeal to persons who are accustomed to accurate habits of thought.

The amendment was put and agreed to.

The Hon'ble Dr. Ashutosh Mukhopadhya moved that in clause 3 of the Bill as amended, in sub-clause (b), for sub-head (ii), the following be substituted, namely:—

"(ii) after the word 'obtain' the words 'or any copy of any such document, sketch, plan or model' shall be inserted."

He said:—

The effect of this amendment, if it is accepted, will be to remove from section 3 (1), (a), (ii) the phrases "attempts to obtain and attempts to take" which are proposed to be inserted therein. Under the Act as it stands at present, more attempt to obtain any document, sketch, plan, model or knowledge is not made punishable in the case of a person who is inside a fortress, etc., or in an office, but such attempt is made punishable when the person concerned is outside the fortress or camp. In this respect our Act follows precisely the English Official Secrets Act of 1889. I have not heard it suggested that the provisions of the English Act in this respect have been found to be defective, nor have I heard any reason assigned, why we should, in this matter, depart from the high authority of the English Statute. If the Bill be passed as it now stands, we may be led to consequences, which I am not sure, are really intended, e.g., a man may be inside an office lawfully; and while there, if he makes any attempt, say by putting a question to a clerk to obtain any information, the language of the section is comprehensive enough to make him guilty of an offence against the Act. I do not think it is any answer to say that there is no likelihood of a person being prosecuted under the circumstances I have mentioned. The real point of the objection is, that it is a serious defect in a Criminal Statute to make the language so unnecessarily comprehensive as to impose a criminal character upon an act which is harmless in itself. Again, if we examine the provisions of the Indian Penal Code, we shall find that mere attempts are made punishable only in the case of some of the very gavest offence against the State or against human life and property, but in other cases, attempt is made punishable, when in such attempt, any act is done towards the commission of such offence. I venture to think that this well-established distinction is not recognised in the section now before us and I very much prefer to adhere to the provisions of the English Statute, till at any rate, they are proved by experience to be inadequate or ineffectual.

The Hon. Sir A. Arundel made a short speech and said that he was not prepared to accept the amendment.

The amendmtnt was put to the vote and lost.

The Hon'ble Dr. Asutosh Mukhopadhy moved that in clause 3 of the Bill as amended, in sub-clause (b), after sub-head (ii), the following new sub-head be inserted, namely:—

"(iii) for the word 'anything' the words 'any naval or military affair of His Majesty's' shall be substituted."

He said:—

The object of this amendment is to make absolutely clear what was the original meaning of the section—a meaning which I fear, may become obscured under altered circumstances. The Act of 1889 was applicable only to naval and military matters and consequently the phrase "knowledge of any thing" would mean knowledge of any naval or military affairs. As however, it is now proposed to make other portions of the Act applicable to civil affairs, it may be contended that the phrase "knowledge of anything" has by implication acquired an extended significance. I therefore suggest, that as reference is made to civil affairs expressly, only in section 3 (1), (c) and 3 (3) we should make it clear that the knowledge, the acquisition of which is penalised by seition 3 (1), (a), (ii) is restricted to naval and military affairs. I cannot conceive that it should be found necessary to penalise the knowledge of everything and would inevitably be the consequence, if the phraseology of the Act be adhered to inasmuch as, the phrase "knowledge of anything" is far more comprehensive than even the knowledge of naval, military and civil affairs.

The Hon. Sir A. Arundel made a short speech and accepted the amendment.

The amendment was put and agreed to.

The Hon'ble Mr. Gokhale moved that in clause 3 of the Bill as amended, in sub-clause (c), the words "and in sub-section (2)" be omitted.

The Hon'ble Sir A. Arundel was not prepared to accept the amendment.

The Hon. Dr. Mukhopadhya said:—I desire to support this amendment, which is identical to the next amendment which stands against his name.

He said:—

The effect of this amendment, if accepted will be to leave section 3 sub-section (ii) of the Act unaltered by the omission of all reference to civil affairs. It will be remembered, that by the provisions of the Bill now berore us, it is proposed to extend the operation of two of the provisions of the Act to the publication of information relating to civil affairs. The first of the two provisions I have referred to above is to be found embodied in section 3 (i) (c) which penalises the publication of information relating to civil affairs by persons who does so, in breach of the confidence reposed on him and to the detriment of the State; to this provision I take no exception, and I yield to none in my unqualified condemnation of the conduct of the individual who after being entrusted with an official secret, wilfully and in breach of such confidence, communicates the same to the detriment of the public interest. But I am not prepared to go further and I cannot lend my support to any provision of the law which makes the publication of information relating to civil affairs, a criminal offence, no matter under what circumstances, such information may have been obtained. It seems to me, that there are at least two reasons why such an extension of the law ought not to be allowed. In the first place, the State is sufficiently protected by the penalty which you have imposed upon the person, who, when entrusted by the Government with an Official Secret, has committed an act of breach of faith and communicated the information to the detriment of the public interest. In the second place, the extension of the law as proposed in the Bill would be effectually destrictive of free public criticism of Government measures. I have heard it said that the provisions of the Bill have now been hedged in with so many limitations, that it would be next to impossible to secure a conviction under the new Act and that consequently the contemplated changes in the law may be acquisced in as perfectly harmless. I entirely dissent from this view of the situation. A conviction under the Act may or may not be easy to secure, but the prospect of prosecution will nevertheless be in the mind of every journalist. A journalist may obtain most innocently important information relating to civil affairs; before he can publish it, he must satisfy himself, that it will not be treated as an Official Secret under this Act, in other words, that it will not be regarded as of such a confidential nature that the public interest would suffer by its disclosure. So far as I know, he has no means of ascertaning this with any degree of certainty and he must either face the risk of a prosecution—be the prosecution ultimately successful or unsuccessful—or what is more within the range of probabilities—he will think it safer to leave the subject alone. My Lord, I have not the slightest doubt in my mind what the ultimate effect of this legislation will be; it will place the right of free public discussion upon a narrower and more restricted basis; however, laudable or innocent the object of the promoters of this legislation may be, its results would be disastrous to the people and the Government alike.

The amendment was put to the vote and lost.

The Hon. Dr. Mukhopadhya moved that in clause 3 of the Bill as amended, for sub-clause (c) the following be substituted. namely:—

"(c) in sub-head (c) of the same sub-section for the words 'naval or military' the words 'naval, military or civil' shall be substituted; and in sub-section (2), after the word 'taken' the words 'or to the Civil affairs' of His Majesty if such information has been, by him, wrongfully obtained or taken,' be inserted."

He said:—

The effect of this amendment, if accepted, will be to leave the publication of naval and military secrets punishable, irrespective of the manner in which such secrets may have been obtained and to make the publication of civil secrets punishable only when such secrets have been obtained by unlawful means. I do not desire to repeat the arguments which I have already submitted in support of the previous motion and I venture to think, that if the publication of civil affairs is at all to be included within the operation of this Bill, it ought to be done with the restriction I have suggested. This is the minimum concession which may rightly be asked in the interest of the press and the right of free publis discussion.

The Hon. Sir A. Arundel was not prepared to accept the amendment. The Hon. Nawab Said Mohamud Sahib Bahadoor supported the amendment.

The amendment was put and lost.

The Hon Rai Sri Ram Bahadur moved that in clause 3 of the Bill as amended, sub-clause (d) be omitted.

The Hon. Sir. A. Arundel made a short speech and said he was not prepared to accept the amendment.

The Hon. Dr. Mukhopadhya said:—I desire to speak on this amendment which is identical with the amendment which stands against my name next to this.

He said:—

The object of this amendment is to secure the omission of the proposed new sub-clause which lays down that if a person does certain acts without lawful authority or permission (the burden of proof of which authority or permission is placed upon him) the court may presume that he has committed such act for the purpose of wrongfully obtaining information. I deeply regret to find that a provision so absolutely inconsistent with the first principles of criminal jurisprudence, should find a place in this Bill. It will be remembered that in the Bill as originally drafted it was proposed that the qualifying words in the beginning of section 3 (1) (a) which made an intention to obtain information wrongfully, the essence of a criminal act, should be omitted. The Select Committe have restored these words but they have inserted a presumption clause which will practically nullify the effect of the words which are restored. This qualifying clause is taken from the English Statute and has a history of its own. Under the English Statute it must be established, before a person can be convicted under section 1 sub-clause (1) that his purpose was to obtain information wrongfully and these qualifying words were inserted in the House of Lords at the instance of Lord Herschell. We have apparently here grown wiser, for we first endeavour to get rid of these words and next, when we find that the proposed omission is not defensible, we re-insert them dogged with a presumption clause. No one suggests for a moment, that when a court has to determine the guilt or otherwise of an accused person, the court is not entitled to draw an inference from the circumstances disclosed in the evidence; but I maintain, that it is contrary to all principles of criminal jurisprudence to provide in the Statute Book, that from a particular circumstance, the court may presume the guilt of the accused. It is the law of this country, as it is the law of England, that an accused person cannot be convicted on mere presumption, but must be proved to be guilty by legal evidence which is peculiarly strong and clear beyond a reasonable doubt. The burden of proof is upon the prosecutor; all the presumptions of law, independent of evidence, are in favour of innocence and every person is presumed to be innocent until he is proved guilty, if upon such proof there is reasonable doubt, the accused is entitled to the benefit of it by an acquittal. Presumptions, even though rebuttable, ought to be very cautiously introduced and I cannot think of a more unfortunate instant in which the introduction of a new presumption has been attempted. The only reason which may be suggested in defence of the prsumption clause is that it will relieve the prosecution of the burden which rightly lies upon it of proving to the hilt the guilt of the accused; whether a consideration like this should have any weight, I leave it to others to judge.

The Hon. Roy B. K. Bose said:—

"The second and the third of the acts referred to in the clause, which it is proposed to take out, contemplate cases when a man may be said to have been caught red-handed. It can scarcely be argued into any sort of reasons that in such cases, the court may not draw the presumption of guilty intention. As regards the first act, I do not agree in thinking that the clause engrafts any new rule or principle on the law of evidence. A man'sintention is generally a matter of inference which a rtasonable mind naturally and logically draws from his acts and commtnts. If the circumstances are such as to make it morally certain that an act was make it morally certain that an act was committed into a particular circumstance, the inference that it was so committed is as safe in the domain of criminal jurisdiction as in any other sphere of human conduct. Thus we find the evidence act authorising the Court to presume the existance of any fact, which it thinks likely to have happened, regard being had to the common course of human affairs. It for example a person attached to the military staff of a Foreign Government interested in obtaining military secrets of this Empire is found inside a fortress, to which access cannot he had without permission and he is unable to show that he had such permission and if further materials for making sketches are found in his possession the Court would be acting in accordance with law if it were to presume against him a guilty intention and unless this presumption is displaced, to convict him on the strength of it. To takt an opposite case: an ignorant rustic not interested in military affairs and not possessed of necessary skill to be able to obtain information rtlating thereto, is found in a similar predicament. The Court would not be acting rightly if it were to presume guilty intention against him from the more fact of his prtstnct inside the fortress. I fail to see how by merely saying that the Court "may—not shall"—presume wrongful intention in cases like these, the clause does anything to add to or alter the existing law of presumptions. Such being the innocuous character of this clause, we saw no reason to object to it, especially as on its adoption deptnded the elimination of the original provision, which made the mere entry or presume, unless shows to be in lawful authority an offence.

He said:—

This amendment is based on the ground that a uniform language ought to be used throughout the same enactment. I find that the Select Committee, in the definition which they have framed of the term "civil affairs," have used the expression "public interest." I accept that phraseology and I suggest that the same expression be used throughout the Act. I cannot conceive, that what is contrary to the interests of the State can ever be beneficial to the public interest. The interest of the State and the interest of the public are or at any rate, ought to be identical, and I venture to think that uniformity of language in this instance at least, may prevent many refined argument and ingenious distinction.

The Hon. Major-General Elles and the Hon. Mr. Raleigh objected to the amendment.

The amendment was put to the vote and lost.

The Hon. Dr. Mukhopadhya moved that in clause 3 of the Bill as amended, the word "and" between sub-clauses (c) and (d) be omitted, and the following be added as a new sub-clause, namely:—

"and

"(e) for the words 'in the interest of the State' wherever they occur, the words 'in the public interst' shall be substituted."

The Hon. Sir A. Arundel made a short speech and accepted the amendment.

The amendment was put and agreed to.

The Hon'ble Mr. Gokhale moved that after clause 3 of the Bill as amended, the following be added, namely:—

"and

(e) to sub-section (3) as so re-numbred, the following exceptions shall be added, namely:—

"Exception I.—Where the information relates to affairs affecting the relations of the Governor-General in Council with any Native State in India and the communication has been made by a newspaper, the provisions of the sub-section shall not apply, unless the information has been wrongfully obtained.

"Exception II.—Where the information communicated has been obtained from a newspaper published cutside British India, the provisions of this sub-section shall not apply."

The Hon. Sir A. Arundel made a short speech and said that he was not prepared to accept the amendment.

The amendment was put to the vote and lost.

The Hon'ble Dr. Ashutosh Mukhopadhyaya moved that after clause 3 of the Bill as amended the following new clause be inserted, namely:—

"4. In section 4. sub-section (1). of the said Act, the words 'in the interest of the State or otherwise' shall be omitted,"

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and that the present clauses 4 and 5 be renumbered clauses 5 and 6.

The Hon'ble Sir A. Arundel accepted the amendment, which was put and agreed to.

The Hon'ble Dr. Mukhopadhyaya moved that in clause 4 of the Bill as amended, in the proposed section 6, from sub-section (2) the words "to the nearest police-station or," and from sub-section (3) the wodds "to a police-station or." and "Police Station or" be omitted.

He said:—

Sub-section (1) of section 6 provides, that when a person has been arrested, he is to be taken either to the officer in command of the nearest military station or to a Magistrate of the first class. Sub-section (2) goes on to provide, that if the first contingency happens, viz., if the offender is taken to the proper military officer, such military officer may either discharge the offender or send him either to the nearest police station or to the Magistrate of the first class. I confess, I do not like the idea of the person arrested being taken to the police station. It is enough to say, that no advantage is likely to accrue to the accused, at any rate by his being taken to the police authorities who cannot release him on bail, a Magistrate of the first class being the only person who can release the accused on bail; it would thus seem that such Magistrate is the proper person to whom he should be taken

The Hon'ble Sir A. Arundel made a short speech after which the amendment was withdrawn by the Hon'ble Dr. Mukhopadhyaya.

The Hon'ble Dr. Mukhopadhyaya moved that in clause 4 of the Bill as amended, in the proposed section 7, for sub-section (1) the following be substituted, namely:—

"(1' Every person charged with an offence against this Act shall be tried by a jury before a High Court or a Court of Session."

He said:—

The principal reason which leads me to advocate the trial of offences against this Act by a jury before a Court of Sessions or a High Court is to be found within the Bill itself as amended by the Select Committee. The Bill provides that civil affairs must be of such a confidential nature that the public interest would suffer by their disclosure and the original Act itself, in more than one place, provides that the disclosure, in order that it may constitute a Criminal Act, must be a disclosure to a person to whom any disclosure is contrary to the interest of the State or of the public interest. The determination of questions like these is peculiarly within the province of the jury. Persons, holding high offices under the Crown may be put into the witness box to testify on behalf of the prosecution that a particular disclosure has been contrary to the public interest. Whether such high officials, in the hands of a skilful Counsel, may not be made to disclose, in the course of cross-examination, many more Official Secrets, I will not pause to discuss; but I venture to point out that in State prosecutions, and specially in cases like the present in which the test of criminality is whether or not the public interest has been affected, a trial by jury is made likely than any other mode of trial to secure justice to the accused.

The Hon'ble Sir A. Arundel made a short speech and said that he was not prepared to accept the amendment.

The amendment was put to the vote and lost.

The Hon'ble Dr. Mukhopadhyaya moved that in clause 4 of the Bill as amended, in the proposed section 7, for sub-section (2) the following be substituted, namely:—

"(2) A prosecution for an offence against this Act shall not be instituted except by or with the consent of the Governor-General in Council.

or (if the above motion be not adopted)

"(2) A prosecution for an offence against this Act shall not be instituted except by or with the consent of the Local Government or of the Governor-General in Council."

He said:—

The object of this amendment is twofold; first to secure the restoration of the provision of the law that a prosecution for an offence againts the Act shall not be instituted except with the consent of the proper authority previously obtained; secondly, that the consenting authority should be no other than the Government of India. So far as the first object is concerned, I have no hesitation in expressing my opinion, that the change introduced by the Bill is peculiarly unfortunate. Under the law, as it stands, before a prosecution can be instituted, the sanction of the Government must be obtained; under the law as is proposed to be altered, authority is given to courts to take what is called preliminary action pending the order of the Government as to whether the alleged offender is to be put on his trial. Under these provisions, it is quite conceivable, that a supposed offender may be arrested and if unable to find heavy bail demanded from him, may rot in jail till such time as the Government may find it convenient to determine, whether he is to be put on his trial. If my Lord, after this worry and ignoring, Government determines that [illegible]ere is no case for a prosecution and that a [illegible] not to be put on his trial,I should like [illegible] reparation the Government [illegible] wantonly caused. If [illegible] Indian Penal [illegible] provisions of the [illegible] Code, we [illegible] the Criminal Procedure Code, [illegible] that before a prosecution can be instituted in respect of the offence of the gravest character against the State, the previous sanction of the Government has to be obtained. If we turn to the English Official Secrets Act, we find that a prosecution under that Statute cannot be instituted except with the consent of the Attorney-General. It is clear therefore, that the change which is sought to be introduced is opposed to the principle which underlies the English Statute and is also recognised in the Criminal Code of this country. It will no doubt be convenient to the prosecution, but it cannot be maintained that any plausible case has been made out for the adoption of this wholly unjustifiable provision.

So far as the second object of this amendment is concerned, I am anxious that the Government of India should be the only authority at whose instance a prosecution can be instituted. This restriction would undoubtedly diminish the chances of hasty and uncalled for prosecutions under the Act. Moreover, if the criterion in every case be, whether or not, the interest of the State has suffered by the disclosure of a particular information, the Government of India—which is the highest authority in the State rather than any of the local Government would be best in a position to determine whether there is any justification for institution of proceedings under the Act.

The Hon'ble Sir A. Arundel made a short speech and said he was not prepared to accept the amendment.

The Hon'ble Rai Sriram Bahadur was in favour of the amendment.

The amendment was put to the vote and lost.

The Hon'ble Dr. Asutosh Mukhopadhyaya moved that in clause 4 of the Bill as amended, in the proposed section 7, sub-section (2), the words "Magistrate or" be omitted.

The Hon'ble Sir A. Arundel accepted the amendment which was put and agreed to

The Hon'ble Sir A. Arundel moved that the Bill, as amended, be passed.

Mr. Arandal said: My Lord, in moving this Bill as amended be now passed I should briefly summarise the changes that have been made in it since its first introduction with a view to removing valid objections that have been urged against it. A definition of "Civil affairs" has been added limiting them to (a) affairs affecting the relation of H. M.'s Government or of the Governor General in Council with any foreign state or (b) affecting the relation of the Governor-General in Council with any native State in India or relating to the public debt or the fiscal arrangements of the Government of India, or any other important matter of state where these affairs are of such confidential nature that the public interests would suffer by their disclosure. The word "office" has been removed from Sec. 3 (1) (a) (c) of the Act and regulated to clause (ii) so that the entering of an office can not be constructed as an offence. The words "for the purpose of worngfully obtaining information" have been restored in the same section, but to meet the difficulty if not impossibility of proving wrongful intention, the Bill now provides that where a person commits an act specified in Sub head (a) of Sub Sec (1) without lawful authority or permission the proof of which authority or permission shall be upon him, the Court may presume that he has committed such act for the purpose of wrongfully obtaining information. All offences with regard to Civil affairs have now been made non-cognizable and bailable with regard to military and Naval offences the right of arrest has been limited to public servants and the offences have been made bailable. Jurisdiction under the act has been limited to Courts of Sessions and Magistrates of the first class who also possess authority to discharge an accused person if there is no prima facie case against him. This power of discharge is also possessed by a commanding naval or military officer with respect to a person brought before him. The final safeguard is that no Magistrate or Court can proceed to the trial of any person for an offence under the act whether naval, military or civil except wth the consent of the Local Government or the Governor-General in Council. With regard to newspapers in particular I think all reasonable protection is given by providing that a person must not willfully communicate information relating to the naval, military or civil affairs of Government to say person to whom he knows it ought not in the interest of the State to be communicated at that time. Editors of newspapers claim to fulfill a public duty and function in disseminating information and therefore, should not be reluctant to bear the limited responsibility as to public affairs which is thus placed upon them and which can be a burden to no right-minded person. Public officials are equally responsible under the Bill before us and rightly so. I can not but think that much of the newspapers opposition to this Bill as amended by the Select Committee—and outside this Council there has been much else—is, I will not say factitious, but based on misconception and I can only regret that our critics can not regard the need for secrecy, permantn or temporary, in many civil affairs from the same point of view as Government. The Bill as now amended gives the fullest protection to every innocent person, and it would only be after careful consideration and with much reluctance that Government would consent to the prosecution of a person, who appeared prima facie guilty of some serious breach of the provisions of the law.

The Hon'ble Dr. Mukhopadhyayay said:—My Lord, though there has been a somewhat prolonged debate over the provision of this Bill, I find myself unable to give a silent vote upon the motion now bfore us. The circumstances connected with the passage of this Bill though this council have been of an exceptional character, equalled only by the exceptional character of the provisions which are embodied in the Bill. The Bill was introduced into the Council on the 28th August 1908 and immediately after the statement of objects and reasons for the new legislation was made public. My Lord, I put it, it is my duty to say that though some of the objects of the Bill were made tolerably plain, the reasons were singularly few and obscure. Indeed a superficial reader, either of the statement of objects and reasons or of the speech of the Hon'ble member in charge, might easily be left under the impression that the proposed legislation was of the most harmless and inoffensive character. This, My Lord, is fair neither to the public nor to the Government. As your Excellency was pleased to explain in Council on the 18th December, there has been no hurry about this legislation and the matter has been under consideration for very nearly ten years. It is natural to assume that the Government must have, at its disposal, materials which in the opinion of the Government justify new legislation of such exceptional character. In fairness to the public the Government ought to have placed these materials before them, specially when their interest is to be so seriously affected. My Lord, I confess that I labour under the weakness that I prefer facts to assertions, even when these assertions come from [illegible] highest official authorities. To my mind [illegible] would have been more satisfactory, if instead of vague allusions to defects alleged to have been disclosed by experience, concrete illustrations had been given of the instances in which the existing law had failed or had been found to be defective or imperative. I maintain, therefore, that no foundation has been laid on the solid basis of facts for this new piece of legislation and I am almost tempted to draw the inference that if the facts and all the facts had been published, they would not have justified such of the provisions of the Bill as are open to the gravest objection. But if, my Lord, an extraordinary reliance was observed in the initial stage as to the reasons for this legislation, the circumstances under which the Bill was referred to the Select Committee, were still more singular. The second reading of the Bill is the recognised occasions on which the principles of the measure have to be discussed. Two of our Hon'ble Colleagues—the Hon'ble Nawab Syed Mahomed Sahib Bahadur and the Hon'ble Mr. Gokhale vigorously challenged the whole policy of the Bill and their challenge was met practically by a refusal on the part of the Government to enter into any discussion of the principles of the Bill. I will not pause to discuss the wisdom of such a course but I will add this much that reticence like this is not calculated to inspire public confidence or to induce the public to believe that the Government was still prepared to listen to its reasonable representations. Meanwhile the proposed measure had been examined and criticised by the public and it would be idle to deny that it had met with the unanimous and unqualified disapproval of the entire non-official community. But the public feeling which had been aroused in connection with the Bill and to which emphatic expressions had been given in many quarters was considerably appeased by the assurance given by your Excellency that the Government was prepared, if convinced of the unsuitability of the language, to alted it, if proved to be guilty of obscurity to correct it and if shewn to have gone too far, modify their plans. My Lord, it is useless to conceal the fact that the disappointment of the public has been as keen as the expectations which your Excellency's Assurance had raised. We have it my Lord on the authority of the Select Committee that substantial alterations have not been made in the Bill and they do not hesitate to state that the Bill has not been so altered as to require re-publication. It may be conceded that minor improvements have been introduced by the Select Committee but the portion of the Bill relating to civil affairs is still open inspite of the proposed definition to very grave objections. I venture to think that it [illegible] an entirely false issue to raise [illegible] assert [illegible]t with all the qualifications introductd int[illegible] Bill conviction will be well nigh impossible [illegible]ept in cases of the most flagrant descri[illegible]. The real question is the language of the proposed enactment inspite of an app[illegible]tly elaborate definition so uncertain in its scope, so unnecessarily wide that it may catch in the net of criminal legislation persons, who ought not to be prosecuted and thus effectively hamper the right of free public discussion. I have no hesitation in stating, that whatever the intention of the Government may be the provisions of the Bill will operate as a serious menace to journalism in this country.

If there is any country in which the right of free public discussion is essential to good Government it is India and there cannot be any reasonable room of doubt that the alarm which has been raised by papers of well established reputation like the "Englishman" and the "Pioneer" is thoroughly well founded. My Lord, I will only add that this measure has met with the disapproval not merely of the non-official public but has been regarded as objectionable even in the highest official quarters. I will only read out the opinion of His Majesty's Hon'ble Judges of the Calcutta High Court which is significant in ts brevity. The Judges find it difficult to criticise the machinery by which it is proposed to attain the objects of the Bill without dealing with the questions of policy with which the Bill is concerned. Therefore, do not desire to offer any observations in detail upon the provisions of the Bill. They however, at the same time consider that certain of the provisions of the Bill are open to very grave objection. One would have thought, My Lord, that expression of opinion like this would make the Government pause and to consider the situation. We live however apparently in strong times when Government is determined to push on this piece of re-pressive legislation which will be standing menace with liberty of the press and which, however, welcome it might have been in the Middle Ages in some semi cevilised country would be a serious blot upon the Statute Book in any part of the Empire of Britain in the beginning of the twentieth century and our regret is all the keep that this has happened during the Administration of your Excellency who has ever followed the best traditions of English statemanship in inviting public criticism even when such criticism was known to be unfriendly to the policy of the Government. I therefore deem it my duty to enter my strongest protest against this Bill though I might have supported it, if it had been limited in its operation to naval and military matters.

The Hon'ble Mr. Gokhale said:—

My Lord,

I beg to move that in clause 2 of the Bill as amended in the proposed definition of civil affairs in sub clause (b), the words "or any of her matters of state" be omitted. Government are no doubt aware that these are the words to which the greattst exception has been taken both by the Press ond by public associations in this country and if the proposal to omit them, is accepted, the greater part of the opposition to this measure will, I think, disappear. On the other hand, if the words are retained they will render the attempted, definition of civil affairs practically valuless by conferring on Government almost as wide and dangerous a power to interfere with the liberty of the Press as under the original Bill. My Lord, a definition is no definition unless it species or at any rate indicates with some degree of difiniteness what it is that is intended to be included within its scope, so that a person of average intelligence may have so difficulty to understanding that scope. In the present case, this test fails altogether on account of the use of such vague and all engrosing words as "any other motters of State" in this attempted definition. I see that the Hon'ble Sir Arundel has given notice of an amendment to insert the word "important" before the words "matters of state." Any other, important matters of State is however, as vogue and may be made as all engrosing as the words "any other matter of State," and I do not think that the Ho'ble member's amendment will improve matters in any way. It may be argued, as the Hon'ble member did when presenting the Report of the Select Committee that the definition of Civil affairs even as it stands need cause no apprehension, because before any conviction is obtained, Government would have to prove: (1) that the informations published was of such a confidential nature that the public interest hos suffered by its disclosure; (2) that it had been willfully disclosed; (3) that the persons disclosing it knew that in the interests of the state he ought not to have disclosed it at that ime. Now, my Lord, hese safeguards look very well on paper, but, I fear, in practice they will be not found very effective, when the Government come forward to prosecute a Newspaper on the ground that it had disclosed confidential information relating to matter of state and that such disclosure has harmed public interests, I am afraid a great willing Magistrate in India will require no other proof than the opinion of Government to know that the information published was confidential and that it had projudicially affected the interests of the state. As regards willful communication, that too will be held to be established as a matter of course unless the newspaper proves that the publication was due to inaduertance. The knowledge on the part of editor that such publication should not have been made at the time in the interest of the State will no doubt strictly speaking be more difficult to prove, but Magistrates of the average type in India, in the peculiar relation in which they stand to the executive Government will not be very relactant to presume such knowledge from the fact that the information published was regarded by government as confidential and from other attendant circumstances. Let me take as an illustration publication last year by some of the Indian Newspaper of a confidentia circular addressed to Railway authorities in this country, by the under Secretary to the Government of India, in the Pubic Work Department, in the matter of the wides employment of Europeans and Eurasians. My Lord, in the statement made by your Lordship, in Dectmber last, on the subject of the Official Secrets Bill, your Lordship was pleased to state that I had directly attributed the introduction of this Bill to the annoyance caused to Government by the publication of this circulor. May I respectfully ask leave to correct this misapprehension? I had mentioned this circular only to illustrate my meaning as to the distinction, which, I thought, Government might make between civil matters of smaller and of greater importance. My exact words were "It may be said that while Government have no objection to the unauthorized publication of official news of minor importance they certainly want to prevent the publication of papers such as the confidential circular about the wider employment of Europeans and Euasians in the Public Service, which were publshed by some of the Indian papers last year. And later on when I spoke the annoyance caused to the officers of Government I spoke of the annoyance caused by the publication of crculars such as were made public last year. I had thus used the circular only for the purpose of an illustration and I beg leave to use it for a similar purpose again to day. It is probable that as this circular had been issued without your Lordship's knowledge or the knowledge of the member in charge of Public works, as stated by your Lordship or a previous occassion, Government would not sanction a procsecution in this case; out supposing for the sake of argument that they did, how would the matter stand. Government might urge that the publication of the circular had influenced the minds of many Hindus, Mahomedan and Parsees against the Government and had thus led to increase disaffection in the contry. And if the trying magistrate came to accept the view the task of the prosecution would be compratively simple. The injury to public interests would be hold to lie in the alleged increased disaffection. The Magistrate would have no difficulty in holding that the publication was wilful and the editor would be presumed to have known what the consequences of such a publication would be. It may be that on an appeal to the High Court or similar authority, the conviction may be set aside; bu the worm and expense caused to the editor by such a publication might, in themselves, prove a heavy punishment, especially when it is rememmbered that the proecution would have, behind it, all the prestige, power and resources of the Government. Even if no proceedings were actually instituted by the Government under the proposed legislation, the mere fact that the Government was armed with the power to prosecute cannot fail to effect prejudicially the liberty of the Press in the country. My Lord, nowhere throughout the British Empire is the Government so powerful relatively to the governed as is in India. Nowhere on the other hand is the Press so weak to influence,as it with us is. The vigilance of the Press is the only check that operates from outside, feebly it is true, but continuously, upon the condnet of the government which is subject to no popular control. It is here, therefore, if any where, that the legislative should show special consideration to the press and yet here alone it is proposed to arm government with a greater power to control the frudom of the Press than in any other part of the Empire. My Lord, we often hear Government complaining of the distrust shown by the people in this country and of the people complaining of the Government not trusting them enough. In such a case the situation is further complicated by a tendency on the part of the Government to attach more importance to race or elass consideration. The wesest and safest statesman live course for them is to conduct their civil administration as far as possible in the light ofday. The Press in one sense, like the Government is the custodian of public interests, any attempt to hamper its freedom by repressive Legislation is bound to affect their interest prejudicially and cannot fail in the end to react upon the position of the Government My Lord, I fear, that the retention of the words or any other matters of state in the definition of civil affairs will unduly curtail the liberty of the press in India and I therefore move that these words be altogether omitted from the definition.

The Hon'ble Nawab Said Mohamud, the Hon'ble Rai Sriram Bahadur, made speeches and were against the motion. His Highness the Aga Khan was in favour of the passing of the Bill.

His Honour the Lieutenant-Governor said: that he wished to make one or two remarks because he did not think it quite right of him to give a silent vote in support of the Bill. He had a very strong conception of the evil which the Bill was intended to remedy. Since he came to Bengal he had felt that there had been a great difference in respect of the relation between the Government and the press. Some official and demi-official letters had been published in the newspapers, without his knowledge. His Honour was in favour of the Bill being passed.

His Excellency the Viceroy said:—

I should like to make certain observations in summing up this debate. I have observed a marked and agreeable contrast between the tone of the speeches that have been delivered to-day and that have been marked by very general moderation, and the criticisms of this Bill that were popularly made when it was first introduced, and that have even survived in some quarters up to the eleventh hour. I attribute this contrast to two reasons. In the first place, the modifications that we have introduced into the Bill have, I believe, removed the greater part at any rate of the objections that were entertained to it; and nowhere, I am sure, is the difference between the Bill as it was originally framed, and the Bill as it is now, better appreciated than by the acute intelligence of the Hon'ble Dr. Asutosh, though in his concluding speech he affected to shut his eyes to the fact. Secondly, it is my experience that it is much more difficult to make exaggerated statements at this table than it is to write them in the press. For here an answer is possible, and both sides of the case are heard. This is the first occasion upon which the Government have had an opportunity of stating their case upon the details as well as the principles of this Bill, and I think that as a result of this discussion, it stands out in a different and clearer perspective.

Nevertheless, we have had in the debate that has just closed a revival of some at any rate of the apprehensions and alarms that found such wide expression in the earlier phases of the case. To these I desire, before we take the final vote upon the Bill, to offer some reply. Though I think, and have already argued, that the Bill is a necessary, and is certain to be a useful, measure in practice, I am not one of those who regard it as an extremely important or a heroic piece of legislation. It most certainly does not mark, on the part of the Government of India, any sudden change of policy, or desire to enter upon a course either of official secrecy or of anxiety to punish or proscribe those who may not agree with them. As I remarked when I spoke on an earlier stage of the Bill, it is a measure that has long been on the stocks, with a view to remove the anomaly of the present situation under which, as I shall presently show, the existing Act was intended to do something which most authorities are agreed that it does not do: and it was an accident that the actual amending Act was proposed this year rather than at anytime during the past six or seven years. Ever since the Act of 1889 was passed, it has been inoperative, both here and in England, owing to the extreme ambiguity and carelessness of the language that was employed. It was long ago decided to revise the Act in India, whenever the occasion presented itself, and I think it would be found that the same question has been discussed in England, though the conditions of Parliamentary life render it difficult to carry through the House of Commons any measure that is not imperatively called for by the political exigencies of the hour. The Government of India desired to amend the Act for two reasons; firstly because in practice they had found it to be absolutely useless in the naval and military cases which it was supposed to cover, and secondly, because they had been informed by their legal advisers that it could not be put into operation in any civil cases, should this require to be done, owing to the extremely imperfect way in which it had been framed. Now it does not appear to me to be good statesmanship to leave a measure which, owing to such causes as these, has become a dead letter on the Statute Book, any more than it is good horticulture to leave a dead bough on a tree. The Act required amendment some time or other, and the opportunity was taken to amend it. I readily admit that we did not at first proceed very skilfully about it. When a Bill is badly drawn in the first place, it is very difficult to amend it by a well-drawn Bill; and I think that our first attempt was open to well-merited criticism. I am far from claiming that express what the original Act meant very much better than the original Act expressed it, expresses what the original Act expressed it, while by virtue of its greater precision of language it should be less and not more obnoxious to those who resent any interference by the State at all.

It will be obvious from what I have said that the Government mainly rest their case on the proposition that the Act of 1889 was intended to cover civil secrets, though it failed to do so; and that we are merely, therefore, carrying out the original intention, though we are doing it in a manner that affords, as I have said, greater protection to the individual than was ever contemplated in 1889. That this view of the original object is the correct one, is, I think, incontestable. I was in the House of Commons in 1889, when the Bill was passed in England. In so far as it was explained at all, stress was laid, as the Hon'ble Sri Ram Bahadur has pointed out, upon the naval military origin of the Bill. But nobody paid much attention to it; and it passed through almost without comment. In the House of Lords, however, the Lord Chancellor clearly stated that the objects of the measure were two-fold, namely, first, to punish the disclosure of naval and military secrets, and secondly, the disclosure in certain circumstances of official secrets. The Lord Chancellor only described one set of circumstances, but it is quite clear from his remarks that he did not regard the Bill, as claimed by the Hon'ble Mr. Gokhale, as exclusively confined to naval and military affairs. When the Bill was enacted in India in the same year, the Indian authorities were much more explicit: though I observe that the critics of the Bill to-day have observed a judicious silence as to what was said on that occasion. Sir A. Scoble, who has been quoted spoke in the most clear and unmistakable way. He said that the offences which the Bill was intended to reach were the wrongful obtaining of information in regard to any matter of State importance, and the wrongful communication of such information. How in the face of this is it possible for anyone to argue that the Indian Act of 1889 was not expressly intended to protect civil secrets? Lord Lansdowne was scarcely less explicit, for he based his defence of the measure exclusively upon the publication in a native newspaper of a garbled version of a confidential Note by a high officer of Government, not about naval or military matters, but about the policy of the Government of India towards Kashmir, and he said that this was an illustration of the kind of malpractices against which the Bill was directed, and that it should be generally known that the new law was intended to be put in force in such cases in future. If this were not clear enough by itself, I might refer to the title of the Act, which was not Naval and Military Secrets Act, but Official Secrets Act, and to the preamble, which recited the expediency of preventing the disclosure, not of naval and military secrets, but of official documents and information. The same inference is to be deduced from the language of the Act about offices and official places. In-

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deed, it is really inconceivable that anyone should hold an opposite opinion.

Now, having, as I think, conclusively established that the Act of 1889 was directed quite as much against the disclosurt of civil secrets as of naval or military secrets, I want to put the question:—Is there a single Hon'ble member at this table or a singlt fair-minded person in this country, who would take up the position that the State is entitled to protection for its naval and military secrets, but not for its civil secrets, and that any one of its citizens is to be at liberty to disclose these with absolute impunity, except in so far as they may fall incidentally under the ordinary criminal law? With all respect I say that I cannot conceive of such a position being taken up by any sensible man. It would mean that any secret treaty or negotiation might be divulged, any change in taxation let out in advance, any steps to check or defeat some insidious conspiracy revealed—for fear of invading the so-called independence of the individual, which very often means no more than the impunity to do wrong without being punished for it. We hear a good deal now-a-days about the rights of the individual, and everybody is naturally interested in defending them. But there is such a thing also as the rights of the State, and it seems to me to be part of the elementary conception of a State, i.e., an organised body appointed to administer the affairs of a community, that it should be at liberty to protect its own confidential secrets. Well, then, I ask next, is there anything in the circumstances of India that should render this country exempt from the application of this simple and elementary rule? Is it not notorious that this is a counry whtre it is very difficult to keep matters confidential, and where there are frequent and sometimes most reprehensible disclosures? Till the Bill was introduced I never heard of anybody who doubted this, and only the other day I read this passage in a Bombay newspaper, the "Bombay Gazette," which is by no means a friendly critic of the Government of India or of the present Bill, but which speaks with an experience of the country much greater than any temporary resident here, like myself, can possibly claim.

"To say that the measure now on the legislative anvil is likely to be the terrible instrument that some critics pretend to fear, is ridiculous. That there is urgent necessity for some such measure—not essentially the same in detail as the present one— is undeniable. Information which it is in the interest of everyone of us should be temporarily kept strictly secret, leaks out, and infinite mischief is done thereby. Instances occur with great frequency. The utmost care is taken to prevent infirmation of this class becoming known to the undue advantage of unprincipled persons, but in vain. The contents of documents are known in the bazaar before they reach the person to whom they are addressed. Even "coded" telegrams are unsafe, and we doubt if there is a single journal in India which cannot quote instances in which complaints of such occurrences have reached it. As a case in point, we may mention that of the annual Financial Statement, which is again almost due. Year after year a certain number of copies are printed in the Government Press, placed under cover and sealed, forwarded to the Accountant-General in Bombay with instructions that they must nit be delivered until twelve noon on the day theStatement is presented to the Council. These instructions are most religiously followed; yet the whole contents of those documents can be ascertained in the bazaar the previous day, and the information to be found under the heading "Ways and Means" is publicly discussed and operated upon. Opium figures find treir way into the bazaar with even greater celerity, and it is a matter of common notoriety, that items of greatest importance outstrip the recognised sources of communicatiin. We are unwilling to believe that subordinate officials in Bombay are responsible. We imagine, that if the Official Secrets Bill, with all its present imperfections, were in force, it would not injure the subordinate nearly so much as we are asked to believe. The man to get at is he who, having official secrets in his possession, fills his pickets by speculation on the strength if them."

The argument contained in the above extract has further received the most emphatic and authoritative corroboration at the hands of my Hon'ble Colleague Sir Edward Law and also from the Lieutenant-Governor, speaking from his own experience. I hipe, therefore, now to have established three propositions: firstly, that in amending the Act of 1889, we are merely putting back into it what was always intended to be there; secondly, that the protection of civil secrets is among the primary rights of a civilised State; and, thirdly, that in India there is not less but dmittedly greater need for the exercise of this right than in many other countries.

There only remains for me to examine whether under the terms of our Bill the re-assertion of this right has been made in a manner that is likely to be fraught with any real danger to the individual. We heard a good deal in the debate this morning about the presumption of the English law that a man is innocent until he is proved to be guilty. Is there anything in this Bill that will put the innocent man in peril?

I have said nothing so far about the concessions that we have made to public criticism in the modifications that we have introduced in this Bill; nir have I time ti allude to them now. In the opinion of many of the foremost of our original critics they have taken the whole sting out of the measure. But there is one concession that I must point to with reference to the question that I have just asked. Our endeavour to define civil affairs, which were not defined at all in 1889, has been undertaken exclusively with the object of removing popular apprehension, and of restricting our own rights. But you may then reply that we have not been particularly successful. Well, from the point of view from which this remark is made, nothing I am afaraid that we could do would be successful. We might go on specifying the sort of thing that is a civil affair. But however far we went, there would always be an unspecified residuum; and if this were exempted from the operation of the Act, then we should probably find the most flagrant and culpable offence of all perpetrated in the very unnamed category which we had been foolish enough to omit. That is the reason why we have left in those words "or other matters of State," though we have still further limited our power of intervention by requiring that they shall in all cases be important matters of State. If the words had been left out altogether, the chances are that the Bill would have once more proved to be a dead letter; for when we wanted, if we ever did want, to apply it, we should probably have found that we had just failed to provide for the one case in which protection was essential. I have seen it asked, if so wide a definition is to be left in the Bill, of what use it is to specify the relations of Government with Foreign States, or Native States, or fiscal arrangements, in particular? The answer is that the more you specify, the more you restrict, that the cases named are illustrative as well as specific, and that they afford a clue to the public of the nature of offences which it is intended to penalise under the Bill. When these cases are specifically mentioned in the first place, and when all other matters of State which they do not cover are further restricted to important cases, and when in the case of all of them it has to be established to the satisfaction of the Court that they are of such a confidential nature that the public interest would suffer by their disclosure, so far from thinking that these provisions are ever likely to be used for harassment, I should be inclined to say that the Government has so tied itself up as to render action well nigh impossible, except in circumstances of such extreme heinousness that we hope that they will never occur, while if they did occur, no two opinions could be held about them.

It seems to me that in matters of this description there is a very common tendency to assume the most far-fetched hypotheses, and to argue as if everybody were likely simultaneously to act in a manner in which as a matter of fact people do not act. For instance from some of the criticisms that have been made upon the Bill in the public press it might be inferred that the people of India exist under a Government which allows no freedom of thought or utterance, and which is a scarcely disguised engine of oppression. Similarly, one might assume that the press and the public are every day already, or are capable of being, guilty of acts qualified to keep them perpetually under the ban of the law. And yet we all of us know that both of these hypotheses are purely fanciful; that we have the freest Government in the world, and that though bad cases sometimes occur, and in India, as I have said, much more frequently than in England, yet the sense of public honour and civic duty is more highly developed under British institutions than in any other country. British Governments do not readily assume the role of prosecutor, much less of persecutor, and even if they did, they wiuld very speedily repent of the enterprise. May we not assume in looking at the future operation of this Bill that the factors we are dealing with are Governments possessing some sense of responsibility, Courts retaining some share of independence, and I would add a public which, whatever it may say when excited, has a very considerable confidence in both? If this assumption be a fair one, I think, it impossible that any real injustice should be perpetrated under this Bill, and if it were, then I would add that from that moment the Act would be doomed.

My own view, therefore, of the Bill is a relatively very modest one. I regard it as a measure of justifiable precaution investing the State with a power for the protection of important interests which every Stae ought to possess, and which but for an ambiguity in the existing law we should possess already. Further, I think that the real value of the Bill will be negative rather than positive, that is, it will act as a deterrent rather than as a penal weapon. Peopje will be more careful than they have hitherto been about disclosures, whicr every man at the bottom of his heart knows to be dishonourable and injurious to the public interests. Lord Lansdowne's Bill has been in operation for nearly 15 years, and there has never been a prosecution under it. This has been because, even if the prosecution had been attempted, it would have been inoperative owing to the imperfect nature of the Act. If the present Bill be passed under scrutiny 15 years hence, so far from the intervening record being one of arrests and trials, I should not be surprised if it were equally blank. But this would be for the much more creditable and satisfactory reason that infringement of the law had been prevented by the power to punish it, and that important official secrets had not been divulged, because divulgation had been made unpleasant and even perilous. If my anticipations are in the least correct, then I think that the Council may pass this measure into law with a perfectly clear conscience, and with the conviction that they are adding not an instrument of terror, but only a weapon of the most elementary self-protection, to the armoury of the State.

The Bill was put to the Council and passed.

The Council is adjourned to Friday week.

RENGOON ITEMS.

Rangoon, Mar. 2.

Mr. W. F. Rice, Deputy Commissioner, has been appointed Chief Secretary to the Government of Burma, during the absence, on leave, of Mr. F. C. Gates.

Another big fire occurred at 2 o'clock this morning in the heart of the town, said to be caused by the explosion of a lamp in a godown of a timber building. One house was altogether burnt, three others being greatly damaged. The total estimated damage is about two lakhs of rupee.

LARGE EXPENDITURE ON NAVAL WORKS.

Allahabad Mar. 4.

The correspondent of the Pioneer wires under date London, March that naval experts estimate that Port Arthur is no less than 4 months' journey for the Baltic fleet. In the House of Commons, the unfortunate position of the Russian fleet due to the lack of repairing facilities and of defences against torpedo attack has been utilised to justify large expenditure on naval works.

PROPOSED PARTITION OF BENGAL.
A PROTEST MEETING.

Mymensingh, Mar. 4.

A public meeting presided over by Kumar Upendra Chandra of Golockpore and attended by the Maharaja of Mymensingh, the Zamindar of Gouripore and some other zemindars and leading representative men was held yesterday in the Town Hall to consider the partition question in the light of His Excellency's speeches in East Bengal. It was unanimously resolved that the speeches did not allay the feeling of alarm created by Mr. Risley's proposal and did not meet the main objections to the partition scheme, namely the division of the Bengalee-speaking nation and the inevitable deterioration that will follow their severance from the metropolis. All the resolutions passed in the last mass meeting held on the 17th January were re-affirmed.

TELEGRAMS.

REUTER'S TELEGRAMS.

THE RUSSO-JAPANESE WAR.

London, Mar. 3.

General Phlug reports that on the 2nd instant 6,000 Japanese with 200 Cavalry occupied Pingyang which is fortified and being daily reinforced by troops brought by sea from Fusan to Chinampo. The despatch adds that 2,500. Japanese without artillery have landed at Chanjin in North Eastern Korea and are marching inland.

Reuter from Seoul wires that the Russians are hastily constructing a fortress and extensive earthworks at Autung to obstruct the passage of Yalu by the Japanese.

[LATER.]

The Japanese have landed at Songchin in Plaksin Bay not Chanjin and are marching on Masourchan in Southern Mannhuria and on Port Arthur.

London, Mar. 4.

The Egyption Government decided on the 12th ult. that belligerentss should not be allowed to escort prizes through the Suez Canal. It is presumed that this contributed to release of colliers seized in the Gulf of Suez.

The torpedoes which left Portsaid for Algiers and returned, have been ordered to leave again, and to be refused any further coal. Another torpedoer passing canal has collided with, and sank. Egyptian revenue cutter; and it is expected the canal will be blocked for twenty four hours. The Egyptian Government protests against Russians repeatedly overstaying limits.

Viscount Doki proceeds to Korea on important mission in connection with reform in internal administration.

London, Mar. 3.

The rehearing of the Dreyfus case began before the Court of Cassation to-day. The French public is entirely unconcerned.

Mr. Balfour in the Commons proposed to defer the discussion on the War Office report until the Government could state its policy concerning the recommendations.

A telegram from Melbourne states that the Commonwealth is prepared to alter the tariff in favour of Britain making sacrifices if necessary to secure reciprocal preferences.

The fourth Test Match played at Sydney has been won by Warner's team by 157 runs.

London, Mar. 4.

A telegram from St. Petersburg state that fresh orders have been sent to Admiral Wirenniuss, Squadron to remain in the Red Sea and watch for warships, and capture contrabanders.

General Bruce Hamilton has been appointed to command Second Division of First Army

INDIAN TELEGRAMS.

THE RUSSO-JAPANESE WAR.

BATTLE AT CHEMULPHO.

A RUSSIAN OFFICIAL COMMUNIQUE.

Colombo, Mar. 3.

Advices dated New York 22nd February state that the Varyag and Coreetz quitted Chemulpho harbour with the bands playing the Russian National Anthem as the two ships advanced in the face of apparent certain destruction. The international fleets in the Port cheered the Russians for their gallantry. The United States commander considers that the Japanese are entitled to claim the survivors as prisoners owing to their clemency in refraining to sink the Russian vessels in the open sea and allowing the officers and men abroad to take refuge in foreign ships. The Japanese did not use torpedoes during the fight at Chemulpho.

During the battle at Chemulpho the Captain of the Varyag was wounded, two other officers standing beside the Captain were killed. An American General who witnessed the fight states that the Japanese time fuse shrapnel fired at the rate of ten shots a minute produced a blinding and bewildering effect.

The "Daily Mail's" correspondent furnished his journal with a lurid description of the battle at Chemulpho. The Japanese opened fire at range of 8,000 yards. The fire was mainly directed against the Varyag. The Russians manoeuvred rapidly hoping to avoid the Japanese fire. Five shells struck the Varyag in quick succession, one killed and disabled all save one Russian serving the forecastle gun; another struck a portion of the Varyag's six inch gun. It afterwards exploded, the ammunition producing a sheet of flame as high as the fighting top. A third demolished the Varyag's forebridge firing the debris and sent the Russian crew to the fire stations. The Russian guns ceased fire within five minutes. The Japanese shrapnel fire repeatedly swept the Russian crews from the guns, one shell penetrated the Varyag waterline and the ship now became a living hell; the smell of burning flesh was horrible. The absence of gun shields caused unnecessary loss. The Russians dazed and benumbed nevertheless continued to work the guns. A Russian Lieutenant says that blood was everywhere from severed limbs, torn bodies and ripped flesh. The streeing-gear of the Varyag was disabled. The captain endeavoured to run the ship aground towards the harbour but was compelled to remain near the gunboat Coreetz. The Varyag listed heavily. The Coreetz after retreating turned and fired eight inch guns alternately, well handled. The Varyag fired similarly. The Japanese refrained from firing on the doomed ships. Medical assistance was sent to the Russian ships from H. M. S. Talbot. One officer and 40 men of the Varyag's company were killed and 264 were wounded. The Japanese were untouched.

Great indignation is aroused at Tokio at the conduct of the Russians in torpedoing the Nakomura Maru and drowning thirty-three souls on board after the Japanese flag had been hauled down. The popular feeling against the Russians is intensified by the report that no attempt was made at rescue. The damage sustained by the Russian warships in the two engagements off Port Arthur is estimated at £7,00,000.

TELEGRAMS.

INDIAN TELEGRAMS.

THE RUSSO-JAPANESE WAR.

A state of terrible confusion exists on the trans-Siberian railway owing to the question of traffic. Vast accumulations of war ammunition and provisions are at all the chief stations. Many Russians fear that the railway facilities are unequal to provisioning more than 150,000 troops. Immediately after the Russians defeat at Port Arthur the Kaiser sent them an extremely cordial telegram. The Russian gunboat Rasboynik has been captured by the Japanese and taken to Sasebo.

A German vessel shadowed the Japanese squadron off Weihaiwei on the 13th until warned by a Japanese battleship.

Japan has directed all Russian prisoners to be treated with the utmost consideration.

An official communique of an extraordinary character has been published at St. Petersburg. It indicates the nature of the Russian plan of campaign. It states that the remote distance of the territory treacherously attacked and the desire of the Tsar to maintain peace were the causes which rendered it impossible for the Russia to make preparations for war a long time in advance. Much time now is necessary to enable Russia to strike Japan blows worthy of Russia's might and dignity. The Communique excites amazement and is regarded as betraying the condition of the national bewilderment. The "Times" commenting on the Communique published suggests that it is intended to prepare the Russian people for the falling back of the Russian troops to bases and to the indefinite postponement of active military operations. Russia must leave Port Arthur and Vladivostock to fall by starvation or assault. It will leave behind the whole prestige of Russia in the Far East to say nothing of the tremendous blow, but such a falling back must affect Russian prestige everywhere. Referring to Russia's action in connection with the Fashoda incident the "Times" declares that the fact that peace had been preserved is entirely owing to the clamness and good sense of French statesman.—"Englishman."

FOREIGN VESSELS WITH CONTRABAND OF WAR SEIZED.

Colombo, March 3.

The Japanese have captured the German steamer named "Yokohama." The cargo includes dynamite intended for Port Arthur. They have also captured six Norwegians vessels, chartered by the Russian naval contractor.

JAPANESE FLEET ON THE WAR PATH.

Colombo, March 3.

The Japanese cruisers "Saitmen" and "Heiyen" have captured the Russian Volunteer transport "Ekaterinoslav" near Fusan off the southern coast of Korea. Several whalers and a steamer belonging to the Chinese Eastern Railway Company were also seized by the Japanese cruisers. The steamer was an adjunct to the Trans-Siberian Railway.

After leaving Singapore the "Kasuga" and "Nishin," at an appointed "rendezvous" in the Dutch Archipelago picked up fighting crews, numbering twelve hundred. They are now searching for the Russian Volunteer cruisers in the China Sea.

The Russian cruisers in the Mediterranian will prevent the Japanese steamer "Ranagapa Maru" leaving Malta.

Colombo, March. 3.

The Russian steamer "Malaya" is waiting at Colombo to take home the Russian prisoners from the steamer "Namsang" which is due on Sunday.

The Russian gunboat "Rashbrynik" has been captured off Masapho.

After the first fighting at Port Arthur the Kaiser sent the Tsar an extremely cordial telegram.

Japan orders that Russian prisoners be treated with the utmost consideration. Japanese warships seen near Newchwang are preparing to land near Chingwanta.

There is great indignation at Tokio at the Russians sinking the "Nakomura Maru" after her surrender, and making no attempt to rescue the crew.

The "Daily Chronicle" estimates the Russian sea losses at £7,000,000.

The Japanese have occupied Chinghai and The Mikado and the Bank of Japan subscribe £2,000,000, and the nobles and other Banks £1,000,000 each.

Sixty Chicago Volunteers are proceeding to Tokio.

During the attack on Port Arthur on the 14th ultimo the steamer "Kazan" took fire.

The Japanese expect a decisive battle at Kirin.

Admiral Makaroff, before departing eastwards, said: "There is warm work out there, and all Russians must be united now."

A Rusian war fund has been started in England.

The Japanese have occupied Chinghai and the Russian coaling station in Korea. They have also seized the German steamer "Yokohama" with a cargo of dynamite for Port Arthur, and also six Norwegian colliers. The Russian steamer "Kotik," bound for Sydney in ballast, has been taken to Sasebo.

Frankfurtt financiers are losing five millions owing to the slump in the bell gerents' stock, and they accuse the Government of deluding them with false hopes of peace.

Advices from the Amur river state that General Linievitch is appointed Supreme Commander in Manchuria.

The Russian say that the "Korietz's" first shot was the result of an accident.

Japan has notified Korea that the war will save Korea from Russia's pressure, will secure Japan's self-defence, Korea's independence, and peace in the Far East.

The arrangments for the transfeb of the through mails, between Calcutta and Bombay, from the East Indian to the Bengal Nagpur Railway, will not after allbe completed in time to effect this change next month, and it has now been definitely decided to make no alteration until July next.

TELEGRAMS.

INDIAN TELEGRAMS.

OFFICIAL SECRETS BILL.

A PROTEST MEETING.

(From Our Own Correspondent.)

Allahabad, Mar. 3.

A public meeting of the citizens of Allahabad held to-day emphatically protested against the Official Secrets Bill. The Hon'ble Pundit Madan Mohan Malaviya presided. He pointed out several objectionable features in the Bill even as it is now amended and said that there was absolutely no reason for including Civil affairs. He condemned practically leaving the burden of proof of innocence on the accused persons and urged that it was unwise to pass such bad law and to rely on the discretion of Government and its official against its apprehended abuse. Passing of such unnecessary and dangerous legislation in teeth of the singularly unanimous opposition from both the press and public was more likely to prove injurious to the best interests of the Empire than any disclosure of any official secrets. Mr. J Simson, Vakil, High Court, moved the following resolution:—That in the opinion of this meeting the Official Secrets Bill even as amended by the Select Committee contains several objectionable features which will make the measure, if passed into law, a menace to the liberty of the subjects and of press. The meeting earnestly implores Lord Curzon's Government to entirely exclude matters relating to Civil affairs from the purview of the Bill as absolutely no cause has been shown for including them in it and as the English statute which furnished model for the existing Act does not include such matters among secrets which ought to be protected from publicity." The Speaker wished to remind Lord Curzon of the speech he delivered in London before coming out to India wherein His Excellency said that one of the duties of the Viceroy was to win people and also of the Government Proclamation of 1858, which his Lordship had said was the golden guide to conduct and aspirations and wherein our late illustrious Queen had said in their contentment our security forcing of such obnoxious measures upon people not calculated to secure contentment. Mr. S. Sinha of the "Hindustan Review" and "Indian People" in seconding the resolution declared that even if the measure is passed no journalist true to his salt would be deterred from fear of any evil consequences from publishing any information which he honestly believed should be published in the interests of the public. Babu Ramanand Chatterjee, Principal, Kayastha Pathshala, said that even if in spite of such universal protest Government passed the Bill into law, intellectual and moral victory should be and that the more such victories we recorded the nearer shall we be is serving actual triumphs of public opinion and concluded by saying that no Government can long continue to resist moral pressure of united public opinion. Mr. C. T. Chintamani, Joint Editor, "Indian People" remarked that the highest official of Government failed to justify inclusion of Civil affairs in the Bill because it could not be justified. Quoting some pioneer speakers he said that the Legislative Council with automatic majorities were forced to accede to the passing of this reactionary measure. The meeting earnestly hoped that the Bill may yet be purged of its objectionable provisions before being passed into law.

THE TILAK CASE.

HONORABLY ACQUITTED.

(From Our Own Correspondent.)

Bombay, Mar. 3.

To-day at the High Court the Hon'ble the Chief Justice and Mr. Justice Batty delivered judgment in the above case.—Mr. Clements, the Special Magistrate, who tried Mr. Tilak on two charges of perjury, convicted and sentenced him to eighteen months' rigorous imprisonment, and to pay a fine of Rs. 1,000. Against this conviction Mr. Tilak appealed to Mr. Lucas, who decided that of the two alleged false statements and charges against him, no conviction for the second statement of wrongful confinement could have been obtained on the evidence brought in the case. He confirmed the conviction on the first statement; but found that there were extenuating circumstances in the to which he reduced the six months' rigorous imp fine of Rs. 1,000 or, in defaul gorous imprisonment for two mo cluding his judgment, the Chief Justice "As we are dealing with this case in revision, we have accepted the Judge's appreciation of oral evidence and refrained from discussing the probabilities; but we find it difficult to understand what improbability can attach to the alleged incident of placing in the lap, if the influence of the accused was sufficient to secure the execution of the adoption and the deed, and that, as Tai Maharaj alleges, against her will, and in spite of her protests. The Advocate-General's opening argument before us was based on the fact that the case as before us was in revision and not on appeal; but Section 435 of the C.P.C. vests this Coudt with power to call for the records of inferior Courts for the purpose of satisfying itself as to the correctness, legality or propriety of any finding, sentence, or order recorded or passed, and as to the irregularity of proceedings of an inferior Court. While Section 439 defines our powers of revision, we have avoided re-appreciating the oral evidence, and we have accepted the Sessions Judge's estimate of it. Though as we have shown, accused had reaon to complain of the failure to discuss the testimony of the witnesses called by him, our ground of interference, it will be apparent, is the misreading of the documentary evidence and the fundamental errors in principle which vitiate the conduct and disposal of the case. Accordingly we set aside the conviction and sentence, and order the fine, if paid, to be refunded."

Centre for Studies in Social Sciences, Calcutta

TELEGRAPHIC SUMMARY OF THE WAR.

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Feb. 20.—French cruiser Pascal with Russians wounded in Chemulpho fight reported as having arrived at Shanghai on Friday. London Lloyds accepting risks against an Anglo-French war in three months at thirty guineas per cent. Cable between Port Arthur and Cheefu cut. General Kuropatkin appointed Commander-in-Chief of Russian army in Manchuria. Italian Cruisers Calabria, Carlo, Alberto, Lombardia and Dogale ordered to Far East. Commander of Pascal describing Chemulpho fight says Commanders of French, British, Italian and German warships twice protested to Japanese Admiral against attack as a violation of international law, because Chemulpho is a neutral port. Ancient gold and silver bullion from Japanese Imperial treasury deposited in Bank of Japan as reserve fund. A squadron believed to be Russian passed Perim at midnight on 19th going northward. This coincides with report from St. Petersburg that squadron ordered home. Reported at St. Petersburg that party of Cossacks on 19th captured at Wiju, a Japanese Major, seven soldiers and civilians and are in possession of maps and papers. The "Times" in commenting on Tsar's manifesto (issued on 18th) says it means a war of exhaustion and another wholesale retreat similar to Moscow leaving Port Arthur and Vladivostock isolated. Russia informs United States that she will not grant an exequator to Mr. Morgan, American Consul at Dalny, because she desires no foreign officials, in the Liaotung peninsula during the war. Tientsin telegram states that after accidental explosion of the Yenisei by mine in Port Arthur harbour, a violent storm occurred when mines came up to surface and floated about in all directions. Next day Boyarin sent to assist in securing them and was caught in storm, driven on the rocks and became total wreck. Another Russian official statement issued formally charging Japan with violation of international law in making series of revolting attacks before declaring war. Alexeieff ordered to defer his departure for Harbin until Admiral Makaroff has arrived at Port Arthur. Russia abolishes censorship for outward foreign telegrams except ordinary military censorship. Panic on the Paris Bourse in consequence of rumours that Italy, Germany and Fance going to mobilise forces.

Feb. 21.—Bodies of Russian troops making parallel march towards Yalu Pflug while troops also advancing to Yalu strengthening the centre and preparing to defend the railway and north gulf coast. Russians admit unpreparedness, but are now hurrying up reinforcements. Alexeieff asked Chinese troops to assist the Russians in guarding railway. Chinese Government replied that as Russia insisted that China was unable to guard the railway in peace Russia could not expect her to guard it in war. French newspapers open subscriptions for Russian sick and wounded.

Feb. 22.—Sweden mobilizing troops and fortifying coasts. Spain sending considerable reinforcements to the Canaries and otherwise preparing. Portugal sending the Vasco-de-Gama to Far East and contemplates mobilizing her forces. P. and O. steamer Mongolia chased by Russian squadron in Red Sea. Transport Smolensk homeward bound. M. Pavloff's report on Chemulpho fight says a Japanese destroyer was sunk and cruiser Takachiho so damaged that she was sunk by her Captain.

Feb. 23.—Admiral Alexeieff and all members of his staff installed at Harbin. Russia and Japan replying to United States state that both are prepared to respect neutrality of China, outside of Manchuria and the actual seat of war. All civilians at Vladivostock ordered to leave owing to scarcity of food. Naval gunners manning Port Arthur forts. Refuges at Yingkow report that only twenty foreigners are left in Port Arthur either as traders disposing of merchandise or under suspicion and arrest. Despatch from Nagasaki states that Japanese captured four destroyers at Port Arthur. Three hundred and twenty-five Russians captured at Chemulpho to be quartered in Ceylon. Mikado receives British commanders of Nisshin and Kassuga in special audience. Russia sends a note to the Powers charging Japan with violation of the laws of nations at Port Arthur and Chemulpho. M. Muravieff, the Russian Minister of Justice in delivering the Venezuelan judgment as President of the Hague Tribunal referred disparagingly to Japanese pretensions. Japanese Minister objected to such remarks from an arbitration Tribunal and requested instructions from his Government at Tokio. A dozen British officers of all arms being sent to watch Japanese operations under direction of General Nicholson.

Feb. 24.—Reported that at Russian Court Martial three Japanese alleged to have attempted to blow up the Sungari bridge on 21st and who were spies, were condemned to death and hanged from the Sungari bridge. Foreign Consuls endeavour to secure neutralisation of the treaty port of Newchwang. Russia declares invalid all orders and declarations arising from Japan's illegal assumption of power in Korea. Russian official despatch announces that Japanese attacked Port Arthur on the night of 23rd. They were repulsed and four Japanese battleships and two transports sunk. French Consul at Cheefu says four Japanese vessels are ashore. This despatch not confirmed and is doubted in official quarters as regards details. Story not mentioned in Alexeieff's official report.

Feb. 25.—Alexeieff reports that Japanese reattacked Port Arthur at 2-45 on the morning of 24th with torpedo boats and endeavoured to block the harbour by sinking four steamers filled with combustibles. The Retyizan, supported by batteries destroyed two of the steamers near entrance to harbour. The fire against the torpedo boats maintained till dawn. Daylight showed four steamers were destroyed and eight torpedo boats steaming towards Japanese fleet. Crews of steamers took to boats and some were drowned. Entrance to Harbour clear. Japanese left in two divisions pursued by three Russian cruisers which returned later. There were no Russian losses. Japanese Legation discredits story of hanging of Japanese officers in Manchuria. It says names given are foreign and are not identified as belonging to officers of general staff. Russian despatch says Japanese re-attacked Port Arthur from 1 to 3-30 this morning and were repulsed all along the line. Japan intimates her willingness to allow Russian Chemulpho prisoners en route to Ceylon to return to Russia on parole. Britain corresponding with Russia with a view to such an arrangement. Railway over the crossing.

MR. AGASTI AND THE PLAGUE

AT BHAGULPUR.

(From our Occasional Correspondent.)

Bhagulpur, Feb. 28.

It is with a Sigh of relief that we hear that the plague, which recently has been playing the havoc at Bhagulpur, is at last on the decrease though not yet appreciably. The merciless decimation which the plague has caused in Bhagulpur during this year, has been the subject of great anxiety and alarm to the people and the Government alike. We are credibly informed that more than three quarters of the population, permanent or otherwise, have deserted the place, leaving the rest to resign to the inscrutable law of fate brought on by an annual visitation of this terrible scourge. Bhagalpur for sometime has been in a state of panic, and at a time like this the people naturally look up to the executive officials for succour and guidance. They have proved themselves equal to the occasion and nothing, so far as we know, has been wanting on their part in order to bring about a mitigation of the calamity. In spite of the fact that the Collector of the District has been away on tour for a considerable period now, the plague administration, we are happy to learn, has not suffered one whit. It is a matter for congratulation that Bhagulpur has in Mr. Agasti its Joint-Magistrate and Collector who spares no pains whatsoever in looking after the plague administration of the district, in addition to those tha ordinarily devolve upon him. At considerable risk of his personal safety, Mr. Agasti's plague administration is marked with a vigilance, generous sympathy and discretion, all his own. Bhagulpur people have reason to be thankful to Mr. Surja Kumar. Fortunately for Mr. Agasti, he has an equally sympathetic gentleman, Babu Upendra Nath Bagchi, President of the local Municipality, to aid him in his activities. The Municipality ungrudgingly is doing all it can to restore the health of the city.

THT FENI DAK BUNGLOW INCIDENT.

(From Our Own Correspondent.)

Feni, Feb. 27.

On the 20th November last the District Engineer, Babu B. Pal, and the Civil Surgeon, Dr. Sanyal, left for Feni on a tour of inspection. Previous to that, the District Engineer informed the overseer at Feni of their intended visit, and asked him to keep the Dak Bunglow unoccupied for their use. But it so happened that Mr. G. P. Roy, Superintendent of Telegraphs, Arakan Division, with his Sub-Divisional officer, a European gentleman, was then occupying both the rooms of the Bunglow. The overseer of Feni, on receipt of the Engineer's letter, repaired to the Bunglow, and waited upon Mr. Roy, who however, refused to see him. The overseer then asked Mr. Roy, in writing, to vacate at least one of the rooms, as the District Engineer and the Civil Surgeon were coming there on a tour of inspection. Mr. Roy, in reply, told the overseer to ask the Engineer to postpone his visit for the present. Meanwhile, the Engineer and the Civil Surgeon arrived at Feni and at once made for the Bunglow. They found Mr. Roy and his subordinate loitering in the verandah of the Bunglow, and thinking one of the rooms vacant, entered it. But no sooner had they entered the room than Mr. Roy, taking them as intruders, asked the Engineer and the Civil Surgeon to go out of the room. The District Engineer then requested Mr. Roy to vacate at least one of the rooms, pointing out at the same time that as a P.W.D. officer, he has the preference over all, and referred to the rules for the guidance of persons using P.W. Bunglows. But Mr. Roy argued with them about the meanings of those rules and ultimately refused to vacate the room. Subsequently hot words passed between the parties, and Mr. Roy lost his temper and is reported to have used unparliamentary language towards the overseer of Feni. At this moment the D. E. and the Civil Surgeon, fearing a row, left for the Munsiff's house, with their bag and baggage. Mr. Roy and his companions had to leave the place the same day. Mr. Roy reported the matter to the authorities and to the Chairman, District Board, here. The District Engineer, also, on his part, reported the matter to the Inspector of Works, Eastern Circle, and to the Chairman, B. S. As a result, the authorities have sent the following gentle censure to Mr. G. P. Roy:—

"In reply I am to say that the Bunglow is a Public Works Department Bunglow and, therefore, under Rule 7, of the rules for the guidance of Government officers and others using P. W. Bunglows, you should have at once vacated at least one room, when the District Engineer asked you to do so, and it does not appear that you had any right to ask the District Engineer to postpone his visit, he then travelling on duty. I am to add that as the rules were presumably hung up in the Bunglow, it is not clear how you did not understand this without all this correspondence."

The Rusa "(Andropogon Schoenanthus)" oil industry in Ellichpur, in Berar, is said to be giving excellent results, there being large sales of the plots yielding the geranium or Rusa oil grass. It is intended to introduce the industry into Nimar, in the Central Provinces, where experiments already made have also led to a demand for areas bearing the grass.

COTTON IN BOMBAY.

The Department of Land Records and Agriculture, Bombay, has issued the following final memorandum of the cotton crop for the season of 1903-1904:—The latest reports show the total area under both the early and late varieties of cotton in the British districts and Native States of the Presidency, inclusive of Sind, at 5,385,000 acres or 8 per cent. in excess of last year's area, and 9 per cent. over the average of the preceding ten years. Except in North Gujrat, where it is still somewhat below the average, the area in the British districts has now reached the normal acreage under the crop prior to the famine in all the districts and exceeded it in some districts. In Native States the area is still considerably short of that standard, particularly in Kathiawar, where the normal area has fallen from 17 lakhs of acres to 11 lakhs. Favourable rains at sowing time extended the area sown almost everywhere. The decrease below last year's area is attributed, in the Karnatak, mainly to the ordinary changes of rotation, and in Baroda to excessive rain. The crop progressed well at first, but later on it suffered from deficiency of moisture in North Gujrat and through its excess in the South. Locusts also did some damage in October and November, both in British districts and Native States of Gujarat. In the Karnatak it suffered from disease in parts of Bijapur and Dharwar. The crop has, however, on the whole, fared well everywhere, and the total estimated outturn comes to 10-8 lakhs bales of cleaned cotton, 15 per cent over last year's yield and 37 per cent. over the average. Of the total yield 39 per cent. is credited to Dholera, about 18 per cent. to Broach and Khandeish each, 13 per cent. to Kumpta and Dharwar, 10 per cent. to Sind, [illegible] per cent. each to Bengal, Rajputana, Bar[illegible] Nagar.

REINDEER IN ALASKA.

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Some interesting particulars of reindeer-breeding in Alaska are given by Mr. G. H. Grosvenor in the "National Geographic Magazine" of the United States.

Twelve years ago Dr. Sheldon Jackson brought his first herd of sixteen reindeer across Behring Strait from Siberia, and stated his reindeer colony at Unalaska, off the bleak coast of Alaska. Many then smiled at the experiment, and declared his plan for stocking the great barrens of North-Western Alaska with thousands of the animals, which for centuries had been indispensable to the natives of Lapland and Siberia, was impracticable and wasteful of time and good money.

But the experiment prospered from the very first. Other reindeer, numbering nearly 1,000 in all, during the succeeding years were brought over from Siberia. To-day there are nearly 6,000 head in the various herds distributed along the Alaskan coast. The existence of the 30,000 natives of North-Western Alaska, as well as the success of the miners who are beginning to throng into the interior of the territory in the far north, are dependent upon these domestic reindeer; their clothing, their food, their transportation, their utensils, and their shelter are all furnished them by the reindeer.

The reindeer enterprise is no longer an experiment, although still in its infancy. According to Mr. Grosvenor, there are 40,000 square miles of barren tundra in Alaska, where no horse, cow, sheep, or goat can find pasture, but everywhere on this vast expanse of frozen land the reindeer can find the long, fibrous, white moss which is his food. There is plenty of room for 10,000,000 of these hardy animals. The time is coming when Alaska will have great reindeer ranches like those great cattle ranches of the south-west and they will be no less profitable.

Dr. Jackson, who has the sole credit of introducing the reindeer into Alaska, was impressed with the fact that the natives were rapidly losing sources of their food supply, and would soon be in danger of starvation. The whales were retreating further north, the walrus was disappearing, the seals were becoming exterminated. The only means of salvation for the poor Eskimo was to introduce some new source of food, and to Dr. Jackson the reindeer seemed exactly suited to the conditions of that Arctic region.

With a small Government grant, this gentleman, with Captain Healy, set out for Siberia for the purchase, and transportation of reindeer to Alaska. The Siberians, however, were at first unwilling to part with any of their animals. They were superstitious, and above all afraid of competition and loss of trade. Captain Healy and his companion were obliged to sail from Siberian coast before they found an owner willing to barter his deer for American goods. None would sell the deer for cash. Of recent years the Siberians have been but little less reluctant to part with their deer, though they could easily spare many thousands from their vast herds.

Succeeding at last in obtaining some healthy animals, Dr. Jackson took them across to Alaska and they thrived wonderfully. The fawns are very healthy, and but few die. The does are very prolific, and after they are two years of age add a fawn to the herd each year for ten years. They give very little trouble, as they are so gregarious and timid that one herder can easily guard 1,000 head. The herder knows that if a few stray off he need not look for them, as they will soon become frightened and join the main herd.

The reindeer cow gives about one cupful of very rich milk, nearly as thick as the best cream, and making delicious cheese. Mixed with a little water the milk forms a refreshing drink. The Siberians and Laplanders save the blood of slaughtered deer, and serve it in powdered form. From the sinews tough thread is obtained. They are splendid travellers. In the winter the United States mails are carried with reindeer teams through Alaska and they cover the distances in less than half the time of the old dog teams. The reindeer can also travel at night as well as in the daylight, and thus during the long Arctic night, when dogs are inefficient, transportation is always possible with a reindeer team. They also make good packers, carrying a hundred and fifty pounds easily.

Mr. Grosvenor calculates that even if no more reindeer are imported from Siberia, if the present rate of increase continues doubling every three years—and there is no reason why it should not—within less than twenty-five years there will be at least 1,000,000 domestic reindeer in Alaska.

BOMBAY MONEY MARKET.

During the height of the export season a sort of slumber has come upin the Bombay Money Market and the plethoric condition of the cash reserves of the Bank of Bombay is drawing universal attention. On the 21st February 1903 the Bank's cash balance was Rs. 1,78,46,305 and on 20th February 1904 Rs. 3,56,78,129. The Bank holds exactly double the cash it held at the corresponding period last year, and it is further remarked that the present balance of three hundred and fifty-six lakhs is the highest on record for a February balance since the closing of the Indian mints. If a few years ago it had been notified that General Ivanhoff had been directed to hold himself in readiness to move towards the Pamirs the Indian public would have begun to bury their cash underground or hide it under the rafters, but the public have now adopted more utilitarian methods and are taking to the benefits of modern Banking, and the pressure put on the Bank of Bombay to open new current accounts is indicative of the confidence which the general public feel for the Presidency Banks in hours of political disturbances. The present accumulation of funds is entirely owing to the all-round feeling of maintaining heavy reserves with the central Institution. The heavy cut made by the Bank in the rate or short deposits had led the public to expect a fall in the official standard, and the lowering of the rate on Thursday aftednoon aroused no surprise on the market.

MOSQUITOES AND ICE.
A CURIOUS FASCINATION.

If a travelier along the dusty roads of the Transvaal should call at a farm, or stop a passing ox waggon, with a request for a drink of water, he would, if a stranger in the country, says "Ice and Cold Storage," be surprised at the "icy" condition of the beverage, and might, if he were of an enquiring disposition, be tempted to ask how this welcome state was arrived at. Then the Boer would produce his "filter." This filter is simply a square bag of canvas. The canvas is two or three depths in thickness. At one corner of the bag is a small hole. In this the neck of a lemonade or ginger-beer bottle has been inserted. Through this the water is poured into the bag, and through it the drinker sips the cooling liquid. The bag hangs in the shade of the house or under the waggon, and the air imparts to it and to its contents a coldness which is surprising. In the towns these canvas filters are in use. They are made of considerably larger proportions, and ice chopped small is also placed inside.

There is one disadvantage attaching to the use of these contrivances in the coast ports. This is owing to the mosquitoes. The bag must hang where the air can reach it to be of service. The mosquito is partial to water, and these insects cluster round the bag, hovering back and forth, their "hum" being distinctly noticeable. So the man who wishes a drink from the canvas in these parts invariably deputes one of the attendants to take a glass outside and fill it, rather than perform this act himself. This curious fascination for ice and water is noticeable in mosquitoes the world over. New Jersey is noted for the size and malignancy of its "skeeters." The men who drive the ice waggons, so much in evidence in America, suffer keenly from these pests. When the Beira railway was being made, the men went down like sheep from swamp and malarial fever.

There is nothing a man in a fever so longs for as ice. The canvas bags were in use here, and at times, when a couple of strucks were being run through to the port, the guard was asked to bring back some ice with him. If the ice was procurable, this was always done. But the duty of conveying the same to the van was an unpleasant one, and the time experienced by the guard on the run down was more unpleasant still. But sick men required it, so the guard sat on his seat, with grim determination set on his features, the while myriads of mosquitoes attacked every vulnerable part of his person. Some of these men were, in the language of the camp, "holly pictures" when they arrived, but they made light of it—it was merely a joke, but there was a good deal of real heroism attached to it all the same.

WRECKING THE RAIN-CLOUDS.

Whether there be any connection between the bursting of the waterspout at Bloemfontein and the rain-making experiments recently conducted there remains to be seen in the detailed accounts of the latest South African disaster. No doubt many of the pious Boers will discover a connection, and ascribe it to the hand of Providence. Only a few years ago the Transvaal Raad was asked to pass an Act to prevent charges of dynamite being fired into the clouds for rain. One fervid member denounced the action of "certain persons" at Johannesburg as invoking the wrath of heaven; while the chairman said it was a monstrous thing to shoot into the clouds, nothing less than a defiance of the Almighty, which should be made a criminal offence. America, needless to say, entertains no such views as these regarding what are purely scientific experiments. Less than twelve years ago, General Dyrenforth, a commissioner appointed by the United States Government, accepted an invitation to begin rain-making experiments on an extremely dry ranch in Kansas. A number of balloons were filled with a mixture of oxygen and hydrogen, in the proportion of one to two, and were exploded in the air, some by time-fuses, at a height of from one to five miles, and the rest by wire 1,000 feet above the earth. The balloon ascents were made irregular and unsuccessful by high winds prevailing in that region, but the explosion of a quantity of "Rackarock" powder on the ground led to better results. In every instance an explosion of Rackarock was followed by rain within ten hours.

It is, however, in the direction of bombarding clouds, in order to prevent hailstorms and consequent injury to crops, that the greatest success has been achieved. In some of the wine districts of Austria and Italy "weather shooting" is systematically practised. In the neighbourhood of Windisch-Feistritz, in Styria there are no fewer than fifty-six stations each supplied with a battery of ten mortars. The most approved type of mortar has a small cylindrical breech, with a cone-shaped muzzle four inches in length, and takes a charge of 180 grammes of powder. When one of these monsters, which is capable of wrecking a screen 100 yards away, is fired, the concussion travels rapidly through the air until it reaches the rain clouds and effectually destroys them by dispersion or causes them to fall as rain.

A THREATENED TRADE.

A grave danger at the present time threatening the English pottery trade. For a long time past (says the Hanley correspondent of the "Daily Telegraph") the Germans and Americans have gradually been getting a firmer hold of the English markets, and now even in the Staffordshire Potteries they are putting in an appearance with cheap ware. It is now possible to import into the potteries undecorated China from Germany cheaper than it can be made in Staffordshire, and decorate it here, and sell again. The danger that now faces the trade is that before long under this system the skilled pottery will be thrown out of employment, and only the cheaper class of decorators will find anything to do.

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MEDICAL OPINION:—

Dr. Hem Chandra Dutta, L. M. S., Medical Officer, Bhagawat Doyal Singh's Charitable Dispensary, Chainpur, Daltongunge, Palamow, 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. Eduljee Cowasjee, L. M. S., Sir Jamsetjee'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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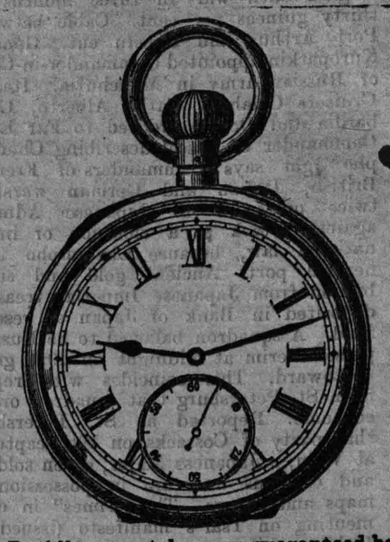

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(*Continued from Page 2*)

must possess sufficient knowledge to be able to comprehend and utilize the results achieved by scientific expert. He will also require energy, considerable administrative capacity, and tact in his dealings with the members of his staff. It is doubtful whether a man of the qualifications which are required would be obtainable from England. Moreover, any person who might be appointed in England, however highly qualified in other respects, would have no Indian experience, and, even if he eventually proved a success, would for the first three or four years require an amount of guidance and supervision which would interfere seriously with the other duties of the Inspector General of Agriculture.

24. In view of these considerations the Government of India endeavoured to discover a suitable person possessing the necessary qualifications in this country, and they believe that they have been successful in finding an eminently suitable person for the appointment in Mr. Bernard Coventry, the Manager of the Dalsingh Sarai Estate in Behar, who has been offered and has accepted the appointment which he will take up on the 1st of April next. Mr. Coventry came out to India in 1880 as manager of the Dalsingh Sarai Estate, and has thus 20 years' experience of Indian conditions. He has for many years taken a keen interest in scientific agriculture, and during the last five years has been carrying on a series of experiments on his estate, partly at his own expense and partly with the help of a subvention contributed by the Bengal Government.

25. The posts of Bacteriologist, Biological Botanist, and Agri-Horticulturist have not yet been filled. In the absence of any natives of India possessing the necessary qualifications for these appointments it will be necessary to appoint men from England, but endeavours are being made to secure the services of experts who have already had some experience of Indian or trophical conditions. To the posts of Assistants to the Biological and Cryptogamic Botanists and the Entomologist it is proposed to appoint natives of India, but no candidates appear to be forthcoming at present with the necessary training and qualifications. The Government of India have decided therefore in the first instance, to engage for these appointments persons (preferably graduates at one of the Indian Universities) who have had a suitable preliminary training, and to attach them for practical work to the experts concerned.

26. Circumstances have combined to afford an unusually favourable opportunity of establishing an agricultural institution and farm in this country from which definite practical benefit may be expected to arise. The Government cannot at present find teachers of agricultural subjects, nor can they obtain trained practical men to manage experimental or demonstration farms, or to take service with the Court of Wards or with the Native States or with the large landowners in their own territories. These requirements they trust that the Institute at Pusa will enable them to meet, while at the same time its trained staff and laboratories will provide facilities such as have not hitherto been available in this country, for the application of higher science to those agricultural problems the importance of which to the welfare of India and its people it is hardly possible to exaggerate.

J. WILSON,
Secretary to the Government of India.

INDIA AND THE TARIFF QUESTION.

—:-o-:—

In the course of his speech on the Tariff Question during the debate on the Address, at the House of Commons on Feb. 9. Lord George Hamilton said: I should like to say a word or two upon one part of the British Empire to which no fiscal reformer has yet alluded; and it is somewhat satisfactory to me to find that on this, the second day of this very important debate, the views which I hold on fiscal matters generally have been endorsed by my right hon. friend the President of the Board of Trade, and that the opinions which I put forward on my own responsibility as regards India are entirely accepted by the Government of India. It is the fashion now to sneer at cheapness, and some extraordinary doctrines in reference to it were laid down in that very able speech to which we have just listened from the Secretary to the Board of Trade. I do not pretend to be an authority on any particular trade, but I have had a great deal to do with the cotton trade of Lancashire, which is by far the most powerful and best organised trade in this country and by far the largest exporting trade. Nearly 25 per cent. of the whole of our exports from this country to India consists of cotton manufactured goods, and half the exports from this country to India consist of cotton manufactured goods. The export trade of this country to India is in excess of that of all the self-governing colonies who are likely to benefit under this preferential treatment. I laid down, with the approval of my colleagues, the principle that in India there should be no protective duties, and that perfect equality of treatment should prevail between Lancashire cotton goods and the native industries. I received a deputation during last summer composed of leading men in that industry, and they asked me to remove the Customs duties on cotton. I replied that I could not do so, but I undertook that, so long as I was Secretary of State and those Customs duties were in force, the excise duties should also remain. I have been much attacked for attempting to establish this equality of treatment between India and Great Britain; but so long as Free Trade is the policy of this country and we believe in it, so long is it possible to establish that equality of treatment, because it is beneficial to India as well as Great Britain. But the moment you depart and turn round to Protection, it will not be possible for my successor to take the position which I have taken; and if Protection is to be the policy of this empire, and if those colonies who choose to establish protective tariffs are to have special favour shown them in tariff arrangements, can you deny to India that which the rest of the British Empire obtains? And if you cannot deny it to India, at once some 20,000,000l. of your export trade is more or less in peril. That is not all. I believe that the great danger to which the trade of this country will in the future be subject is an increase in the cost of production. That is practically the unanimous opinion, so far as I know, of the leading men in the cotton trade. There are enormous exports to the Far East exclusive of India, in which the exported article has to compete with native industries in localities where the raw material is grown and where there is an abundant supply of cheap labour; and they all tell me that although the turnover is large the profit is small, and any legislation or alteration which sends up the price of food or increases the cost of living will in the long run be fatal to the volume of that gigantic trade. Would it not be madness and unqualified folly for us to accept this idea of preferential treatment which has never been worked out, and the effect of which has only been considered in one small portion of the British Empire?

THE TILAK CASE.

To-day (Monday) on the Appellate Side of the Bombay High Court, the Hon. Sir Lawrence Jenkins, Chief Justice, and the Hon. Mr. Justice Batty resumed the hearing of the arguments on the application made by Mr. Bal Gangadhar Tilak for a revision of the decision of Mr. Lucas, Sessions Judge of Poona.

The Hon. Mr. Scott, Advocate-General, instructed by Rao Bahadur Kirtikar, Government Pleader, Bombay, and Mr. S. G. Davar, Government Pleader, Poona, appeared for the Crown and Mr. Barnson and the Hon. Mr. Daji Abaji Khare for the appellant.

Mr. Branson in reply said that in reference to exhibit B. 68, he would ask the Court to refer to Mr. Tilak's examination as to what he intended to convey by that document. Their lordships would also remember that at the commencement of Mr. Tilak's examination he had stated that Tai Maharaj had never denied that there was an adoption.

The Chief Justice: What is the passage on which the prosecution had based their case?

Mr. Branson: On the words "the boy was formally placed on the lap of Tai Maharaj."

Mr. Branson, continuing, said that in reference to the adoption their lordships would take into consideration the report made by Mr. Tilak to his co-trustees. That report was made long before any dispute had arisen. If Tai Maharaj had gone to Mr. Aston for the purpose of invoking his aid, the first thing she would have done was to deny the adoption if it had taken place. She had made no complaint of the kind to Mr. Aston and the natural inference was that the lady had not denied the adoption. Tai Maharaj had been cautious to deny the adoption at the time of her going to Court and it was only during her examination that she denied the adoption for the first time. The whole of the argument of the prosecution amounted to this, that Mr. Tilak, on every occasion he was asked, did not say in so many words that the boy was placed on the lap of Tai Maharaj and therefore he had lied. Coming to the accounts, the learned counsel said that the prosecution alleged that the alterations in the accounts were made by Mr. Tilak, but they really forgot that those accounts were not produced by Mr. Tilak in support of his probate proceedings, but they were produced by the prosecution for the purpose of cross-examining Mr. Tilak. Mr. Branson in conclusion said that he had tried to lay the case before the Court in the best way he could from the bulky records, and their lordships upon a consideration of the whole of the papers in the case would come to the conclusion that the judgment of Mr. Lucas could not support his finding, especially having regard to the manner in which he had arrived at that finding.

The Chief Justice: There were other charges against the accused in the Court below.

Mr. Branson: There were other charges but they had not been proceeded with, and the prosecution had confined themselves to the two instances of the alleged false statements made by Mr. Tilak.

The Hon. Mr. Scott: There were two other charges of giving false evidence and one of bringing a false charge against Nagpurkar.

Mr. Branson: No, no, there were other charges of fabricating false evidence and corruptly using as genuine false evidence and the defence had applied to the Court to compel the prosecution to go on with those charges and commit Mr. Tilak to the Sessions.

Their lordships reserved judgment which appears in the telegram columns.

ALLEGED ASSAULT UPON SOLDIERS.

On Monday, at the Egmore Police Court, seven fishermen living in a fishing village at St. Thome are being prosecuted by Superintendent R. E. Bradbury, on the complaint of the Officer Commanding the 1st Battalion Leicestershire Regiment, on charges of rioting, being members of an unlawful assembly and assaulting British soldiers.

The Lord Bishop of Madras deposed:—On the evening of Christmas Day, at about 5-30, I was walking with my wife, with the carriage following us, along the Marina. When we came to the end of the footpath at St. Thome I saw two or three British soldiers running towards us. Then I saw one of them look back and say something to the effect, as I thought, "They are killing him." Then I looked towards the crowd, when I saw another soldier staggering along with a large crowd of fishermen behind him. Some had large sticks, which looked something like paddy pounders, I saw at least a dozen so armed with sticks. I saw two or three blows given as the soldier lay on the ground. When I first saw him he was on the ground, then he got up, staggered and fell two or three times, and blows were given him at intervals. I saw several large stones thrown at him, some as big as my fist. Then I ran up to him, and when I got there the men who had been actually beating him fell back among the crowd. I told the crowd to stand back. Then the soldier got on to his feet and he staggered past me. After that I was occupied trying to keep the crowd back. I cannot identify the soldier who was struck. I scarcely saw his face. I heard that he afterwards went to where my carriage was standing, and I believe his comrades came and took him away. I afterwards enquired of the people and some of them who could talk English said that the soldiers had been drinking and had assaulted some of the natives. One man said something about an attack on a child; but the whole crowd was in such a state of excitement that I could not get any clear account of what it was about. Then I saw a Native Constable walking towards St. Thome in the direction of my carriage. I went up to him and asked him to try and keep the crowd off the soldiers, as they were getting round by the beach and trying to follow the soldiers. Later, a young man dressed in European costume came up and spoke to me in very good English. He asked me to take the Constable's number because he said he had called the crowd by whistling, I told him I thought the Constable was whistling for the help of other Constables. The man then told me that the soldiers were not in fault. By this time the carriage came up and drove off with my wife to find some Police Inspector at St. Thome. On the way I met Inspector McCoy and one or two Constables with him, and told him exactly what had occurred. The accused were brought up. I could not identify any of them. The only man who looks like one I saw was the second man from the end, but I could not swear to his identity.

Captain H. M. Morton, R. A. M. C., Superintendent of the Station Hospital, deposed that Corporal Randall, of the Leicesters, came to the Hospital on the morning of the 26th December last. He examined Corporal Randall and found that he was suffering from fracture of the ulna or inner bone of the forearm. There was a contusion and an abrasion on the left eye, and some minor injuries about the body and legs. The injury to the ulna might probably have been caused by a stick. If the Corporal had fallen on the edge of the pathway on the promenade the fracture might have been caused. The abrasions might have been caused by either a fall on any hard substance or by blows. Randall was in hospital till the 20th ultimo. Private Little was admitted on the 26th December and was suffering from a scalp wound on the back of the head, besides other trivial wounds on the forehead. The scalp wound was of a probably caused by a blow from a blunt instrument.

By the Court:—If Corporal Randall had been assaulted by a number of natives armed with rice pounders and also with bricks, witness would have expected to find more serious injuries. The injury on the head of Private Little was not of a very serious nature. It might have been caused by a blow with a rice pounder.

Corporal C. Randall, Leicestershire Regiment, deposed that on Christmas Day he left the Fort at about 2-30 p. m. and met Private Little, Lance-Corporal Ellis, of the East Yorks, and Trooper Griffiths, of the 6th Dragoon Guards, and Lance-Corporal Taylor, on the Mount Road. They all got into rickshaws and went on to the Rifle Range at St. Thome, which they reached at about 4 p. m. They stayed there between half an hour and one hour. Witness and Lance-Corporal Taylor then went to the house of Staff Sergeant O'Brien where they had a glass of wine. They carried about two dozen bottles of beer with them in the rickshaws. They got the beer from Ponnusawmy's shop on the Mount Road. They had one bottle each at the Range leaving the other 19 in the rickshaw. Private Little, Trooper Griffiths and Lance-Corporal Ellis came and joined witness and Lance-Corporal Taylor at O'Brien's place. They all started back from O'Brien's in the rickshawe at about 5. When they got near the fishing village a brick struck the back of his rickshaw. He turned round to see where it came from and a brick then struck him on the eye. Witness then got out of the rickshaw and saw a native standing about 50 yards away. Witness went towards the native, who ran away, while his comrades remained behind watching. Witness saw a large crowd of natives come running up from the village on all sides. His comrades followed him up about 40 yards behind. The crowd surrounded all of them. The crowd was closing round them throwing stones and waving sticks. The crowd started using their sticks when they got to close quarters and witness and his comrades started using theis canes in self-defence. Witness ran after two of the natives who were in front of the crowd, and they ran off. Witness turned round to return to his companions, when he was struck from behind with a very heavy weapon, which floored him. He could not remember anything more until he got to the Fort at about 8 p. m.

Corporal Randall continuing to give evidence deposed that he could not recognise any of his assailants. On their way up to St. Thome from the Mount Road they had to pass the same fishing village. There was a Court of Enquiry at the Fort on the incident and no mention was made about the beer, because he did not think it necessary. Witness and his comrades went to a "pub" on the roadway and asked for drinks. The tavern keeper closed his door in their faces and said he could not serve soldiers. When he first met his comrades on the Mount Road they were just outside Ponnuswamy's Refreshment Room. Witness could not remember Inspector McCoy speaking to him.

By the Court.—Witness chased a native and tried to get into a shop after him. The shop-keeper stopped him. He and his comrades went to a beer shop before they were interfered with by natives and asked for drinks. This was on their way back from O'Brien's house.

Lance-Corporal Taylor, of the East Yorks, on Staff duty at the Army Clothing Department, said that Little, Taylor and Ellis and he went down to the Salvation Army Soldiers' Home after dinner on last Christmas Day. From there they all proceeded to the Mount Road with a view to get to the Mylapore Rifle Range to spend the afternoon. They all met at Ponnusawmy's to buy refreshments to take with them. They bought two dozen bottles of beer and met Corporal Randall, of the Leicesters, seated inside Ponnusawmy's shop. They all then started for Mylapore. Witness then corroborate the story told by Corporal Randall. He and Corporal Randall had some "home-made wine" at Staff Sergeant O'Brien's house at Mylapore.

Trooper Griffiths, of the 6th Dragoon Guards, Private Little and Lance-Corporal Taylor, of the East Yorks, were then examined and they all corroborated the evidence of their comrades. None of them were, however, able to identify their assailants.

The case was resumed on Tuesday morning, when the coachman in the employ of the Lord Bishop of Madras was examined. According to his evidence, all the three soldiers he saw were staggering along and one of them came and fell against the Bishop's carriage. The Bishop went towards the crowd and witness followed with the carriage. Witness did not see the assault on the soldiers and he could not identify any of the crowd. Witness heard complaints made by the crowd to the Bishop that the soldiers had set fire to a hut and had killed a child. He did not see any of the crowd with rice-pounders.

The Bishop's syce corroborated the evidence of the previous witness.

Mr. S. Hopwood, a resident of Mylapore, deposed that on Christmas evening he heard a disturbance outside his house and went out to see. He saw a batch of five soldiers staggering along the road and running after natives. They appeared to be drunk. The natives had no sticks at that time. The soldiers chased the natives through a lane leading to the fishing village. After a time the same soldiers again came out into the High Road. The natives then pursued them. He saw stones thrown at the soldiers. Witness was told by his neighbours that the soldiers came and asked for drink at a tavern close by and that they were refused. He was also told that the soldiers started the row. Some of the natives had sticks in their hands. This was after the soldiers had chased them into the village. Witness saw the Lord Bishop of Madras talking to the natives some distance away from his houhe. He could not identify any of the soldiers or the accused.

Devasundram, a "Major" belonging to the Salvation Army, residing at Mylapore, was the next witness. He deposed that he was in the habit of holding Meetings at the fishing village behind Norton and Co.'s shop on Sundays and festival days. On Christmas evening when witness was going to the village he saw five soldiers coming in three rickshaws. Witness knew two of the soldiers by sight. They were men staying at the "Soldiers' Home." The men appeared to be drunk and were singing and shouting. A lady was passing in a carriage. The soldiers winked at her and sang as they passed her. Witness went into Major-Fryer's house. About a quarter of an hour afterwards he heard a noise near Norton's shop. There was a brandy shop also close by. Witness came out into the road, and saw Major Fryer's coachman and his gardener. They were returning from the direction of Norton's shop. They complained of having been struck by the soldiers. Witness went right up to the brandy shop, where he saw a large crowd of natives. The soldiers were pursuing the natives. The natives had no weapons with them. One of the soldiers threw a bottle at a passing coach. He could not say where the bottle came from. One of the soldiers struck a native boy with his cane. Afterwards the soldiers rushed into the fishing village, and two of them came back dragging a little fisher girl by the hair. The girl fell down and the soldiers left her. When the girl was being dragged the crowd from the village came rushing up to them. When the girl fell down the soldiers were going away along the beach. The people rushed upon the soldiers and there was a great disturbance. Witness did not see any weapons in the hands of the fishermen. A policeman was standing by and tried to keep the people quiet. Witness asked the constable to whistle for aid and the constable did so. Witness then sent information to Inspector McCoy. A European gentleman name up on a bicycle and the constable told him that the soldiers were giving a lot of trouble. The gentleman went up to the soldiers and tried to keep them quiet. The soldiers would not listen to him and he left them. Witness could not say who the gentleman was. The soldiers were then going on and a great crowd of people followed them. Witness remained behind. He could not say what happened afterwards. He did not see the soldiers beaten.

After the case for the prosecution was closed, Mr. W.E.T. Clarke, Chief Presidency Magistrate, delivered judgmenton Wednesday. His Worship after reviewing the evidence, said that no case against the accused had been made out.

From what the witnesses had said it was clear that the soldiers were to blame. Corporal Randall's story, that out of the 24 bottles of beer they took with them they only drank about six, was a pill rather too hard to swallow and the truth appeared to be that the soldiers were a bit the worse for liquor and in their intoxication began annoying poor natives. The conduct of the soldiers was highly culpable and, unfortunately, at the time there was only one policeman to preserve order and it was no wonder that the natives took the law into their own hands and tried to overawe the soldiers. Of course, it might be true that the soldiers were attacked as the Lord Bishop said but there was no evidence in support of it. The evidence of the soldiers themselves did not corroborate it and there was much in it that had to be discounted. The rest of the evidence brought forward by the prosecution did, certainly, go to show that the soldiers had not stated every thing to the Court. The evidence of the girl who was assaulted as also that of many other respectable and independent witnesses, all tended to shift the blame on to the shoulders of the complainants. The soldiers had certainly seriously misbehaved themselves and had freely used their canes on everybody they chanced to come across. If the poor fishermen had attacked the soldiers it must have been in pure self-defence and for this they were not to blame. His Worship, consequently, discharged the accused.

The Bengal Chamber of Commerce are not in favour of legislation for the registration of trademarks in India, except for products and manufactures of purely Indian origin.

The Raja of Baria, Kathiawar, Bombay Presidency, has arrived in Mysore on a shooting excursion. Mr. Ricketts, Deputy Conservator of Forests, takes him out to the Heggadadavanakote jungles after big game next week.

The Government of Madras is not likely to move to the hills for the hot weather before the end of April,—three weeks after the usual time. They are anxious to pass the Madras City Municipal Bill at this session of the Legislative Council before their departure to the hills. Lord and Lady Ampthill leave Madras on the 19th instant, on a week's private visit to Ootacamund.

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Centre for Studies in Social Sciences, Calcutta

SCIENTIFIC NOTES.

ELECTRIC ENERGY FROM WATERFALLS.

The utilisation of the Victoria Falls of the Zambesi is a project under serious consideration, and at least a portion of the scheme may by near realisation. Some three months ago certain details of the scheme were made public, and from these it appears that whereas the Niagara Falls are equivalent to a continuous loss of 7,000,000 horse-power, at the Victoria Falls of the Zambesi the loss is five times as great. In advocating the utilisation of this waste, it is pointed out that tramways near San Francisco are driven by a current which has its origin in the Ubax Falls, about 220 miles away, and that some American engineers estimated that power giving a steady load of 24 hours per day could be delivered 330 miles from the generating plant at about £ 10s. per kilowatt. At Niagara six syndicates are carrying out work which, when completed, will be capable of generating over 1,000,000 horse-power. Some of the generating sets will be of 10,000 horse-power, working at 11,000 volts. The pressure will be converted to 60,000 volts. The highest pressure as yet made use of in Europe for power transmission is in Italy—namely, 40,000 volts. This plant is not yet completed; it is intended that water-power will develop 7,500 kilowatts at 9,000 volts (42 cycles per second,) which will be transformed to 40,000 volts for transmision. In the United States, in Montana, where a similar pressure is employed for transmission, the voltage was increased to 80,000 for a few hours with success. Consideration of these voltages recalls the experiments made in March, 1883, just twenty years ago, by Marcel Desprez, in power transmission between Paris and Creil, a distance of 57 kilometres, at a pressure of 5,700 volts.

MUD VOLCANOES.

Mud volcanoes are found in Northern Italy near Modena, in Sicily near Girgenti, on the shores of the Sea of Azof and the Caspian, in Central America, and in other parts of the globe. The gas frequently escapes from them with such violence (says a writer in "Mines and Minerals") that mud is thrown into the air to the height of several hundred feet. Sometimes this gas is inflammable, consisting of sulphuretted hydrogen, hydrogen, or some hydrocarbons, and these gases occasionally take fire, so that true flames issue from these mud volcanoes. In other cases the mud volcanoes appear to be formed by either hot or cold springs, containing large quantities of suspended materials, and the liquid mud issues from the vent without any violent eruptive action. Prof. Bunsen, in his account of the pseudo-volcanic phenomena of Iceland, describes many valleys where sulphurous and acqueous vapours burst forth with a hissing sound from the hot soil formed of volcanic tuff. In such spots, a pool of boiling water is seen, in which a bluish-black argillaceous paste issues in huge bubbles. These bubbles, on bursting, through the boiling mud to a height of 15ft. and upward, so that it accumulates in ledges around the crater and base of the spring. The formation of a new mud volcano was witnessed, according to Lyell, on November 27, 1827, at Tokman, on the peninsula of Abscheron, east of Baku, on the Caspian. Flames blazed up to an extraordinary height for three hours, and continued for 20 hours more to rise about three feet from a crater from which mud was ejected. At another point in the same district where flames issued, fragments of rock of large size were hurled up into the air and scattered around. Near Girgenti, in Sicily, are several conical mounds 10 to 30 feet high, with small craters at their summits, from which cold water mixed with mud and bitumen is cast off. Bubbles of carbonic acid and carburetted hydrogen gas are also disengaged from these springs, and at certain periods with such violence as to throw the mud 200 feet high. These mud or "air volcanoes" are known to have been in activity for the last 15 centuries. An area of not less than 1,000 square miles, 120 miles north-west of Cutch and the mouths of the Indus is covered over by numerous mud volcanoes. One of the cones is 400 feet high, composed of light-coloured earth, and having at its summit a crater 30 yards in diameter. The liquid mud which fills the crater is continually disturbed by air bubbles, and here and there is cast up in small jets.

A NEW KIND OF LOCOMOTIVE.

Colonel Renard, the aeronaut, and M. Surcouf, an engineer, have invented a new "automotor railless train," which, according to M. Maurice Levy, of the Academy of Sciences, will [illegible] road traffic, and may one day to some extent supersede railways. Small models were first built, but a full sized train of ten cars, weighing 30 tons, has been now constructed, and tested, and will be exhibited at the Automobile Salon. The principle of the invention is as follows:—While the leading vehicle carries the motor, it is in no sense a traction engine. The cars are respectively connected one with another, not by mere couplings. Each vehicle is provided with transmission gear actuated by the motor on the leading car. Each portion of the train is practically, therefore, an automobile, as the engine on the first vehicle propels all the others individually, as if each of the latter had a motor of its own. The second point in the invention is the steering gear. This has been devised on the same principle as the transmission gear. That is to say, the train of cars is not drawn in the wake of the engine, but the latter commands the steering gear provided on each car. Thus the train forms a completely linked system. The advantages of the invention are apparent. Traction being done away with, each car, as it were, propels itself, and friction of all the wheels upon the roadway is utilised instead of being a useless resistance which the engine must overcome. Consequently a far less powerful motor will, other things equal, draw a far heavier load than is the case with the traction engine. Moreover, the direction given to the train is not merely a straight line drawn from the leading car, as must occur with a railless train tugged by a locomotive. On the contrary, the steering gear of each car being commanded by the leading vehicle, the convoy can negotiate practically any curve. Finally, it is claimed that the invention minimises the risks of side slipping. A special device to this end is a differential system by which, if needful, various speeds can be imparted at the same moment to various parts of the same train. A test to which the invention has been successfully submitted will give an idea of the advantages of the system. A racing car which ran in the Paris-Bordeaux contest this year has been employed as the engine of the new train. The motor was capable of propelling the car alone weighing 1,500 kilos, at 44½ miles an hour. Now the same engine propels the train of 30 tons at over 11 miles an hour. Another test was a trial trip, in which the train, having the same motor, climbed successfully the tremendous hill up the heights of Bellevue from the banks of the Seine. The inventors say that "every single high road in France is now open to train traffic at moderate speed."

INDIA AND THE FAR EAST IN PARLIAMENT.

HOUSE OF COMMONS.

Monday, Feb. 8.

Russia and Japan.—Sir H. Campbell-Bannerman: May I ask the right hon. gentleman the Home Secretary whether the Government can communicate any information to the House as to the relations between Russia and Japan?

Mr. Akers-Douglas: We have been officially informed that diplomatic relations between the Governments of Russia and Japan have been broken off. As to the details I can add nothing to the information which appears in this connection in the public Press this morning.

British and Indian Commerce with Thibet.—Sir Mancherjee Bhownaggree asked the Secretary of State for India: If he will give the return relating to British and Indian Commerce with Thibet, asked for in the Order Paper this day.

Mr. Brodrick: I have no objection to giving a return showing the imports between India and Thibet from 1890-91 to 1902-1903 with such details as are possible.

The Indian and Australian Mails.—Sir Seymour King asked the Postmaster-General: Whether his attention has been called to the repeated and serious delays which occur in the delivery of newspapers and other book matter by the Indian and Australian mails, via., Brindisi, particularly when the mail arrives on Saturdays; whether he will state at what hour the Indian mail arrived in London on Saturday, Jan. 30, and at what hour the first delivery of newspapers by that mail was made (a) by express delivery and (b) by ordinary course of post; whether he is awere that some of the newspapers by that mail had not been delivered in London by 11 o'clock on Monday morning, about 38 hours after arrival; and, whether arrangements can be made to accord to the Indian and Australian mail services the same promptitude of treatment which is given to mails from the United States.

Lord Stanley: The Indian and Australian mail, via Brindisi, which had been somewhat delayed by bad weather in the English Channel, reached London at about 4-10 p.m., almost at the same time as a heavy mail received from the United States, via Plymouth. Ordinary and express deliveries of letters were made on the evening of Jan, 30, but it was not found possible to deal with the newspapers before the morning of Monday, Feb 1. It appears that certain newspapers, apparently those to which the hon. member refers, were treated in the ordinary manner, whereas they should have been sent out for express delivery, and of this irregularity proper notice has been taken. I do not find that any were delayed in delivery by the fault of the Post Office until 11 a.m., but if the hon. member will furnish me with particulars of any papers so delayed I will have further inquiry made and will communicate with him. The Indian mail is dealt with in London with the same attention to promptitude as is bestowed on the American mails.

Wednesday, Feb. 10.

The Russo-Japanese War.—Neutrality Proclamation.—Mr. Gibson Bowles asked the Home Secretary, in the absence of the First Lord of the Treasury, whether his Majesty's Government had issued instructions to the authorities of British ports and coaling stations abroad prescribing to them their conduct in the event of war towards belligerent ships of war; would such ships of war only be permitted in such ports to be supplied with so much coal as would suffice to take them to the nearest port of their own country, and no more; would they be prohibited from receiving any further supply of coal in any other British port until the expiration of three months from the date of the first supply; would their stay in such ports be restricted to 24 hours except in the case of stress of weather or distress for necessary repairs; would such vessels be prohibited from bringing prizes into British ports; and would the same rules be enforced in the ports of the British self-governing colonies. The hon. member further asked whether, seeing that war had broken out, the Government would advise his Majesty to issue a proclamation of neutrality.

Akers-Douglas: Instructions will be issued to the authorities of British ports, including those in self-governing colonies. They will be similar to the instructions issued on previous occasions. My hon. friend has correctly stated their effect. In regard to the further question, the Council will be held tomorrow at which the proclamation of neutrality will be approved.

Lord Cuzons visit to Bushire.—MFr. Gibson Bowies asked the Under Secretary for Foreign Affairs did Lord Curzon, at his recent visit to Bushire, insist that the Prince Governor-General of Shiraz should come off in a boat to the Viceroy's ship and accompany him to the shore, instead of receiving him on the beach as proposed; was this demand authorised by his Majesty's Government; had Lord Curzon's course been approved by His Majesty's Government; and was it to be regarded as a precedent in future.

Earl Percy: The answer to the first paragraph of the question is in the negative. I have already informed the hon. member that Lord Curzon's action was unfortunately rendered necessary by the inadequacy of the arrangements locally to carry out the hospitable intentions of his Majesty the Shah. Under these circumstances no question of precedent arises.

The Canton-Kau-lung Railway.—Mr. Weir asked the Under-Secretary for Foreign Affairs, seeing that the British and Chinese Corporation were granted a preliminary agreement for the construction of the Canton-Kau-lung Railway on March 28, 1898, if he would state when the final agreement was expected to be concluded and the construction of the line proceeded with.

Earl Percy: The preliminary agreement for the construction of the Canton-Kau-lung line was signed on March 28, 1899. We are informed by the British and Chinese Corporation that as soon as arrangements have been made for financing the Shanghai-Nanking Railway negotiations for the conclusion of the final agreement for the Shanghai-Nanking Railway negotiations for the construction of the Canton-Kau-lung line will be proceeded with. The matter is receiving very careful attention.

The Indian Universities Bill.—Mr. Humphreys-Owen asked the Secretary of State for India: Whether, in view of the reception with which the Indian Universities Bill has met, he will invite the Government of India to reconsider the provisions of the Bill.

Mr. Brodrick: The Government of India will give full consideration to the opinions which have been expressed on the Universities Bill, and nothing has occurred to make it necessary for me to convey any instructions to them on the subject.

Thursday, Feb. 11.

Indian Labour in the Transvaal.—Mr. Buchanan asked the Secretary for India whether the Government of India had given its assent to Clause 34 of the Transvaal Draft Ordinance, by which Clauses 22 to 26, dealing with the return of labourers to their country of origin, should apply to British Indians.

Mr. Brodrick replied that the Government of India had not been consulted as to any clause in the Transvaal Ordinance, nor was it thought necessary. Subject to the authority of the Secretary of State in Council, the Government of India controlled the exportation of labour from India, and its action would depend upon the state of the law on the subject in the Transvaal as well as other considerations. The clause was intended to have only a temporary effect pending the passing of special legislation on the subject of Indian labour.

Mr. Bouchanan: Has the Secretary of State in India Council given his assent?

Mr. Brodrick: I have given no assent to any Ordinance.

Commutation of Indian Uncovenanted Service Pensions. Sir Seymour King asked the Secretary of State for India: Whether, in view of the fact that retired members of the Indian Uncovenanted Services who draw their pensions in the United Kingdom, under the decision of the Select Committee of this House which sat in 1890, at the rate of 1s. 9d. for the rupee, are obliged to commute on a rupee basis the proportion of their pension which is sanctioned under the regulations, thus incidentally depriving them of a part of the benefit to which they are entitled under the settlement of 1890, the Government will allow commutation allowances in these cases to be remitted home at the officially fixed rate of 1s. 9d.

Mr. Brodrick: The matter has not been brought before me hitherto. I will give it careful consideration.

Indian Cavalry Officers' Chargers.—Sir Seymour King asked the Secretary of State for India: Whether any decision has yet been arrived at by the Government of India in the matter of granting to the European officers of the Indian Cavalry similar privileges as to chargers to those enjoyed by cavalry officers of the British Army, which was stated by the Secretary of State in June last year to be then engaging the attention of the Government of India; and, if not, if he will state what is the reason for the delay.

Mr. Brodrick: The matter is still under consideration by the Government of India, who have been recently addressed, asking for an early reply.

NOTICES OF MOTION, &c.

Sir Mancharji Bhownaggree.—Thibet (Trade Statistics).—Return of statistics relating to trade with Thibet since the date of the signing of the Convention of 1890, giving particulars regarding the quantity, classification, and value of the annual exports of (a) British merchandise; (b) of Indian merchandise to Thibet; and (c) of exports from Thibet to British possessions.

Sir Seymour King.—To ask Mr. Chancellor of the Exchequer: Whether, in view of the fact that the privilege granted to income tax payers resident in this country of exemption on premiumus of life assurance policies is restricted to policies issued by companies whose head officers are in the United Kingdom, and is not applicable to policies issued by companies etablished in other parts of the empire, as in India, Australia, and Canada, he will consider the propriety of extending this privilege to the policies of all Indian and Colonial Life Assurance Companies which are now treated as foreigners. [Tuesday, Feb. 16.]

Sir Seymour King.—To ask the Secretary State for India: Whether his attention has been directed by the Government of India to complaints brought by petition to the Viceroy in October 1902, from the whole of the executive officers in the Royal Indian Marine of the block in promotion and other disabilities affecting their position, especially in promotion to the rank of third grade commander: is he aware of the rate of pay of full lieutenants of six years' standing, and of the fact that there are lieutenants of 17 years service in receipt of only 250 rs. per mensem: Is he aware of the rates of leave pay in England and expenses of uniform on promotion, and that a navigating officer has to share with the commander the responsibility for the safe navigation of his ship, but receives no increased emoluments; and if so, will he state whether any reply has been made to these representations; and, if not, whether the Indian Government will favourably consider some revision of these rates of pay. [Tuesday Feb. 16.]

Mr. Brynmor Jones.—To ask the Under Secretary of State for Foreign Affairs: In view of the fact that the British and American mining concession in Corea are situated north of the 39th parallel of latitude and consequently within the area which Russia desires should be considered the neutral zone, whether, so far as British interests are concerned, that suggestion receives the approval of his Majesty's Government; and whether any, and, if so, what, steps have been taken, or will be taken should necessity arise, to protect British interests in Corea, seeing that the United States have taken active measures for the protection of their interess in Corea. [Monday, Feb. 15]

Sir Charles M'Laren.—To ask the Secretary of State for India: Whether he will, for the future, adopt the system recently put in force by the London County Council in settling contracts for rails and railway material, by giving preference, in all cases in which there is no wide divergence in price, to the tenders of English makers over those of foreign makers; and whether he is aware of the distress existing among steel-workers in Sheffield owing to Sheffield firms being deprived of Indian Government orders. [Monday, Feb. 15.]

Sir Charles M'Laren.—To ask the Secretary of State for India: Whether, in the case of the orders for tyres and axes recently given by the Indian railways to German makers, the specification as to analysis and breaking tests on which the German makers tendered was identical with that on which the English makers tendered; whether inspectors on behalf of the Indian railways were attached to the German works during the execution of the contracts; whether any and what tests were imposed on the tyres and axes when delivered; and whether he will in future, in cases where an order is given to a foreign firm, cause the lowest price tendered by an English firm together with the price taken by the foreign firm to be published here. [Monday, Feb. 15.]

Sir Thomas Dewar.—To ask the Secretary of State for India: If he will state the number and value of contracts for Railway plant placed by Indian railways with foreign makers during the last five years, and what percentage of these contracts were secured by German firms. [Monday, Feb. 15.]

Mr. Herbert Samuel.—To ask the Under Secretary of State for Foreign Affairs: Whether there are any treaties between Great Britain and China under which the assent of the Chinese Government would be necessary before the recruiting of labourers for the Transvaal could be initiated; and, if so, whether the Chinese Government have yet given their assent to such recruitment. [Monday, Feb. 15.]

Mr. Joseph Walton.—To ask the Under Secretary of State for Foreign Affairs: Whether, in the interests of British trade, his Majesty's Government are taking steps with a view of securing an arrangement between the Powers for the neutralisation of the Chinese treaty port of Neu-chwang during the Russo-Japanese war. [Monday, Feb. 15.]

Mr. Joseph Walton.—To ask the Under Secretary of State for Foreign Affairs: Whethe, in view of the fact that the net receipts of the Shan-hai-Kwan, Neu-chwang, Hsinmin-tung Railway are allocated as security to British bondholders, his Majesty's Government have taken any steps for the purpose of safeguarding these lines and maintaining the present management and control. [Monday, Feb. 15.]

Mr. Joseph Walton.—To ask the Under Secretary of State for Foreign Affairs: Whether, in view of the omission of the Russian Government in their declaration of Jan. 8 to renew their assurances as to their intention of evacuating Manchuria, his Majesty's Government have addressed any representations to the Russian Government on this point; and, if so, whether he can state to the House the reply received. [Monday, Feb. 15.]

Mr. Herbert Roberts.—To ask the Secretary of State for India: Whether the report of the Commission on Indian Police Organisation which took evidence last year, and the resolution thereon of the Governor-General in Council, will be placed before Parliament early this session; and whether the recommendations of that Commission include proposals for admission, by promotion or otherwise, of experienced Indian members of that Service to any of its three higher grades, or any modifications of the present system under which youthful Europeans selected in this country without previous knowledge of India and its races, are, on appointment, posted directly to the higher ranks of the police serivce. [Tuesday, Feb. 16.]

The Quetta correspondent of the "Civil and Military Gazette" writes:—Lately two carriages of the new Viceregal train have been touring round this district, and there have been many surmises as to visits in the near future from exalted personages. The true version is, I believe, that there was some doubt as to whether these carriages, which are considerably bigger than the original ones which formed the old train (being 9ft. 7½in wide by 68ft long), would safely pass through the tunnells on the Quetta-Pishin line to Chaman and those on the Mushkab-Bolan to Sibi. This they have accomplished, though Sibi. The kitchen saloon, which was the only one open for inspection, contained one English kitchen range which would be the envy of every good housekeeper, and the store-room, refrigerators and other arrangements were on the same generous scale.

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Centre for Studies in Social Sciences, Calcutta