

Aurita Bazar Patrika

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CALCUTTA THURSDAY AUGUST 18, 1904.

NO.66

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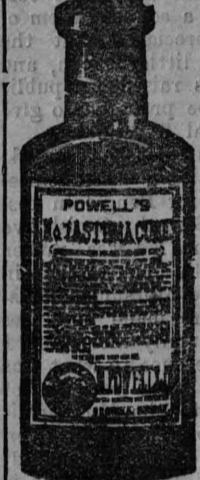
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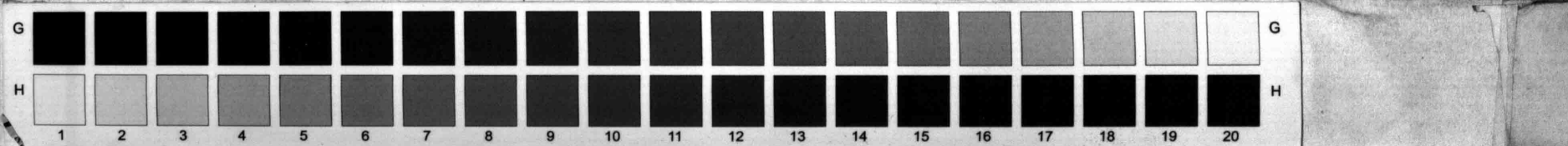
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MIRZAPUR SENSATION.

Mirzapur, Aug. 13.

MAGISTERIAL SLUR AND JUSTICE KNOX.

The application filed under section 526 Cr. P.C. to the Allahabad High Court for the transfer of the case of Mithu Khan charged under section 110, Cr. P. C. now pending in the court of Mr. Tute, Joint Magistrate of Mirzapur, to any other competent court, for reasons disclosed in the affidavit, was rejected by Justice Knox, the Acting Chief Justice, on the 18th July last. A certified copy of the judgment which was delivered at Allahabad on the 3rd instant came to Mirzapur only two days ago. The judgment is not only important but interesting. I quote the whole of it, which is as follows:—

"This is an application praying for the transfer of certain proceedings under section 110 of the Code of Criminal Procedure which are pending in the court of the Joint Magistrate of Mirzapur and in which such Magistrate has required one Mithu Khan to show cause why he should not be ordered to execute a bond for good behaviour.

"Even if I were to accept the affidavit as being a good and proper affidavit all that it discloses pertinent to the matter before me is that upon an application made for the release of Mithu Khan on bail, the Joint Magistrate recorded the following order: 'Refused, as the accused is said to be a dangerous and violent man who might use his liberty for the purpose of intimidating witnesses. Further that the affidavit from this order and refusal of bail believes that the Magistrate has acted on information received informally and unofficially. For this reason the accused does not expect a fair and impartial trial.

"Section 110 of the Code of Criminal Procedure lays down that whenever a Magistrate empowered to do so receives information that a person is one of the class from whom security for good behaviour should be required he is to make an order in writing setting forth the substance of the information received. The words used are as wide as possible, there is no limit as to the nature of the information, no limit as to the source from which it may be derived. It is obvious that if a Magistrate is to set out for the information of the person summoned the names of the persons from whom he receives information and the nature of the information given very few self-respecting persons in this country would dream of placing any information at the disposal of the Magistrate. It is not as if this information were any evidence against the persons concerned, this of course it can never be. The substance of the information informs the person concerned what is the matter upon which he has to show cause. To infer that because the Magistrate has heard this information and has reduced it to writing that therefore he is prejudiced and biased against the person summoned and there is no likelihood or hope of the person informed against getting any partial hearing is to lay a slur upon the Magistrate which I am not prepared to do. The Magistrate has been particularly guarded in his language, he is careful to say 'is said to be a dangerous and violent person who might use, etc.' The learned Vakil who appeared for Mithu Khan argued strenuously that if the Magistrate has received information otherwise than in either of the forms set out in section 191 of the Code of Criminal Procedure he was bound to inform Mithu Khan that he was entitled to have the matter heard by another court. No authority has been shown to me for this and I am not prepared without authority to apply the provisions of section 190 and to limit by them the wide and unretorted language used in sections 110 and 112 of the Code of Criminal Procedure. Nothing has been shown to me from which I could rightly infer that the person informed against, will not get a fair and impartial trial.

"I reject the application.

"So Mr. Justice Knox is not sure if the provisions of sections 190 and 191, Cr. P. C., have any application to sections 110 and 112 of the same Code. His Lordship wanted authority, or in other words, any ruling justifying their applicability. No such ruling exists, and the Vakil who appeared for Mithu Khan had to stand upon the substantive law as it was. When Justice Knox was doubtful as to what was, as to the wide application of the provisions of those sections the best course for his Lordship was to make a reference to the Full Bench and to secure a ruling on the point for which he was so anxious. But his Lordship did not do so, as it appears the consideration of laying 'a slur upon the Magistrate' was prominent in his mind, which he was 'not prepared to do.' So his Lordship found it expedient to put a limit to the wide application of the provisions of sections 190 and 191, without any authority to justify it, and left sections 110 and 112 to take their own course.

"To transfer a case, which the trying Magistrate omitted to do, according to the provisions of section 191 is not laying a slur upon the Magistrate. The question of partial or impartial trial is immaterial, and still the accused shall, before any evidence is taken, be informed that he is entitled to have the case tried by another Court; and if the accused objects to being tried by such Magistrate, the case shall be transferred to another Magistrate. Justice Knox could have easily disbelieved the accused's story of not getting a fair and impartial trial, but still could have transferred the case to any other competent court simply correcting the mistake which Mr. Tute committed in not allowing a transfer under the provisions of section 191 Cr. P. C., because the order shows and to which Justice Knox agreed that Mr. Tute in the present case took cognizance of the alleged offence—(a) not upon receiving a complaint of facts which constitute such offence, (b) not upon a police report of such facts, (c) but upon information which he believed to be trustworthy. It is not unknown to those who observe the administration justice in this country, that the consideration of Magisterial prestige or slur or zid, in whatever name it may be called, sometimes over-rides the free course of law and baffles the salutary intention of the legislature, and none need be reminded by Justice Knox of the fact. Mr. Wyndham, the District Magistrate, Mr. Alexander, Deputy Superintendent, F.D.M.B., and Munshi Aulad Muhammad Khan, Deputy Magistrate, are all first class Magistrates of Mirzapur, and they are competent under the law to try the accused. It cannot be said that if any

one of them were entrusted with the trial, undue leniency would have been shown to the accused. Under the circumstances the accused would have considered it a matter of grace, though he is entitled to it by right, of our burdens. This is precisely the way to have the case transferred to the court of any one of the aforesaid Magistrates. The question of laying a slur, if it can at all arise in this matter, was not avoided but aggravated by not allowing a transfer as applied for by the accused.

The case of Mithu Khan will be taken up by Mr. Tute on the 15th instant, when Mr. Adams, the Officiating District Superintendent of Police, will be called again for cross-examination.

BURDWAN NOTES.

(From Our Own Correspondent.)

Burdwan, Aug. 12.

ALLEGED ATTEMPT AT MURDER.

Shashi Hari, of village Khanpur, under Shana Mantreswar, was an object of dislike to several of the villagers because he possessed a youthful wife or a rather prepossessing appearance. At about 1-30 a. m. on the 18th of the current Bengali month, when Shashi Hari and his wife were lying fast asleep on the verandah of their hut, a man is said to have approached them with a 'dao' and inflicted a terrible blow on the neck of the husband. At this moment the wife awoke and finding what was happening, at once went inside the hut and there fell down senseless on the ground. The assailant evidently on supposing that his murderous work was done, scampered away. The wife, on regaining her consciousness after about a quarter of an hour, went to her husband and found him weltering in a pool of blood. In response to a feeble, moaning sound proceeding from his lips, she poured some quantity of water down his throat. She then began to cry aloud calling for neighbourly assistance and her piercing wails brought some persons to the spot. Information was sent to the police who investigated the matter and took into custody the wounded man lying in a precarious condition. It is said that in her deposition to the police, Shashi Hari's wife said that it was a Bagdi of the same village who had murderously assaulted her husband. This man was thereupon arrested by the police and is in 'hajrat' awaiting his trial. The wounded man with a deep cut on his neck is at the Government Hospital at Burdwan.

TEMPIST IN A TEAPOT.

A few days ago, a young boy of about thirteen or fourteen years of age, reading in the seventh class of the Raj Collegiate School, was beaten by a certain Pundit of that Institution for some naughty acts. The boy being naturally of a very weak constitution, the beating proved to be too heavy for him and he fell into a spasmodic fit. He was immediately attended to by the medical officer of the College who found nothing serious in the case. Some time after, the boy was sent home where within a short time he completely recovered and after two or three days of the occurrence began to attend his class as usual, all hale and hearty. In the meantime, however, a report of this occurrence was published in the local paper, the 'Burdwan Sanjibani', to the effect that a certain boy of seventh class of Raj Collegiate School was severely beaten by a certain Pundit, and that he had died from the effects of that unscrupulous beating. Of course the charge was very serious, for, it might turn out to be culpable homicide not amounting to murder. The passage in question was brought to the notice of the District Magistrate, who forwarded it to the District Superintendent of Police for enquiry. Accordingly an Inspector of Police was deputed for the purpose and he held an inquiry at the College the other day. I cannot say if the boy reported to be dead, was produced before the Investigating Officer.

A FATAL ACCIDENT.

Two boys were playing a game. When the excitement of the game was greatest, one of them tumbled over the other and accidentally one of his feet gave a sharp kick on the belly of the other. The wounded boy remained senseless for sometime and then expired. The Civil Surgeon who held the post mortem examination was of opinion that death was due to the rupture of the spleen. The offending boy was in due course committed to the Court of Sessions where, on his confessing that he was the means of causing the death of his comrade quite unintentionally and accidentally, he was sentenced to undergo rigorous imprisonment for seven days.

POSSESSED BY GHOSTS.

A curious story is related by a gentleman of respectability which if true, must be very strange indeed. One Shaik Shamsheri is an inhabitant of village Shalgacha under the Rayana thana. His family consists of himself, his wife, son and son's wife, the two females being respectively about thirty and twenty years old. These two women have been showing symptoms of eccentricity, nay of positive insanity, since three months past. On calmer moments they say, that they are not at all insane but that they have been possessed by ghosts who reside on such and such banian trees. Many of their strange doings and acts of mischief have startled the whole village. But the strangest of them all is that the elder one has bitten to death a baby of seven months, which the younger one had on her lap. If anybody talks of bringing in an exorcist they straightway go with open jaws to bite him. When the ghosts leave them, they take their meals and talk and act like reasonable and sensible beings. Surely there are more things in heaven and earth than philosophy can dream of!

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THE LIEUTENANT-GOVERNOR'S TOUR.

ADDRESSES AT BERHAMPORE.

His Honor Sir Andrew Fraser in reply to the addresses presented by the Municipality of Berhampore, the Murshidabad District Board, the Murshidabad Municipality, the Azimganj Municipality and the Murshidabad Association said:—

Gentlemen, I thank you for the addresses of welcome to myself and Lady Fraser which you have presented to me this afternoon. I shall proceed very briefly to reply to those points which necessitate a reply.

Taking first the address of the District Board, there are two points to which my attention is called. The one is the proposal to construct a railway from Sainthia to Kandir. In regard to this, I have only to say that there are no papers before me, and that I have been unable to hear anything of any definite scheme for this proposed line. I must, therefore, postpone consideration of the matter until something more tangible is before me than the brief reference which you make in your address. In regard to feeder roads, which is the other matter with which you deal you have a strong case. That case has been submitted to me through the Collector and Commissioner, I find that what is required is a grant of 30,000 for five feeder roads connected with the new railway. This is undoubtedly a matter of urgency, to secure the full advantage of having the railway passing through your district. I have also examined your financial position, and admit that you are not able to meet the cost of these roads yourselves; and I am prepared therefore to help you in the matter. You will not probably require more than about Rs. 10,000 this year; and it will suffice to give the remaining Rs. 20,000 next year. I readily consent to make these grants unless anything quite unexpected occurs to make it impossible to do so.

I turn now to the address of the Berhampore Municipality the first point with which the address presented by the Municipality deals, is the system of drainage. This may reasonably be divided into two parts: the one which is concerned with the Government estate of Garh Berhampore which is the unhealthiest part of the Municipality; and the other which is concerned with the rest of the Municipal area. In regard to the first, I cannot of course admit that the Government is bound to do purely municipal work for the municipal area occupied by its estate. But Government is always willing to help in such cases. I have no doubt whatever that the Board of Revenue will make a grant to the municipality to meet a part at least of the cost of the drainage scheme of the Government estate. I shall not make any definite promise on behalf of the Board. I shall send the matter to them for their consideration, and hope that they will favourably receive the suggestion that they should make such a grant as I have indicated. For the rest, all that I can say is, that I can certainly not promise to pay for the drainage scheme of the town, but I shall have the preparation of a scheme that is of plans and estimates pushed forward as soon as possible, and when a definite scheme is before me I shall consider what assistance the Government ought to give. This is undoubtedly a matter in which private liberality may be expected to come to the aid of a Municipality when the Municipality cannot bear the whole cost itself. And if I find that a sound system of drainage is so much appreciated that the Municipality will do what little it can, and that a considerable sum is raised by public subscription, then I shall be prepared to give a grant from the Provincial Revenues.

Another matter to which reference is made in this address, is the alleged disfranchisement of the Municipalities of Bengal in respect of a seat in the Bengal Legislative Council. Now, gentlemen, I was rather startled when I heard the statements made in this address and that of the Murshidabad Association. I have, however, made enquiries as to what the statements really mean and I am told that they have reference to what was done about four years ago when one out of two seats formerly offered to the Municipalities of Bengal was taken from them and given to another body, hitherto unrepresented, namely the Landholders of Bengal. That is to say what is complained of is not the disfranchisement of the Municipalities of Bengal, but only the fact that their representation has been reduced from two members to one. When I remember that the District Boards of Bengal have only two members, and that Landholders as such have only one, I am not inclined to think that the representation of the Municipalities by one member is inadequate. I am not therefore able to hold out any hope that this matter will be considered. I turn now to the address presented by the Murshidabad Municipality. There are two or three points in this address which require attention. The first is the question of improving the Bhagirathi river. In regard to this I have only two things to say. The first is that I am not sure that this will be by any means so important a matter as it has been now that you have a railway constructed along the one bank of the river, and another railway projected right along the other bank. With all that railway communication the circumstances have changed, and the question of the improvement of the Bhagirathi loses a great deal of importance. The matter, however, is still under consideration. But I am afraid that it will be some time before I shall be able to make up my mind. The scheme for dredging the river can hardly be said even to have reached the stage of experiment, as the type of auction dredger to be used has still been undecided. The question has been referred to the Government of India and I believe it will have to be referred to the Secretary of State. When his orders on that matter are received we shall know what kind of suction dredger is best suited to the river, and we shall also probably have made up our minds whether it is necessary to use it at all.

The next matter to which this address refers is the proposal to provide a scheme of water supply for the town of Murshidabad. This matter is brought before me in a vague

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way as regards plans, and in a very consequently indefinite way as regards the request for assistance. No scheme for the water works has been devised; but I am asked to provide half the cost whatever it may be. Now, gentlemen, I think I may safely say that, whatever the cost is, I should not be justified, in view of the claims of other Municipalities and of other objects, in giving anything like half the cost. But before I can give any answer of a definite character, as to how much I shall be able to give, it is necessary for me first of all to have a definite scheme before me. I am anxious that such a scheme should be before me, and, with a view of enabling you to submit such a scheme to me, I am prepared to remit the fee usually charged for the services of a Sanitary Engineer for the preparation of plans and estimates.

In regard to the next subject, namely the Lalbagh Dispensary, I have carefully considered your request for assistance in its maintenance. It seems to me that in consideration of the fact that all the dependents of the ancient family of the Nawab Bahadur of Murshidabad are benefited by the hospital, that their presence there requires the employment of an Assistant Surgeon in charge of the Dispensary, and that your funds would otherwise hardly justify your incurring that expenditure, I am prepared to assist you in the matter. To enable you, as you desire, to retain your Assistant Surgeon in charge of the Dispensary, I shall make a contribution of Rs. 1,000 a year towards his salary. More assistance than this I am unable to give you; but I trust that this grant will make it possible for you to discharge your responsibility in regard to sanitation and other matters.

The last point to which you refer is the proposal to amalgamate the Madrassa and the High School. As at present advised, that proposal has my most cordial approval. But I cannot say that I see at present the wisdom of your further proposal, that this amalgamation should be accompanied by the establishment of a College at Murshidabad. There is already a College at Berhampore, and the necessity for another College at Murshidabad is at least problematical. I doubt whether a case can be made out for it at all. I have ascertained that it is not a College of the kind that the Nawab Bahadur aims at, so much as an institution for the education of -engal Mahomedans somewhat on the lines followed at Aligarh, and that he is not inclined to press for the establishment of this College at Murshidabad. With these views of his I have much sympathy and the matter to provide a good educational institution for the sons of Mahomedan gentlemen will receive my attention; though it is much more likely that any such institution, if established at all, will be connected with some existing College than that it will be a separate institution.

I turn now to the address of the Municipal Commissioners of Azimganj. They invite my attention to the question of the site of the Jaganj railway station. I am sorry that I cannot help them in this matter. I have ascertained that to move the station nearer to the river would be very costly and would entail a great deal of inconvenience to the public in the acquisition of houses.

I have also ascertained that the site has been selected after the most careful consultation with the leading members of the trading community, and has been chosen with a view to their advantage. It was on these grounds that the Government decided in September last to retain the site already selected; and I cannot promise that this decision will be reconsidered. When the Municipality go on to propose that some assistance should be given to them by the construction of the feeder roads from the station to the station, I am inclined favourably to consider their request. The location of the station has been fixed on public and engineering grounds; and I think it fair that the Municipality should be assisted in making the necessary road from the station to the station. It is estimated that this will cost Rs. 5,000; and I shall make a grant of that amount subject only to the condition that the Municipality agree to maintain the road in good order at their own cost.

This address goes on to refer to the bridge over the Bhagirathi at or near Azimganj. It is found impracticable to make the bridge at the point where the ferry now is. It is impracticable for several reasons, and for this amongst others, that it is necessary to have the bridge high so as to afford a sufficient headway for steamers on the river. You may be certain that the Railway authorities would not make the detour as they propose to do unless the detour were necessary. If the bridge is not to be at the ferry, then the request to have a roadway for carts will probably be withdrawn as unnecessary. In any case an examination of statistics has shown that traffic would not justify the expenditure of Rs. 73,000 on a roadway for carts across the bridge. On this account the matter has dropped.

The Municipality are anxious to frame a scheme for the proper drainage of the town; and they ask for the services of the sanitary Engineer without paying the usual fees. In view of the financial position of the Municipality, I am prepared to accede to their request.

Now I come finally to the address of the Murshidabad Association. Several of the subjects referred to in that address have been already dealt with and I can only take up those to which no allusion has yet been made. The Association speak in terms of appreciation of the action which I have taken to secure the co-operation of local bodies and of the public with me in endeavouring to improve the water supply in the interior of the district. There is only one thing which they say, and that is the grant which I am prepared to make of Rs. 5,000 to any district which is not adequate. My reply to that is simply this that as soon as any district shows itself ready, on the conditions which I have laid down, to take a larger grant than Rs. 5,000, I shall be very willing to consider

whether I can offer more. As matters stand, there are not yet many districts that have fully availed themselves of my offer, though I am glad to say that advantage is being taken of it. As for yourselves in this district, I may say I have to-day made the acquaintance of Raja Jogendra Narain Roy of Lalgola, whose friendship I shall be proud to own and maintain. I mention his name because of the great gift that he has given for the improvement of the water supply of this district. He has invested a lakh of rupees on this condition that the interest of the money is to be spent in sinking wells and improving the water supply. Thus quietly and unostentatiously, you will year after year be advancing the public interest in regard to this vital matter. His investment will give a return of Rs. 3,500 a year. In addition to this the local Board will give Rs. 5,000, and other public spirited men Rs. 5,000 more, so as to earn the Rs. 5,000 grant which I have promised, there will be Rs. 18,500 available for expenditure in this district on improving the water supply this year. I cannot help going on to add that this gentleman has also given half a lakh to be invested, and the interest to be used in the improvement of sanitation of villages, so as to have model sanitary villages here and there throughout the district. These are gifts of a unique character, not only in respect of their munificence but also in respect of the wisdom and breadth of view to which their specific form is due. The same gentleman has from motives of private affection, to which I can only refer with deep respect and sympathy, already presented an outdoor dispensary to this hospital and now offers an operating room for the same institution. The latter will be erected, if possible, on the top of the present hospital and will be an enormous advantage to the suffering of the community. His is a noble example and well worthy of imitation.

The question of communications referred to in this address I have sufficiently dealt with, in replying to the address of the District Board which is the proper authority to approach me in regard to this matter; and as to primary education I have only to say that we are making every effort that we can to improve the status and efficiency of primary schools, and that orders have already issued introducing the system of giving certain fixed stipends to such schools. I do not think therefore that there is anything left to which I have not sufficiently referred. Again I thank you gentlemen for the address which you have presented to me. I have had much pleasure in meeting several of the leading residents of this district on board the 'Rhotas' to-day; it has also been a pleasure to me to meet you here this afternoon, to make your acquaintance, and to hear what you have had to say; and I can only add that I heartily reciprocate the kind wishes to which you have given expression on behalf of my wife and myself and wish you all good.

STRANGE IF TRUE.

Trivenenahar, Aug. 3.

A few weeks ago, when cholera was raging furiously, causing great havoc here and in the surrounding villages, - Mohammedan woman of 55 breathed her last. An extraordinary incident is connected with this tragic end. She used to live in a village called Emappur, not far from here. She had two sons. The first son lived with her in the village and, the second was carrying on his profession in Chennappanykanpalayam near Cuddalore old town at a distance of 40 miles from where she lived. The night before her death a friend of her second son appeared to him in a dream with a sad message and spoke as follows:—

"I am sorry you are still here. Your mother now is in a very precarious condition and will be no more on earth to-morrow. Therefore go to your village at once and see your mother at least when about to be put into the grave." He awoke in utter astonishment and terror, could not sleep for the rest of that night and in the morning wrote a letter to his brother in Emappur stating therein all that he had dreamt the previous night and asking his brother to keep the corpse unburied until his arrival, in case the dream proved true. The letter was duly received by his brother and the old woman was informed of its contents. She, then in sound health, only smiled and went inside the room. But in a few minutes she was attacked with cholera and expired in a couple of hours. The matter was telegraphed to her 2nd son and the body kept unburied until his arrival. As soon as the telegram was received he set off with all possible speed. In an amazingly short space of time he reached the burial ground where all his relatives were very eagerly expecting his arrival and then the corpse was interred as usual. He gave up his profession in Chennappanykanpalayam and is now living in Emappur still testifying to the truth of his dream.

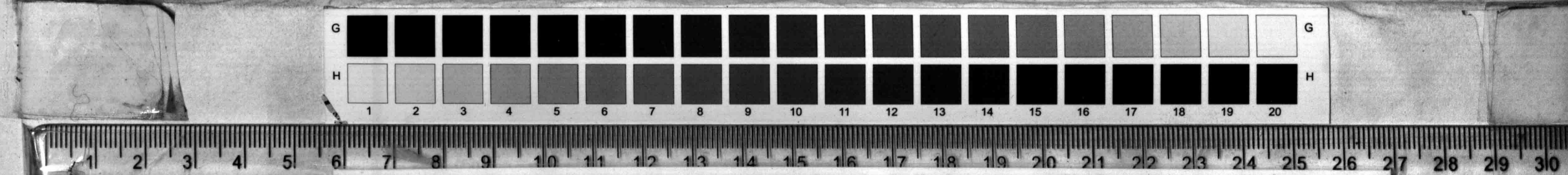
Head Constable Mohamed Subab of the Sadar Out-Post, Sylhet, who was sentenced to a fine of Rs. 50 for illegally confining a cattle-poisener who died in hajrat, has been dismissed the service as a departmental measure.

Last Wednesday, Mr. Ashworth, Sessions Judge, Allahabad, sentenced the two accused, who had been tried for kidnapping for unlawful purposes a minor girl, to four years and two years' rigorous imprisonment respectively.

A sensational murder case commenced last Wednesday before the Sessions Judge, Allahabad and three assessors. Eight men belonging to the village of Khara have been charged under Sec. 302 with murdering a fellow villager and throwing his body (which has not yet been found) into the Ganges. The Government Prosecutor Mr. Suraj Nath is appearing for the Crown and Messrs. Hari Mohun Roy and Bhagwandin Dube are defending accused Nos. 1 to 7 and Messrs. O.M. Chene and Anand Lall the last accused.

The discovery of fossil bones has recently been reported from the bed of the Godavari river at Nandur Madmeshwar in the Nasik district of the Bombay Presidency, says the 'Times of India.' Excavation and identification by an officer of the Geological Department has led to the securing of the cranium, part of the pelvis, and the right femur of a remarkably large individual allied to, or identical with, 'Elphas Namadicus.' A detailed description of the 'find' is in course of preparation by the Geological Department.

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Amrita Bazar Patrika.

CALCUTTA, AUGUST 18, 1904.

AN APPEAL TO HIS LORDSHIP THE CHIEF JUSTICE OF BENGAL.

IN his speech at the last St. Andrews Dinner, Sir Francis Maclean, the Chief Justice, was pleased to say that the Calcutta High Court had been subjected to severe criticism. At the same time, his Lordship had the extraordinary generosity to admit that this highest tribunal in the land deserved such criticism and had been benefited by it.

Sir Francis further admitted that the High Court had its defects and that he was doing his best to remove them. But it is not in its civil, but in its criminal, side that the real plague-spot lies. Is his Lordship aware how there was consternation all over the Province owing to the manner in which justice was administered by the last Vacation Bench? Fancy that appeals were not admitted even in cases where the Judges and Assessors had held diametrically opposite views!

The Magistrate is excused on the ground of his youth. But does that fact lessen the sufferings of the men sent so unjustly to jail? Why are men, who are so young—who are more fit to fly kites than to administer justice—empowered with such enormous powers, which enable them to make pastime of the liberties of their fellow-beings? One of the stock arguments of the Magistrates, in justification of their unjustifiable acts, is that they have to preserve the public peace. Well, if they cannot keep their districts quiet without committing illegalities, the best thing for them is to enter the Opium Department.

Mr. Foster talks of his own "prestige." It, however, does not occur to him that the High Court has its prestige too, and that by disputing the authority of the Hon'ble Judges in interfering with his proceedings, in an "arrogant tone," he destroys the prestige of a Court whose mandate is law to him. Perhaps the sedate Judges would have not administered even the mild censure to the Magistrate, quoted above, if he had not undertaken to interpret the law to their Lordships in offensive language.

The censure of the Criminal Bench had however a strange effect upon Mr. Foster. Instead of rousing his sense of duty or his respect for the High Court, it made him more defiant. At least he adopted measures to defeat the object of the High Court's order. On 28th July the petitioners again appeared before the Criminal Bench with a long tale of grievances against the Dy. Commissioner, one of the order of the High Court, they have been rotting in the jail for two and half months! This is what they said:—

"That notwithstanding the order of the Hon'ble Court, the result has been that your petitioners have remained in jail and are there even now." Here was a distinct and apparently deliberate act of disobedience of the order of the High Court, but, the Hon'ble Judges took it quite coolly, and contented themselves by simply issuing the following Rule upon the Magistrate:—

THE CRIMINAL BENCH AND THE HAZARIBAG CASE.

We do not for a moment question the good intentions of the present Criminal Bench; and all the same its method of administering justice is not only causing great hardship, but injuring the prestige of the High Court, a calamity the gravity of which cannot be described in adequate terms. "All other questions," said the Chief Justice in his St. Andrews Dinner speech, "pale in importance before that of a strong and effective administration of justice." His Lordship further declared that "the High Court is the one barrier between the public and the possible ill-advised action of a powerful executive." That is indeed the main function of the High Courts in India. It is to protect the people from the disastrous effects of the unjustifiable, illegal and high-handed actions of the irresistible executive authorities of the country.

The Dy. Commissioner, no doubt emboldened by the Buddhist patience of the Criminal Bench, busied himself in harassing the petitioners in other ways; and one of them made an affidavit before the Hon'ble Judges on Friday last, stating how they were afraid of being put to jail again by Mr. Foster, and that unless the Hon'ble Court permitted them to stay in Calcutta till their revision case, now pending before the Criminal Bench, was disposed of, they would again be arrested and made to rot in jail. When this affidavit was read, the following conversation took place between Mr. Sinha, Counsel for the petitioners, and Mr. Justice Pratt:—

"Mr. Justice Pratt:—This is disobeying the order of the High Court. What he had to do is to accept that recognition." "Mr. Sinha:—Our prayer is that your Lordships will allow my clients to be here till this matter is disposed of. They are in Calcutta now and the case is not likely to be heard within two or three days."

"Mr. Justice Pratt:—What do you apprehend?" "Mr. Sinha:—After this matter is disposed of, probably I may be hauled up and kept in the 'hajut'. Your Lordship would be pleased to pass an order so that the petitioners may remain in Calcutta and have sufficient time to go to Hazaribagh afterwards, and that it may not be said that I have disobeyed the order of the Deputy Commissioner."

"Mr. Justice Pratt:—On the application of the petitioners through Mr. Sinha we give them permission to remain here until the disposal of this rule."

Mr. Justice Pratt was fully aware that the order of the High Court was disobeyed, not once but three times; yet his Lordship did not deem it proper to take any action upon the conduct of the Magistrate or to bring it to the notice of the Government. It is the duty of every Hon'ble Judge to maintain jealously the prestige of the High Court when it is sought to be lowered by the executive. It is also his duty, as the Chief Justice pointed out in his speech at the St. Andrews Dinner, to protect the public from the "ill-advised action of the powerful executive." The Judges, presiding over the present Criminal Bench, did nothing of the kind, though the Hon'ble Court's orders were

by the petitioners, apprehending that the order of the Deputy Commissioner was "ultra vires," directed under sec. 423 Cr. P. C. that the petitioner, should be admitted to bail and called on the Deputy Commissioner for an explanation of his action. Mr. Foster in his explanation, which plainly shows that he is impatient of control, and resents what he terms the intervention of the High Court, has ventured to assert that this Court has acted without any consideration for a "District Magistrate's prestige" and in a manner "likely to open an avenue to future lawlessness." Mr. Foster who is an officer of only 8½ years' service, should, instead of chafing under the salutary control of the High Court and using improper language, welcome the interposition of higher authority, which is calculated to check the errors of impulse and inexperience and to correct illegal actions, which might otherwise lead to serious consequences. He no doubt occupies a high and respectable position, as he is careful to remind us, but that does not give him license to send men to jail without justification in law, nor to adopt the arrogant tone of one who considers his action beyond criticism and correction. This is a typical case indicating the necessity of a controlling authority to rectify the mistakes and illegalities committed by Magistrates.

disobeyed in a flagrant manner; they themselves were humiliated openly and deliberately before the world; and two Zemindars and their manager subjected to terrible sufferings illegally by a District Magistrate. We think, it is high time for his Lordship the Chief Justice to look into these things and constitute the Criminal Bench in a way so as to make it a real blessing to the people and a faithful defender of the prestige of the highest tribunal in the land. Fancy Mr. Justice Pratt's idea of the prestige of the High Court! While confirming the sentence of the Presidency Magistrate upon Mr. Nicolls, Assistant Secretary of the Port Commissioners, he recommended the prisoner, whom he himself condemned, to the mercy of his employers, the Port Commissioners, for a compassionate allowance! Of course, a Judge of the High Court does not demean himself by recommending a prisoner to the mercy of the Government, but this is the first time that one of their Lordships was seen to kneel before private parties.

AN ANALYSIS OF MUNICIPAL EMPLOYEES OR THE GREATEST FUN OF THE 20TH CENTURY. HERE is a statement showing the Municipal employees in 1903, who draw Rs. 1,000 and upwards per month:—

Table listing names and salaries of municipal employees: Mr. R. T. Greer (Chairman) 3,500; Mr. Mac Cabe (Engineer) 2,500; Dr. Cook (Health Officer) 1,400; Babu Nilambar Mukherjee (Vice-Chairman) 1,400; Mr. Duval (Deputy Chairman) 1,225; Mr. Price (Engineer) 1,000; Mr. Gainsford (Secretary) 1,000.

Here we have seven, only one of whom is a native of India, whose community almost entirely contribute to the Municipal fund. The Indian employes draw Rs. 16,800, and the six European employes two lakhs, per annum. So you see the principle of "unexampled liberality" has entered even into our Municipal affairs. Babu Nilambar is the only evidence that exists to prove that Calcutta at one time enjoyed a Municipality over which the rate-payers' representatives had some control.

It comes to this then that Europeans earning from Rs. 500 upwards, who are nineteen in number, draw about three lakhs per annum; and the Indians, who number six, draw about Rs. 39,000. It is evident that the principle of "unexampled liberality" has permeated the Municipality from the top to the bottom. We see, in short, that if about one-fourth of the Municipal income is swallowed up by its establishment, the Europeans and Eurasians enjoy about three-fourths of it.

By referring to the statement of the Municipal employees, published by us yesterday, one can see at a glance that we have experts of various sorts in our Municipality. We have Engineers to construct and others to break; Engineers to dig and others to fill up. We have Health Officers who hunt after mosquitoes and rabid dogs, and we have architects who draw designs. But we fear there are yet several things wanting. We have for instance not yet a Municipal painter and a photographer; or a Municipal poet to immortalize the deeds of its members and employees in verse; or a Municipal barber to shave them.

Need we say why we require painters and photographers? We require them for the purpose of taking photos and full-length portraits of the Municipal employees, and the Municipal Commissioners, in order to decorate the Municipal hall. We need especially full-length portraits of Indian Commissioners who have agreed to serve the Corporation, under its present constitution, so that they may be preserved in their families as heir-looms.

We shall try to show hereafter how the establishment has increased by leaps and bounds; and why the establishment, that sufficed before, does not suffice now. We can, however, give a faint idea of it to-day. We said that we have Engineers to dig and others to fill up. We had Engineers before only to dig, but it was found necessary to appoint others to repair the damages done by the former. Thus we have Engineers now, not only to construct, but to re-construct, not only to break but to re-break. Besides, if men were needed to do certain necessary works, others were needed to see that the former did their work properly. This controlling agency had again to be controlled by a fresh agency. And lo! this fresh agency had to be controlled by a fresher one. And thus the establishment charges went on swelling and swelling till during the last ten years these charges have increased by nearly one and a half lakh per annum only in the higher grades!

The principle of "unexampled liberality" was not forgotten when the establishment was organised. Nor was it forgotten when distributing Municipal contracts. All the big contractors of the Municipality are the European firms. How much money in this way is earned by the Europeans has never been ascertained. We may, however, take it that it must be a huge amount—especially as commerce is now very strongly represented in

the Corporation. To clear the point, we trust, the Maharaj-Kumar or some other Commissioner will ask the Chairman for a return showing the number of contracts given to European and Indian firms within the last ten years, and the value of these contracts. If the abolition of the competitive system for public service is a great wrong, its intensity has been increased hundred-fold by the rude way in which the wrong has been thrust upon the people. There is such a thing as vanity and even when at the point of being changed, the condemned sometimes prays for a silken cord. Are the people of Bengal actually donkeys who need no consideration whatever at the hands of their rulers? If it was intended to introduce this drastic change, why was it not done in a more gentlemanly manner? The Government of Bengal was aware that the changes proposed by Lord Curzon in his Resolution on Education had very much dissatisfied the people. The Hon'ble Babu Bhupendra Nath Bose, in his budget speech, explained, in a few words, how this change was regarded by the people. Public meetings were held in some district towns and protests entered against the retrograde measure. It was open to the Government to listen to or to disregard the voice of the people; but surely the Empire would have not been endangered if public opinion had been, out of courtesy, invited on the subject. No one has as yet suffered by being polite. We do not remember to have ever seen the people so contemptuously treated as on this occasion.

As for the measure introduced by Sir A. Fraser, we must say, it is much better than the one we anticipated by reading Lord Curzon's Resolution on the subject; and we are grateful to His Honour for it. Nay if the terms of the executive order, as promulgated by Sir A. Fraser, were faithfully carried out, the people would have not much objection to the change. In short, if the berths are distributed to the University men according to the order of merit, the people may have no cause for dissatisfaction. But there is the question of "conflicting interests." What is feared is that, in the name of conflicting interests, it would be possible for a ruler to set aside the principles laid down in the executive order. Of course Sir A. Fraser is too honest and sympathetic to be able to take advantage of that undermine factor of "conflicting interests;" but his successor may not be so sympathetic. So there must be some provision that no injustice is done in the name of "conflicting interests." Indeed, some such provisions are necessary even for Sir A. Fraser to be able to stop clamour, to do strict justice and satisfy all parties and his own conscience. At present there are some posts at the command of the best candidates, that is to say, they can secure them by passing the competitive examination. The recent order takes away that privilege from them. Let, therefore, a certain number of Deputy Collectors and Sub-Deputy Collectors be reserved for the best University men according to the order of merit. Besides, it would be unjust to throw unsuccessful B.A. candidates, who have now the privilege of appearing at competitive examinations, clean over-board; they ought to be given some sort of chance as they had under the old rules.

It will be remembered that Maharaj-Kumar P. K. Tagore Banadour asked for a statement from the Chairman, showing the European, Eurasian, and Indian employees of the Corporation carrying salaries of Rs. 200 and upwards per month with their designation from 1893. We publish to-day elsewhere only two returns, those of 1893 and 1903. The statement, we must say, is the greatest joke of the nineteenth century. How we shall explain hereafter. It will be seen from the two returns, published elsewhere, that if the European employees had swallowed Rs. 18,075 per month in 1893, they swallowed Rs. 25,408 in 1903. As regards the Indians, their share was only Rs. 6,960 in 1893, and it is now 10,755. An analysis of the statement will show the fun of the thing. It is a harmony throughout; it is only as "native" Vice-Chairman who has spoiled the symmetry. It is unlucky that he is not dead, it is unlucky in the cause of harmony and symmetry. We thank the Maharaj-Kumar for having secured this important statement from the Chairman.

The "Englishman's Journal" very opportunely gives an account of the profit made by the Manchester Municipality by retaining the right of running the tram cars themselves. Thirty-two lakhs of Rupees was the profit which the Manchester Municipality earned last year from their Tramway service. This sum is half the income of the Calcutta Municipality. Babu Radha Churn Pal, referring to the question of opening out new municipal markets in the northern town, which was a doubtful source of revenue, and to the failure of the Lansdowne Market, observed that much as he valued the services of the commercial members, he expected that, considering the heavy burden of municipal taxation, they would consider the means of alleviating that heavy burden by the Municipalisation of gas, electricity and trams or any one of them, so that the profits of the concerns, instead of going to the pockets of shareholders, would lead to the improvement of the town and reduction of our burdens. This is precisely the way the commercial members of the Corporation may render themselves useful, instead of spending its money mainly for the benefit of the European quarter. This plain-speaking on the part of Babu Radha Churn, we regret, disturbed the temper of the "Indian Daily News", which, though not an admirer of the Municipality, falls foul of this honest and hard-working Indian Commissioner and praises the commercial Commissioners. Now the chief merit of the present race of Commissioners, including the commercial ones, has been very aptly described by the "Englishman's Journal" in the following terms:—

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tion. To clear the point, we trust, the Maharaj-Kumar or some other Commissioner will ask the Chairman for a return showing the number of contracts given to European and Indian firms within the last ten years, and the value of these contracts.

If the abolition of the competitive system for public service is a great wrong, its intensity has been increased hundred-fold by the rude way in which the wrong has been thrust upon the people. There is such a thing as vanity and even when at the point of being changed, the condemned sometimes prays for a silken cord. Are the people of Bengal actually donkeys who need no consideration whatever at the hands of their rulers? If it was intended to introduce this drastic change, why was it not done in a more gentlemanly manner? The Government of Bengal was aware that the changes proposed by Lord Curzon in his Resolution on Education had very much dissatisfied the people. The Hon'ble Babu Bhupendra Nath Bose, in his budget speech, explained, in a few words, how this change was regarded by the people. Public meetings were held in some district towns and protests entered against the retrograde measure. It was open to the Government to listen to or to disregard the voice of the people; but surely the Empire would have not been endangered if public opinion had been, out of courtesy, invited on the subject. No one has as yet suffered by being polite. We do not remember to have ever seen the people so contemptuously treated as on this occasion.

As for the measure introduced by Sir A. Fraser, we must say, it is much better than the one we anticipated by reading Lord Curzon's Resolution on the subject; and we are grateful to His Honour for it. Nay if the terms of the executive order, as promulgated by Sir A. Fraser, were faithfully carried out, the people would have not much objection to the change. In short, if the berths are distributed to the University men according to the order of merit, the people may have no cause for dissatisfaction. But there is the question of "conflicting interests." What is feared is that, in the name of conflicting interests, it would be possible for a ruler to set aside the principles laid down in the executive order. Of course Sir A. Fraser is too honest and sympathetic to be able to take advantage of that undermine factor of "conflicting interests;" but his successor may not be so sympathetic. So there must be some provision that no injustice is done in the name of "conflicting interests." Indeed, some such provisions are necessary even for Sir A. Fraser to be able to stop clamour, to do strict justice and satisfy all parties and his own conscience. At present there are some posts at the command of the best candidates, that is to say, they can secure them by passing the competitive examination. The recent order takes away that privilege from them. Let, therefore, a certain number of Deputy Collectors and Sub-Deputy Collectors be reserved for the best University men according to the order of merit. Besides, it would be unjust to throw unsuccessful B.A. candidates, who have now the privilege of appearing at competitive examinations, clean over-board; they ought to be given some sort of chance as they had under the old rules.

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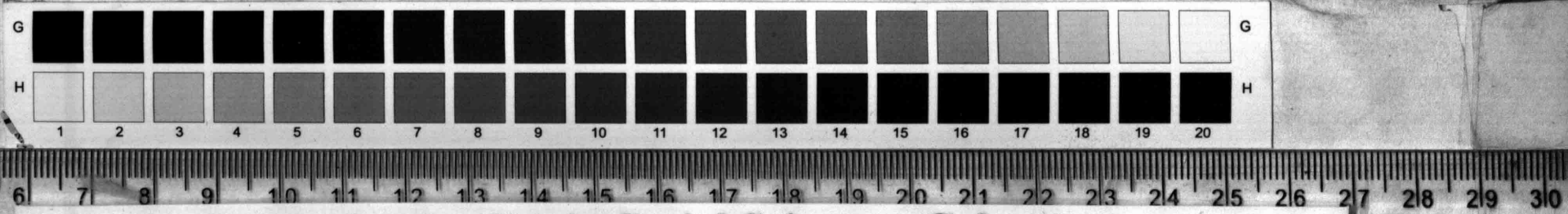
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tion and they wanted to explain the situation to Mr. Thompson before they took proceedings against Manohar. But Mr. Thompson could not brook delay. Before he heard from the Commissioners on the subject, he asked the Sub-Divisional Officer to prosecute Manohar and a case has already been instituted against the man. The Municipal Commissioners are of opinion that as the lost money has been recovered, no further fuss need be made about the matter; but, as the district authorities possess a super-abundance of energy they view the matter from a different standpoint. How immensely would our Magistrates have benefitted themselves and the people entrusted to their care, if they had used their opportunities for the good of humanity and not for the purpose of sending people to jail!

The enlightened Maharajah of Tippera is an ardent friend of English education. Tippera is not a place where a high English college is likely to grow; indeed, His Highness has even to overcome obstacles raised by those for whose benefit the institution has been established. But it is growing, and it will be developed into a full-blown first-class college, hereafter, if necessary. It must be borne in mind that Tippera is a Hindu State; and as such it gives its education free. That being the case and considering that education has become very costly in British India, this Tippera College may at one time prove of immense benefit not only to the people of Tippera but of British districts adjoining the State.

Scraps.

Our Mysore correspondent informs us that the case against Dr. Bipin Behari Roy, a local Munsiff, the particulars of which have been published in the "Patrika," has been struck off owing to the absence of the complainant. All is well that ends well, and it is hoped that the case will have a salutary effect upon Dr. Roy.

We understand that a petition has been submitted to the Agent of the East Indian Railway by some officers employed in the Civil Courts regarding the Durga Puja concession tickets. It is stated therein that one month's concession is convenient only to the employees in the Executive Department, who get only twelve days' leave for the Durga Puja. They urge that as the employees in the Civil Courts get thirty-three days' leave, they cannot enjoy the privilege of the concession fully.

The reader will remember that a committee was appointed by His Honor the Lieutenant-Governor of Bengal to enquire into and report on the Septic tank installations on both sides of the river Bhagerathi from Hooghly downwards. We understand that the committee have already inspected some of the river side mills where septic tanks have been provided and examined a few witnesses, viz. Raja Peyari Mohon Mukerji, Uttarparah, Rai Abinash Chandra Banerji Bahadur, Bahi, Babu Baman Das Banerji, Risrah, and Babu Nalin Behari Sarkar, C.I.E., Norendra Nath Sen and Justice Ashutosh Mukerji, Calcutta.

We are deeply grieved to hear of the untimely death of the Honble Lala Macan Gopal, Bar-at-law, at Delhi on the morning of the 11th instant. As a student he was noted for his retentive memory. After passing successfully the law examination, he settled as a pleader at Delhi, and soon made his mark as a successful pleader. A few years after he left for England to study for the Bar. On his return he began practice at the Chief Court and lived at Lahore till a few weeks before his death. He had a fine literary taste and his chief delight was the study of English classics. As a member of the Provincial Legislative Council (to which he was repeatedly nominated) and as a Fellow of the Punjab University he did good service in his unostentatious way, and though there may be people who differ with him in respect of his views, there is no one who does not appreciate his singleness of purpose and high sense of duty. The recent contribution by him of Rs. 15,000 to the Hospital fund was an example of charity in the right direction. In him the Punjab has lost a most prominent figure and the Khatri community one of its ornaments. We offer our sincere condolences to the bereaved family.

The Superintendent of the Government Press in the United Provinces, says the Allahabad "Citizen," has served a large number of workmen in the book binding department with notice that their services are shortly to be dispensed with. There is no lack of work in the book binding department; for, in order to be able to cope with the work, a large number of extra hands is being continually employed. No reasonable excuse could therefore be pleaded in justification of any reduction in the strength of the existing staff. A large number of employees who are about to be dismissed have a record of very bright service extending from 15 to 25 years. A few years more and they would complete their thirty years and be eligible for pension. The reason why they are to be dismissed is not that there is a dearth of work in the office or any disqualification in the workmen on account of superannuation or old age, but that the Superintendent, who is a white-god, enjoying a fat salary himself, is desirous of gaining credit by making a saving to Government in the matter of the pension that these workmen would be entitled to if they were allowed to work for a few more years. Will Sir James LaTouche allow this glaring injustice to be done at the very seat of his capital?

The Madras High Court has lately disposed of a case which came up before their Lordships on reference made by the Sessions Judge of Kistna and which shows how the people suffer untold misery simply because the police here is irresistible and overzealous. In July, 1903, M. Kondadu and nine others were committed to the Sessions Court for trial on a charge of dacoity. After the case was committed to the Sessions, a charge under Section 400 (making preparations for dacoity) was also added at the instance of the Public Prosecutor; but, after the evidence for the prosecution was closed, the Public Prosecutor withdrew the charge under Section 400. The trial of the accused on the charge of dacoity was proceeded with, and the accused were eventually acquitted. Im-

mediately after the acquittal, the accused were re-arrested and committed to the Sessions on the charge under Section 400 in respect of the same case in which they had been acquitted at the previous trial. The Sessions Judge observed that the withdrawal of the charge under Section 400 amounted to an acquittal under Section 494 of the Code of Criminal Procedure, vide I. L. R. 12 Madras 35—and that a second commitment on the same charge was illegal. Their Lordships, Mr. Justice Davies and Mr. Justice Bankaran Nair, who heard the reference, quashed the order of committal.

The residents of Chakrabarhia, thana Seebpore, sub-division Howrah, district Hooghly, have presented a memorial to the Lieutenant-Governor of Bengal, praying for redress against the manner in which the Sub-Divisional Officer has asked them to accept and execute new leases. The village was, the petitioners claim, formerly part of the Jaghir of a Mahomedan nobleman of the name of Was Ali Khan. From failure of heirs, the Jaghir was escheated to the British Crown and, with the several mouzabs included within the Jaghir, Chakrabarhia became a Khas Mahal of the British Government, and has, since then, been administered as such for purposes of Government revenue. Many of the tenures in Chakrabarhia are more than 200 years old. The great majority of tenures in Chakrabarhia have always possessed all the incidents of permanency known to the law. The rents have been fixed. The holders have built "pucca" or permanent houses for residence. They have excavated tanks, large and small, and wells, without seeking the permission of the proprietors. They have planted all kinds of trees and enjoyed their fruits and cut them down at their own pleasure without either the permission of the proprietors. The tenures have always been heritable, and transferable also by gift and sale, without the slightest interference or attempt at interference by the proprietors for the time being. The State itself as landlord has in many instances caused holdings in Chakrabarhia to be sold at public auction for arrears of rent and thereby induced people to believe that tenants in Chakrabarhia possess transferable rights in their holdings. In many instances again, compensation money has been paid to tenants for lands acquired for public purposes under the Land Acquisition Act. Induced by these acts of Government to believe that the holdings in Chakrabarhia have all the incidents of permanent tenures, many of the residents having entered by purchase at public auctions as also by purchase at private sales, have spent large sums in erecting "pucca" buildings and otherwise increasing the value of the same. The petitioners surprised and seriously alarmed by a call made upon them, first by the Tahsildar and then by the Sub-Divisional Officer of Serampore, to accept leases which are known as Form No. 3 of Appendix L of the Survey and Settlement Manual of 1900, and execute "kabulyats" to the same purport. If the petitioners accept this lease and execute "kabulyats" in keeping with it, they will become tenants without any sort of rights. The petitioners pray that, after a reference of the question to the Crown lawyers if the Government of Bengal thinks it fit, the Sub-Divisional Officer of Serampore be instructed to desist from the attempt of inducing the residents of Chakrabarhia to accept the new lease which, is totally destructive of those permanent rights which they have acquired by not only a long course of user and occupation but also by means of grants whose existence is always presumed by the law when user and occupation are as ancient as theirs.

—The imports of caoutchouc into Assam from Bhutan, the Aka, Dafia, Abor and Mishmi Hills in June last amounted to 104 maunds of the value of Rs. 8,227.

—The exotic plantations attached to the Lucknow Government Gardens continue to do well. A large number of trees are under trial and are promising generally well.

—The Mysore Government have framed rules for the grant of state lands for garden cultivation on favourable terms. The rules are at present confined to lands required for areca nut and cocoanut gardens.

—Mr. N. Wagle, who has taken up the matter of the improvement of the Indian glass-making industry and is visiting certain provinces in connection therewith, has, we learn, completed his investigations in Bengal.

—A Burma official report for the year ending 30th June last returns the area under cotton as 160,126 acres or an increase of 18,597 acres over the previous year. The increase is attributed to good prices in the cotton market.

—The pearl fishery at Tuticorin having given only poor results in recent years, the Madras Government have applied to the Ceylon Government for one of its experts to investigate and report on the causes of its failure.

—Samples of the rubber obtained from Rhyrachadia Walli— a ceepor reported to be plentiful in parts of Burma—sent Home to the Imperial Institute for valuation and report have elicited a favourable opinion from experts. The rubber is said to be good and would sell in London at 3s. 6d. per lb. or a little less.

—The August teak timber sales of the Burma Forest Department include 120 logs of 64 tons at the Anakpet depot in the Shwegyin district and 302 logs cubing 174 tons and 546 logs cubing 238 tons in the Pymmana forest division. Purchasers will be allowed to remove the timber to Lower Burma either in the round or converted free of export duty.

—We see from the India estimates for 1904-05 that, unlike last year, no provision has been made for this year for the Commercial Intelligence, which probably means that there is no prospect, or rather intention, of starting the new Branch during the current official year. Last year the estimates provided Rs. 75,000 for the purpose.

—The expenditure of the Imperial Post Office in the matter of subsidies during the current official year is estimated in the India estimates at Rs. 10,72,000. Of this sum the British India Steam Navigation Company is put down for Rs. 9,68,500, which includes the Irrawaddy Flotilla Steam Company, Burma, for Rs. 40,500; the Rivers Steam Navigation Company for Rs. 27,000 and the Tigris and Euphrates Steam Navigation Company, Bombay, for Rs. 24,000.

ANGLO-INDIAN AND INDO-ENGLISH TOPICS.

(From Our Own Correspondent.)

London, July 29.

SOME WANTS FOR THE PRESENT TIME. "God give us men! A time like this demands Great hearts, strong minds, true faith, and willing hands; Men whom the lust of office does not kill; Men whom the spoils of office cannot buy; Men who possess opinions and a will; Men who have honour; men who will not lie."

THE "TIMES" IN A NOBLER MOOD.

Under its new system of slightly reduced price to regular subscribers, the "Times" is introducing several innovations into its pages. For example, in addition to its Literary Supplement every Friday, it now issues a Financial Supplement on Mondays, and it has arranged to publish frequent articles on Indian Affairs. But even this step in advance leaves a big gap to be filled with information regarding India between what the great journal is to-day and what it used to be. I have more than once in these Letters given lists of the many long and short articles and paragraphs dealing with Indian matters which appeared in the "Times" twenty years ago as a regular thing. However, in these days we must be thankful for small mercies, and it must be acknowledged that on Tuesday last, when the first of the promised articles on India appeared, its subject matter was better than could be expected. The article runs to the length of a column and a half, and deals with the possibility of self-government, with the reform of education, and with the need of Indian industrial leaders. Only here and there is the opinion of the "Times" in agreement with the views of Indian reformers, and no very striking improvement in this respect is to be seen. But improvement is very apparent in the tone of the new contribution. Under the old regime it would have been well nigh impossible for the writer to have discussed education without a contemptuous gibe at the Bengali Lahu, comparing him—to his own detriment—with the mountain tribes who couple their martial valour with the undoubted virtue of being a thick-headed, unprogressive people. There is no sneering at the educated Indian, and the "Times" declares without equivocation that "it is gratifying to find that none of the defects in the education system point to any inherent fault in the material. The weakness is in the system, and it behoves those who dream of political concessions for India to co-operate loyally and strenuously in the removal and remedying of these defects." As I have said, the "Times" has in no way changed its views, and it still worships its old gods with its old fervour, but at least it is beginning to find virtue in the Indian people and to show some sympathy for their justifiable aspirations. The sentences with which it opens its article are gentlemanly and almost cordial in tone. They run thus:

"Many people, when they begin to take an interest in Indian affairs, ask a very difficult question. They ask when the Indians are to be admitted to a full share of the government of India. This question is also asked by certain classes in India with dogged persistence, by the classes of Indians who have been educated at the various colleges and Universities. They do not of course, represent the 275 millions who were returned at the last census as illiterate, nor, indeed, do they represent the majority of the better educated of their countrymen. But they are audible, persevering, and entitled to sympathetic consideration.

"Recent events in the Far East have given a stimulus to this school, and not unnaturally the potentialities of oriental peoples are discussed. Most of those who know India well, and can put themselves in the place of the real Indian patriots will sympathise with their aspirations, but will, nevertheless, agree with the cautious reply given by Lord Curzon that the salvation of India is not to be sought on the field of politics at the present stage of her development. It is an irksome and unpopular answer to give; it is an irksome and disappointing answer to receive. None the less, it is the wise and the true reply. But there are many other fields of usefulness and power which lie around the citadel of politics, and when these fields are occupied the entrance to real political life will be easy, natural, and safe." As regard education, the "Times" proceeds correctly enough to sum up the drawbacks to the present educational methods—drawbacks of too much literature and too little practical work, as the Indians themselves are coming to realise. In mentioning Lord Curzon's Government resolution, the writer, unfortunately, does not make it clear that the opposition which has been raised is not intolerant of education reform in itself, but merely objects strenuously to the throttling of higher education by delivering it bound and helpless into the power of the bureaucracy. If he had fully appreciated the position of the Indian educated classes, he could not have written that:

"We are all apt to think that the system under which we were educated is the best and only system, and it is not unnatural that clever Bengalis should regard the mere suggestion of defects in their education as a kind of blasphemy. But they should take comfort from the fact that in England also the reformer is at work, and that harsh things are said of the educational system which prevailed here in the last generation. There is no harsh word in the resolution of the Government of India. It is an honest and laborious, it may be for the present a thankless, effort to get back on the right line."

But whatever be the difference of opinion on the Government resolution, there will be no dispute as to the words which follow: "In India there is splendid material for educational enterprise, and those who go out from England to join the educational service in India will find much that is promising. They will find themselves in a land instinct with the traditions of ancient learning; they will find boys of extraordinary quickness and industry; but, unfortunately, they will not commonly find evidences of character evolved by our educational system in the past. Here again, the fault is not in the Indian, but in the system of education."

Our besetting sin in India, the "Times" goes on to remark is constant endeavour to do things cheaply and the educational ser-

VICES have been starved by a sacrifice of quality to quantity. It is a pity that in this connection the scathing words of Mr. J. E. O'Connor were not quoted with regard to the culpable neglect which the Government of India has shown in failing to foster the education of the masses. There the fault was not the sacrifice of quality to quantity, but the sacrifice of both quality and quantity, and the jeopardising thereby of the future of India. The "Times" repeats subsequently the fervent belief of Anglo-India that the people of India have no great stock of character, and the writer draws a miniature word-picture which, in the circumstances is almost ludicrous, of "the various Governments and officials patiently searching for men of character to take up the burdens and responsibilities of the over-wrought Administration." He does not go on to explain how little encouragement there is to the display of character when the greatest living Indians are deprived from the legitimate rewards of their genius. Character is well defined by the writer as:

"That which makes men work for the sake of duty, which makes them shun subterfuge and shirking, and keeps them independent and truthful."

India needs more of this just as all nations need more of it, for everywhere it is a quality that is not yet sufficiently common. It is even true that India wants more of it than any other civilised nation for it requires less merit to keep at the height of self-government and self-culture than it does to climb laboriously to it against strenuous official opposition. But it is not true nor wise to suggest that:

"Those who claim to be, or wish to be, Indian patriots will be well advised to go slowly, to co-operate in the new scheme of Indian education, and to postpone their demands for constitutional change until a national character is created, strong, independent, and able to stand alone."

This is false and foolish advice. National character can never be learned in textbooks, not reared in hot houses. It can only develop by exercise and by growth in the open air. One cannot get national character without constitutional government, nor constitutional government without national character. The two must be obtained together step by step. A slight improvement in the first will extort a slight concession of the latter from the bureaucracy. This would act as a stimulus to produce a further growth in national consciousness. That same growth would lead to fresh concessions, and so progress would be made, each improvement being at once the effect of a previous cause and the cause of a further and happier effect. But, to think that national character can first be developed and that self-government can then be added! Well, such dreams are the visions of doctrinaires. They have no reality in the outer world of fact.

THE ASSASSINATION OF M. DE PLEHVE.

By the explosion of a bomb deliberately hurled before his carriage the man who was probably more truly the Autocrat of all the Russia than the Czar himself was killed yesterday at St. Petersburg. By a strange coincidence or, it may be, by the intent of the assassins, the tragedy occurred at the Warsaw station and the word "Warsaw" is one that recalls some of the dead Minister's most relentless crusades against liberalism and outraged national sentiment. In one of my recent letters to the "Patrika" I gave some details of certain papers which had reached me, from a source entirely unknown to me personally, as to the restlessness among the oppressed people of Poland. The assassination of the Minister for the Interior now shows that what is true of Poland and of Russia is also true of the rest of European Russia. No one can feel the least sympathy with M. de Plehve. For a quarter of a century he had harried the enemies of the Czar and had suppressed their societies with a harsh ferocity. One day the tide was bound to change, and when it did, he could expect no mercy or forbearance from his foes. During his regime he had doubled the Imperial expenditure on Secret Service and a large portion of the increase is believed to have been devoted to the guarding of his own life. But, despite his care and vigilance, there were a few weak spots. It was of one of these points that the assassin availed himself. Probably M. de Plehve never knew what hit him. He was reading a paper in his carriage as he drove past the restaurant, and when the bomb exploded it must have killed him before he could lift his eyes from the page.

Mr. W. T. Stead, who has as great an intimacy and personal knowledge of Russia and Russian officialdom as any man in England, has been interviewed upon the tragedy.

"Do you think these assassinations herald anything in the nature of a revolution?" he was asked.

"No," was the reply. "Assassinations do not mean revolutions. They mean that people are too weak to revolt. When you have a party at your back, you don't assassinate. As for the killing of Bobrikoff and Plehve, I put them down to irresponsible despair. A man needs two meals a day, and when he does not get them he begins to think about cutting somebody's throat. I am afraid there are a good many people in Russia who do not get two meals a day."

"But even 'irresponsible despair' can be organised, and has been?"

"Ah," said Mr. Stead, "you don't know Russia. That is just the point. It is too big a country; it has too few large towns; it is too sparsely populated in between them for anything in the way of a real and formidable revolution to be organised. I get assassinations; but what do they signify? Another man steps into the place of the murdered. Take a handful of gunpowder and pack it close; it will explode. Spread it over the floor, and it will fizzle. There you get a homely illustration of the state of things in Russia. Russia does not possess the unity or the means of communication to be organised to any large effect. As a matter of fact, I see a considerable likeness between many of the social phenomena in Russia and those that preceded the French Revolution. But the French Revolution would never have been what it was without Paris, and St. Petersburg is not Paris."

A further question was put to Mr. Stead as to whether the war would go on, whatever

happened. He expressed the opinion that it would. He added that in a recent conversation with Mr. Michael Davitt, who has just returned from the Russian capital, he had heard that there is not the faintest disposition anywhere to give up fighting. Even if M. de Witte were to come back to power the war would go on. "It will probably end in starvation," concluded Mr. Stead. "The country will be economically exhausted—it is on its way in that direction now—and what will happen then, God knows! But these assassinations will affect nothing—even if the next victim were the Tsar himself."

The tragedy of Russia is forced strongly into prominence by yesterday's murders—or it shows the hopelessness of the Russian position. On the one side that great Empire has an autocracy which is as corrupt, as cruel, as inefficient, as it is ignorant. On the other, it has a Reform Party which has become so degraded by oppression that it resorts vainly to the bomb or assassination to work an impossible miracle of regeneration. Russia can hope nothing from the autocracy. But it can hardly hope for more from an opposition which is stained with murder. Russia needs statesmanship, wise government, and tolerant far-sightedness. But none of these qualities can develop in a party which is driven to assassinate or in a Government that is assassinated. And it is in this situation of reform that lies the true tragedy of the Russian position.

AJWIN MURDER CASE.

(From our Own Correspondent) Bankipur, Aug. 15.

After a protracted trial of eleven days the Sessions Judge delivered judgment and acquitted all the accused. Mr. Garth was the defence Counsel. The public felt satisfied with the judgment.

THE CHAWGHAT MURDER CASE.

(From Our Special Reporter.) Kallai, Aug. 16.

ACCUSED ACQUITTED.

In the Chawghat murder case, four accused were tried at the Sessions. Twenty-two witnesses were examined for the prosecution and five for the defence. The Assessors expressed their opinion that all the accused were "not guilty." Judgment was pronounced to-day. All the four accused were acquitted. Particulars of this case are appearing in the "Patrika."

NOTES FROM HOOGHLY.

(From Our Own Correspondent.) Hooghly, Aug. 14.

A SUCCESSFUL APPEAL.

The robbery case, in which Tincowri Bagdi was convicted and given two years by the Sub-Divisional Officer of Arambagh, came before the Sessions Judge of Hooghly on appeal. The pleader for the appellant Babu Bishnu Pada Chatterjee commented on the evidence of identification and showed beyond doubt that the identification of Bhuti, Sorno and Baburam was at best a piece of concoction. Besides, one of the accused who had some evidence against him had been discharged by the lower Court. The Judge agreeing with the learned pleader set aside the conviction and sentence and acquitted Tincowri.

A CONVICTION.

The case of Sorojini Dassi vs. Hemendra Coomer Mondal of the arisocratic Mondal family of Chinsurah under circumstances previously reported has ended in the conviction under Sec. 341 I.P.C. (wrongful restraint) and the accused has been fined Rs. 50 by the Assistant Magistrate of Hooghly.

AN APPLICATION FOR SANCTION.

Mr. G. D. Seal, Barrister-at-Law, appeared before Mr. G. K. Deb, Sessions Judge of Hooghly, in support of a sanction to a petition. The petition asked for sanction to prosecute a man for having made certain false statements in a written statement filed in a Civil Court. The Judge after hearing Mr. Seal and the opposite party reserved judgment.

ALLEGED UTTERING A COUNTERFEIT COIN.

One Dhon Kristo Mondal of Khorsarai was charged before Mr. Stinton, District Magistrate of Serampore with having uttered counterfeit coin. The Head Assistant of the mint in Calcutta who testified the coin had to be examined on commission before Mr. Weston, the Chief Presidency Magistrate of Calcutta. Only one defence witness was examined and the Magistrate upon the evidence adduced acquitted the accused.

THE LAISEZ FAIRE FUND CASE.

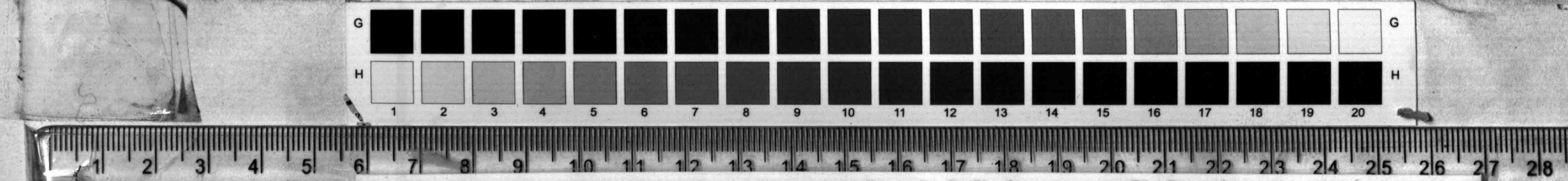
This will come on for hearing before Mr. Stinton, the S.D.O. of Serampore, on the 16th August next. The accused are three in number viz. Babu Banku Behary Gupta, Civil Court Accountant, Saroda, a pleader's Mohurer, and Babu Sarat Chandra Mitter, a pleader of the Civil Court. The District Judge of Hooghly has given sanction for the prosecution of the accused. The case has created great sensation as the Government has engaged the public prosecutor of the District to conduct the prosecution.

A SENSATIONAL CRIMINAL CASE OF TARAKESSUR.

The case between the Mohunt of Tarakeswar and Ramnagore Sannayasis in which nine men including some Amlas and tenants of Babu Bepin Behari Sen of Baidyapore were charged under Sec. 143 and 426 I.P.C. (unlawful assembly and mischief) came to a close, after a protracted trial of eleven days on the 5th August before Mr. Stinton, the Sub-Divisional Magistrate of Serampore. Six witnesses were examined for the prosecution and seven witnesses were examined for the defence. The case was argued at length by the pleader for the defence for two days. The trying Magistrate after hearing the arguments reserved judgment. The 22nd August next is fixed for the delivery of the judgment.

MISCELLANEOUS.

The Rhotas or Boat house containing illustrious passengers on board including His Honour the L.G. and suite anchored at Hooghly Smith's Ghat on the night of Saturday last, on its way from Berhampore to Calcutta, and left this the next morning. Our District Magistrate Mr. Carey is out on tour of inspection. He visited Howrah, Ulubaria and Serampore.



THE BOGUS TELEGRAM CASE.

OPENING OF DEFENCE.

Darjiling, Aug. 15.

The Darjiling Bogus Telegram case was continued to-day.

Mr. F. Gainsford, Secretary to the Calcutta Corporation was the first witness called by the defence. Examined by Mr. Manuel, he said his salary was Rs. 1,000 a month. He had held his position for four or five years. Last January he was in this position. He knew Elliott; he was engaged to report the meetings of the Corporation at sixteen rupees per meeting. He earned about six hundred a month for March or April; he did outside work as well.

Witness made appointments for meetings of the Corporation in January and February last. There was an Audit Sub-Committee meeting on the 23rd January. Witness fixed the first meeting. The committee then made their own arrangements. All meetings were entered in a diary. Entries in the diary from January appeared in the handwriting of the "meeting clerk." There was an entry of a meeting on 23rd January last of the audit note sub-committee at 7-30 a.m. (Mr. Manuel tendered a copy). Witness sent out a printed notice of the meeting. Witness produced a file of all meetings held. The file was tendered. Witness was present at a meeting on the 23rd January. Elliott attended the meeting as reporter of the meeting. It lasted fully two hours. There was more discussion at this meeting than at any other. The meeting was adjourned till the following Monday. He had to arrange to get a report ready at once. He insisted on Elliott doing the report immediately as the manuscript had to be given to the printer that day. Elliott came back to the office about 11 a.m. Elliott said to witness that the work of transcribing the shorthand note, would take him that whole day and the next. Witness told him to curtail it and he would help him. Witness produced the manuscript of the notes of the meeting. He said it must have taken Elliott four hours or more to write the 43 pages. The printer received the manuscript at 4 p.m., on the 23rd January. The second page of the report was not in Elliott's handwriting. The rest was report (tendered). While the report was being transcribed witness was at his table while Elliott was in the next room. Witness could see him as the doors from the room had been removed. Elliott never left his office or was out of witness's sight the whole time. Elliott left the office at 4 p.m. Witness produced a bill submitted by Elliott on the 25th January. There were three meetings on the 24th February the day Elliott is alleged to have taken D'Crux to Pickett's house. Elliott and witness were present at the meeting of the Dhuppa Platform Skinning Committee held at 8 o'clock in the morning. The meeting lasted about an hour and a half; Elliott took shorthand notes. Witness did not think that there were any clerks in the Municipal Office on the 23rd January. An East Indian named Harry Pricet called at about lunch time and asked if Elliott was there. Witness pointed out Elliott and Pricet spoke to him (here witness identified Pricet). They spoke for about five minutes. Elliott told witness as a result of the conversation that by keeping him there he had lost a big fee.

Cross-examined by Mr. Morison: Witness said there was no record of the length of time occupied by meeting of 23rd January. Witness detailed who were present at the audit note meeting. Elliott's notes were only a condensed report.

Witness was asked had he a degree? He replied he was a B. A. of Madras University. He went up for the B. L. degree in March, 1894. He did not pass the examination. He sat five days out of seven. Asked if he were found guilty of getting at examination papers before the examination, he replied he was not found guilty.

Mr. Gregory objected to a matter to the alleged discredit of witness which happened 14 years ago being brought up in this connection, and there was a warm argument. Mr. Morison said it was an element to consider that if a man went so far as getting at examination papers and was forbidden by Government to appear at an examination it did affect his credibility as a witness.

Mr. Morison asked witness: Were you or were you not debarred from appearing for examinations again? Witness replied that he had heard of this but he had no opportunity of meeting the charge. He heard the decision when in Bombay. A notification appeared in The Madras Gazette debarring him from appearing. Witness said he did not go in for the B. L. examination again although he offered to do so at once on a fresh set of questions. As they did not give him a chance of immediately vindicating himself he did not choose to go in for the examination again. Witness considered the matter a gross libel and was glad of the opportunity of facing it. He said it had not affected his career. It was entirely false. No action was taken against him while in Madras and therefore he considered the matter trivial. The allegation against him was that he had previously obtained a knowledge of some of the question papers before the examination took place. The whole examination was stopped.

Witness would not answer "yes" or "no" to whether he thought the charge trivial or not. On the 5th day witness found a notice that the examination was suspended till further notice, no reasons being given.

Witness: I mean no definite charge was made against me and no opportunity given of meeting the allegation.

The allegation was that I had asked certain gentlemen certain questions which questions formed part of the examination paper which we were set the following day. My answer to that was that I was prepared to undergo an examination in all the subjects and I absolutely denied that I had any previous knowledge of the questions. I heard of the decision of the Senate in Bombay through the newspapers, after I had left Madras. I waited in Madras several weeks and finding that the University authorities were not disposed to do anything I left Madras. Before leaving Madras I wrote to the Registrar denying any previous knowledge of the papers and offering to submit myself to a fresh examination. My attention was drawn to a small paragraph in the papers which I saw. It was to the effect that I was not allowed

to appear at the B. L. examination of Madras University. I consulted a firm of solicitors, but I took no other steps to vindicate my character in the courts, civil or criminal. I had not the means to fight the University. I have done nothing.

After lunch, the cross-examination of Mr. Gainsford was continued by Mr. Morison. Witness said that his memory had always been clear as to Elliott's presence in his office on the 23rd of January. Without his diary he had no recollection of Elliott's whereabouts. He had no idea of the meaning of independent memory. He had recollection of the 23rd January apart from his diary. Elliott was reporting on the 25th and 26th of January. He was quite certain of these dates. There were two or three meetings a day. He was prepared to swear also that he was present on the 27th. He could not swear to the 28th.

Mr. Gainsford stated:—I was cross-examined in the case I brought against Walsh. I swear that Elliott did not take leave between the 25th and 28th of January. Elliott would have come to me for leave. My memory is as good with relation to time from the 25th to the 28th January as it is to the 23rd. I remember being asked whether Elliott was on leave in the Walsh case on the 25th and 28th. I said, Elliott must have been in the employ of the Corporation between the 25th and 28th. I have known Elliott from the 14th of October last year. I never go to his house. I knew him well. I was not interested in D'Crux's case. I have heard no allegation that I was a participator in the bogus telegram. I have heard it said that I have made money over the case. I draw a distinction between a participation in, and making money over, the matter. There was no allegation that I was concerned with sending a bogus telegram. I have not heard it said that Mr. Hobbs was mixed up with me in this telegram case until I was cross-examined in Walsh's case. Mr. Hobbs took part in the plot I had laid to catch Walsh. I don't recollect the date when D'Crux was sent up for trial. I came up to Darjiling early in June. I don't know if D'Crux had been sent up for trial before or after then. If the dates of the 5th and 7th are given in the hotel books, I accept those dates. I have heard it alleged that Mr. Norton was mixed up with me in the telegram case. I saw Mr. Hobbs in Darjiling at that time. Quite accidentally Mr. Norton came up with me. I consulted no solicitor or pleader when I came up to Darjiling. There was a meeting of the Public Square Committee held on the 24th February, (witness showed the manuscript which Elliott gave him). I don't think the manuscripts are in Elliott's handwriting. Apparently he had not transcribed his own notes. He did not know whose handwriting it was. I received two subpoenas in this case: the first was on the 1st or 2nd of August. I saw Mr. Manuel before I came up. I have not been paid any fee or reward for coming up. I was asked questions about the Madras Examination before a Magistrate. I expected to be asked here about it. I am prepared to swear that the meeting on the 23rd January was over at 9-30 a.m. Meetings are usually never over before 9 or after 9-30. In the whole of my recollection no Sub-Committee meeting was over at 8 o'clock. I have attended every Sub-Committee meeting and Market Committee Meeting, except when on leave. I swear I was present at the Lansdowne Market Committee Meetings. I can't produce writing to prove that. I ask the jury to believe my word. I live at Camac Street. I went home on my bicycle after the meeting of the Audit Note Committee. My memory has not been directed to the dates in January—only one day, the 23rd. It was 10-30 when I returned to office on that date. It may be possible for meetings to take place without me. In my diary up to 23rd January, there are no pencil entries of meetings. All the others are in ink entries in the diary and are made up week by week. One or two meetings may not be entered if notice is not given. It is not a general rule when the Corporation books are subpoenaed for some one else to go. I often go myself. I attend office every Sunday and every holiday. There is nothing in writing to show that I was at office on the 23rd after breakfast. I sign no attendance book. On the 23rd I was attending to files. I know I was coming here to prove an alibi for Elliott on the 23rd January.

Mr. Morison here asked witness why he did not then bring written evidence of his presence at the Municipality that day.

Witness said:—I can now produce evidence. There is nothing else but what I have shown to prove that Elliott was in office. There is no rule compelling my attendance at meetings. I check attendances. It is one of my principal duties. I swear I have never bought Government paper, I have never dealt in Government securities. I once sold fifty shares in a Jute Mill. I have never given instructions about buying and selling shares. I don't know whether Mr. Miller, who is coming to give handwriting evidence, was a broker. The jute shares I bought were through Marwaris. I have nothing to show how long the meetings on the 24th February lasted. I know Elliott did not always transcribe his own notes. Large number of his notes are transcribed in other hands. It takes longer when someone else transcribes a condensed report. On the 23rd January there were people in other departments of the Municipality though it was a gazetted holiday. I can't remember on any other occasion anyone coming to see Elliott. The final proofs of the reports are passed by the Chairman. All Elliott has to do is to send a report of the meetings. My duty is to revise.

Re-examined by Mr. Manuel, witness said he marked the report Elliott made on the 23rd as "urgent." He brought no evidence of his presence at the Municipality Office, because he was not subpoenaed to. He was willing to produce the files he dealt with on that day. Witness said he had absolutely nothing to do with the bogus telegram case in any way whatever, from beginning to end. He came up to Darjiling on the 5th and 7th for a short change with the sanction of the Chairman. It was a false suggestion that he came up to Darjiling on account of the D'Crux case. Witness had not the slightest doubt of his presence at the Municipal Office on the 23rd of January. Returning to the question of the Madras Examination case, he said that on the morning of the 6th day of the B. L. Examination at Madras, he was sent for by the Registrar, but on the day previous, while witness was answering ques-

tions in the examination hall, the Registrar came and examined papers on his desk and found nothing wrong. He sent for witness in the evening and said that he had received an anonymous letter to say that witness had discussed with a barrister about six questions on the previous day. Witness admitted having discussed about hundreds of questions openly with that barrister, and if these six happened to be in the next day's papers, it was a coincidence which he could not account for. It was then that witness offered to undergo a fresh examination after further questioning of matters of detail.

Calcutta Gazette.—Aug. 17.

GENERAL DEPARTMENT.

Mr. C. R. Marriott, Officiating Additional Commissioner, Patna, is appointed to act as Commissioner of the Patna Division.

Mr. F. W. Duke, Officiating Opium Agent, Behar, is appointed to act, as Additional Commissioner, Patna, in addition to his own duties.

Babu Sures Chandra Chatterji, Deputy Magistrate and Deputy Collector, Rajshahi, is allowed combined leave for one year.

Mr. P. C. Lyon, Officiating Commissioner of the Patna Division, is allowed leave for one month and fifteen days.

Mr. J. H. Temple, District and Sessions Judge, Backergunge, is allowed combined leave for fourteen months.

Mr. L. H. Barton, Assistant Superintendent of Police, Dacca, is allowed leave for six weeks.

JUDICIAL DEPARTMENT.

Babu Nagendra Nath Chatterjee, Munsif of Jamalpur, in the district of Mymensingh, on leave, is appointed to be a Munsif in the district of Midnapore, to be ordinarily stationed at Tamruk.

Babu Prafulla Chandra Datta, B.L., is appointed to act as a Munsif in the district of Nadia, to be ordinarily stationed at Khustia.

Babu Gopal Das Ghose, B.L., is appointed to act as a Munsif in the district of Bankura, to be ordinarily stationed at Kotahpur.

Babu Chunder Kumar Chatterji, Munsif of Brahmanberia, in the district of Tippera, is allowed leave for twenty-one days, under article 271 of the Civil Service Regulations.

Babu Hazendra Narayan Guha, Munsif of Raghunathpur, in Chota Nagpur, is allowed leave for fifteen days, under article 271 of the Civil Service Regulations.

Babu Ram Lal Das, Munsif of Rangpur, is allowed leave for twenty-five days, under article 271 of the Civil Service Regulations.

Babu Kali Pada Mukerji, Subordinate Judge, Tippera, is allowed leave for fifteen days, under article 271 of the Civil Service Regulations.

Babu Tej Chandra Mukerji, Subordinate Judge, Saran, is allowed leave for fifteen days, under article 271 of the Civil Service Regulations.

Babu Sriugopal Chatterji, Small Cause Court Judge of Dacca and Munshiganj, is allowed leave for two weeks, under article 271 of the Civil Service Regulations in extension of the leave granted to him.

SUBORDINATE CIVIL SERVICE.

Babu Ganoda Prasad Ghose, Sub-Deputy Collector, is allowed leave for one month, under article 260 of the Civil Service Regulations, in extension of the leave granted to him.

Babu Braja Nath Rai, substantive pro tempore Sub-Deputy Collector, Rangpur, is transferred to the head-quarters station of the district of Dinajpur.

ALLEGED FRAUD ON THE BANK OF BENGAL.

On Monday before Mr. Donald Weston the Chief Presidency Magistrate, the police placed two men named Asitosh Bose and Tarak Nath Sur, an old man, on their trial on charges of attempting to cheat the Bank of Bengal, on the 10th instant, in respect of Rs. 80,000 by dishonestly presenting two cheques for Rs. 40,000 each dated the 2nd August, purporting to have been drawn by Mr. Delevingne, District Judge of Rangpur. The defendants were further charged with forgery in respect of the two cheques, which they intended to use for the purpose, knowing them to be forged. The defendants were further charged with aiding and abetting in the commission of the offence. It is said that the second defendant, named Ambica Churn Sen, absconded. The 3rd defendant Tarak Nath was arrested in Shanagore one day after.

Babu Tarak Nath Sadhu appeared for the prosecution and Babu Bankim Chander Sen instructed by Babu Nolin Chander Roy for the defence.

The facts of the case could be glanced from the evidence of Babu Kherode Chander Bose, an assistant in the Bank of Bengal. He deposed:—I am a clerk employed in the Bank of Bengal. I know Mr. Langford, second passing officer. I am his assistant. I remember the 10th August. I remember having seen this man (1st defendant). I saw him in front of my counter at 12 o'clock that day. He brought these two cheques (identified). One belonging to the Estate of S. C. Roy Chowdhury and the other belonging to the Estate of D. M. Roy Chowdhury. He presented these two cheques for payment. After the cheques were presented to me, I asked the first defendant, "Whence you are coming?" He said, "I am coming from Rangpur and I work in the Estate of Dakshina Mohun Roy. I then asked him, "What would you do with so much money?" He replied, "There is a case going on in the High Court and I shall have to pay the fees of the barristers." I asked him, "What is the income of that Estate?" He said "12 lakhs." I then asked him, "Who are your attorneys?" He named some of them but I don't remember the names he told me. Then I said, "Do you know an attorney by the name of Romesh Chander? he is a relation of mine." He said, "No." Better give me his address, I would give him some cases. I gave him the address. I then took the cheques and compared with the specimen signature in the book. I found it didn't tally. I immediately took that book to the cashier where the cheques had been sent and showed him the signatures. I took the book to him because it is necessary that a cheque over Rs. 40,000 should require his signature before the payment. The name of the cashier is Mr. Jack. I compared the signature of the cheques with specimen signature and told to the

passing officer Mr. Langford that the cheques might be forged. Then all the "shahabs" came there. The defendant came there 10 or 15 minutes after. As he was looking at the counter, I told to the 'burra Shahab', "That is the Babu." Then the 'shahabs' took the first defendant into the cashier's room. I made over two cheque books one to the Collector of Rangpur and one to the District Judge (Estate of Sarat Chander Roy Chowdhury) on the 9th January 1904. I don't know whether the cheques were despatched or not." After this one more witness was examined and the case was adjourned to the 22nd instant.

Defendants were remanded to jail in the meantime.

High Court—Aug. 16.

CRIMINAL BENCH.

(Before Justices Pratt and Bodily.)

A CASE OF MISCHIEF.

Babus Atulya Charan Bose and Bepin Behary Ghose appeared in support of a rule obtained on behalf of one Ramjiban Banerjee calling upon the District Magistrate of Bankura to show cause why the conviction and sentence of a fine of Rs. 50, in default to undergo fifteen days' rigorous imprisonment, passed by him under section 426 I.P.C. should not be set aside.

On or about the 21st March last the District Engineer of Bankura reported to Mr. J. N. Gupta, who is the Chairman of the District Board as well as the District Magistrate, to the effect that the petitioner had wrongfully obstructed a road and asked for permission of his prosecution for the same. The District Magistrate directed the prosecution, tried the case himself, and convicted and sentenced the petitioner as stated above.

It was contended that the District Magistrate having himself directed the prosecution was disqualified from trying the case. The trial was accordingly bad and the conviction ought to be set aside. It was also contended that the District Magistrate erred in law in holding that the plea of the petitioner, which was to the effect that he threw earth on the road to prevent its getting under water was really an admission of guilt on his part.

Their Lordships set aside the conviction and sentence and ordered the fine to be refunded.

A CASE OF CHEATING.

In the town of Monghyr there are several gun-makers. Lalji Mistry, son of Bhola Nath Mistry, is one of them. Sometime in August last an order came from Tirhoot for a gun. The prosecution story of the case is that the order was sent in a post card to the address of B. L. Mistry. The order in question was taken by one Jogulal, a peon attached to the Monghyr Post Office, to one Dino Nath Ghose, an employee under Lalji. Lalji thereafter despatched a gun fraudulently by V.P.P. On these facts Lalji, Dino Nath and Jogulal were placed on their trial before the Sessions Judge of Monghyr, who acquitted Jogulal but convicted the other two persons and sentenced them to eighteen months' rigorous imprisonment each. Against the said conviction and sentence the accused persons moved the Hon'ble High Court. The appeal was admitted, which came on for hearing to-day.

Babu Dasarathi Sanjal, who with Babu Jogesha Chandra Dey, appeared for the appellants, stated that the copy of the value payable journal of the Monghyr Post Office showed that Lalji used to receive orders in the name of "B. N. Mistry." Mr. Douglas White, who appeared for the Crown, did not press for the conviction.

Their Lordships set aside the conviction and sentence.

SLEEPING WHILE ON DUTY.

In this case, it will be remembered, one Jugdeo Sing, a constable attached to the Serampur Town Police, was told off to do duty from 10 p.m. to 4 a.m., on the 14th April last in the town of Serampur; but he was found fast asleep on his beat. Jugdeo Sing was prosecuted before the Deputy Magistrate of Serampur under section 29 of Act V of 1861 for neglect of duty. He pleaded guilty but the trying Magistrate acquitted him. Against this order of acquittal the Local Government moved the High Court and the appeal was admitted which came on for hearing to-day. Their Lordships after hearing Mr. Douglas White, Deputy Legal Remembrancer, for the Crown, set aside the order of acquittal and directed that Jugdeo Sing be convicted under section 29 of Act V of 1861 and that he would pay a fine amounting to his one month's pay or in default he should undergo seven days' simple imprisonment.

"I WANT TO DIE NEAR WHERE KESSORI IS."

ALLEGED MURDER OF A BOY.

On Tuesday, before the Chief Presidency Magistrate, a young man, named Gowri Sunker Bania, was re-arraigned on a charge of having murdered a lad, named Kessori Chand, 12 years old, by inflicting injuries on his person by means of a knife. The prosecution examined two witnesses after which, His Worship required of the defendant "what you have got to say?"

Defendant:—I killed Kessori.

Court:—Why?

Defendant:—I asked the deceased if he ever went to the school at night. He said, "No." On Saturday night I saw him coming back from school. I asked him if he had been to his pundit. He replied, "yes." I asked him, "why." He said under his father's orders. I asked to take me to his father to see if it were correct. I would forgive him, if not I would see. I then told him he had denied that he had gone to the pundit at night and it was not true. I asked if he would take me. He refused. I said if he would not take me, I would kill him: I drew the knife from the books of the deceased. I then took him on my lap and killed him. I do not want to live nor to be sent to the Kalapani, but I want to die near where Kessori is.

After this, the case was adjourned to the 23rd instant.

Varieties.

Many people do not know how easily they can protect themselves against the bites of gnats and other insects. Weak carbonic acid (prepared by a chemist in the proportion of one in sixty) sponged on the skin and hair, and in some cases the clothing, will drive away the whole tribe. This may be applied with a small piece of sponge.

Nowadays people, as a rule, do not drink sufficient plain water to properly thin the blood so that the system can be cleared of its effete matter quickly and promptly. The consequence is that the long-continued retention of secretions which should be thrown off produces rheumatism and catarrh and affects the heart. Again, the use of water in its normal quantity keeps the stomach and bowels clean and really has the effect of an inside bath. I recommend both hot or cold water for drinking before retiring at night. From personal experience I can vouch for the benefit derived from drinking hot water before retiring to rest.

First be sure that your fruit is absolutely fresh, perfectly dry and sound. Having picked it carefully and rejected any that is not good, place it in glass jars with some straw or hay wrapped round each, in a copper or fish kettle rather more than half filled with cold water. Bring slowly to the boil and directly the fruit begins to crack or burst take out the jars and fill them up with boiling water, taking care that it entirely covers the fruit. Cork and tie down again with some bladder. Fruit preserved thus will keep any length of time, but when once opened it must be used immediately. The liquor should be poured off and boiled with a little sugar. If thus treated tarts made from the bottled fruit will be equal to those freshly gathered.

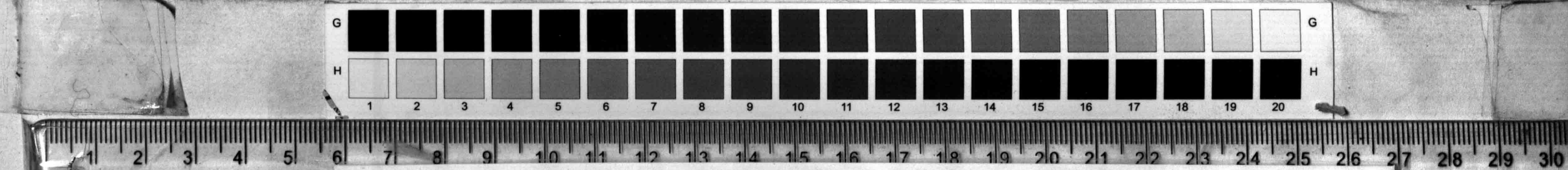
As twilight is caused by the refraction of the atmosphere, without which it should be instantly in darkness at sunset, all parts of the earth have twilight, though of varying duration. When the sun has sunk eighteen degrees below the horizon, no more light can be refracted anywhere, but the path of the sun at the equator is so nearly vertical that its disappearance is proportionally rapid. The shortest twilight at the equator is one hour twelve minutes, at the equinoxes in March and September; the longest is one hour nineteen minutes at the solstices in June and December. In London from May 22nd to July 21st it is twilight all through the night. No wonder, with a disparity so great, people speak of night in the tropics as coming on almost suddenly. Further north still, in the Shetlands and Norway, we speak of the midnight sun, where men never lose sight of the orb of day, and twilight is unknown.

The cost of the coronation of King Edward VII. details of which were recently published, establishes a record for modern times. It was considered a very costly and magnificent thing for the subjects of George IV. to spend £238,238 in putting a crown on his head, but we have eclipsed their lavishness by £121,000. William IV. and Queen Adelaide were content with a modest £50,000. It is not easy, says the London "Chronicle," to understand in what King Edward's £359,000 was sunk not so easy, at least, as in the case of George IV.—a sumptuous record of whose coronation proved too costly to finish. The part which did appear contained seventy-three colored drawings, "finished like enamels, on velvet and white satin." Each portrait cost fifty guineas. A different spirit animated Earl Grey, when defending the ministry from a charge of unseemly mutilations in regard to King William's coronation. "It was the hope of the king and the ministers," he said "to prevent a heavy burden from falling on the people.

The eclipse of May 28th, 585 B.C. (total in the East or Asia Minor), is the first that can be fixed with certainty. The prediction of it by Thales to the Ionians brought him lasting fame, and excited among the Hellenes the love of science. Its occurrence during a great battle ended a five years' war between the Medes and the Lydians, and led to a permanent peace. The Chinese boast of a series of eclipses recorded in their annals extending over 3,565 years; but these are of very doubtful character. The Egyptians said they had accurately observed 373 eclipses of the sun, and 832 of the moon before the time of Alexander the Great, who died 323 B.C. An eclipse observed at Nineveh, June 16th, 763 B.C., is recorded on an Assyrian tablet now in the British Museum. A lunar eclipse occurring at 8-40 p.m., March 19th, 721 B.C., was observed, according to Ptolemy, with much accuracy at Babylon. Each central eclipse visible in our time is one of an unbroken series, extending from the earliest historic times to the present, and recurring at regular intervals.

The longest distance covered by a carrier pigeon according to Onas. Hoser's book, "The Breeding and Training of Homing Pigeons," under the heading "Records, Past and Present," is that of two birds named Darcy and Joseph, which are reported to have flown in 1890 from Pensacola, Fla., to Fall River, a distance of 1,182 miles, in fifteen days eight hours, and sixteen and a half days respectively. The long distance record of the British Isles is held by a pigeon bred in 1868, named Her Majesty, which competed in the National Race of 1902, flying from Bordeaux to Aberdeen, a distance of 854 miles 97 yards air-line. She was liberated at Bordeaux at 4.50 a.m., July 8th, 1902, and found in her loft at Aberdeen, August 2nd, at 6 a.m., having covered the distance in twenty-five days. This performance is all the more remarkable when it is considered that Her Majesty was in 1902 only trained to Port Patrick, a distance of 200 miles from Aberdeen, and was then sent far afield to Bordeaux, homing thence over a distance most of which was unknown ground.

Later news of the breach of the Kashmiri bund shows that the main bund was badly damaged, and that three bunds, one behind the other, also gave way, but the breaches did not increase very much, and but little damage so far has been done as the flood water passed over sparsely cultivated parts of the country. About 1,500 men are hard at work mending the breaches, and the zemindars are rendering all the assistance they possibly can.



INDIAN NOTES.

RUBBER PLANTATIONS.

Mr. S. Inray, a well-known planter on the Travancore Hills, had taken up 4,000 acres for the cultivation of rubber. This venture having proved successful, he is going to extend the industry by planting another parcel of land near Konni, Central Travancore, with rubber.

THE POTTERY CLAYS IN INDIA.

What ought to prove an interesting enquiry, says the 'Civil and Military Gazette,' is that being carried out by the Geological and Economic Departments of Government into the clays employed in the manufacture of pottery in India, as well as into clays, which may be suitable for the purpose. The Scientific Department of the Imperial Institute at Home is also to be brought into the investigation, as samples of the clays collected are to be sent to it for analytical examination and report.

THE RANGOON MURDER CASE.

The preliminary inquiry by the Additional Magistrate of Rangoon into the case against Meera Hoosen, a Bihar man, who is charged with the murder of Gunner Andrews, belonging to the Royal Garrison Artillery, in Fraser Street on Sunday morning, opened on Saturday last. The evidence of the three witnesses who were examined showed that the deceased struck one of the three natives, who were with the accused, after an altercation and a native subsequently stabbed Andrews. None of the witnesses, however, could identify the accused as the assailant. The inquiry is proceeding.

ELECTION OF A MEMBER OF THE MADRAS COUNCIL.

A Meeting of the Municipal Commissioners of the City of Madras was held on the 9th instant to elect a representative to the Legislative Council. Of the six candidates whose names had been announced, one had withdrawn; and two out of the remaining five having voluntarily withdrawn in succession, there remained Mr. Theagaraya Chetty and Mr. Desika Chari with 10 votes each, and Mr. Sivagnana Mudaliar, with 6. The last having also withdrawn, the next ballot resulted in 15 votes for Mr. Desika Chari and 11 for Mr. Theagaraya Chetty, and Mr. Desika Chari was accordingly declared elected.

A CURIOUS ACCIDENT.

A curious accident occurred a few days ago in the serai at Kishung, between Quetta and Nushki, when an unfortunate sweeper, who had lit a fire in the courtyard, was blown up by a charge of gunpowder concealed in the ground. It transpired on investigation that a party of Pathan coolies, who have been employed during the past winter on some blasting work in the neighbourhood, had stolen the powder and buried it in the courtyard. They were unable to dispose of it when they went away, and it remained concealed where they had left it. Happily for the sweeper, the charge, which he exploded, was not a large one and he escaped with no very serious damage, but close by a bag containing over 20 lbs. of powder was discovered.

A MYSTERIOUS DISEASE.

Several Europeans in Cawnpur have been suffering quite recently from a mysterious disease that the doctors refuse to call bubonic plague, although the symptoms are admittedly almost similar. Nor do they give any other name or cause. The victims are not all confined to one sex. Swellings appear on the body accompanied by high fever with short preliminary discomfort, and then, in some cases, after a day or two, the fever and swellings rapidly decline and disappear. In other cases, the relief is not so quick. Similar symptoms and results have been noticed for some time past, occasionally among operatives in the various mills and factories. Men have been taken ill suddenly in this way, but after a few days have returned to work as if nothing had happened. To the non-professional mind, it seemed as if the virulence of the plague had ceased and that these were the last feeble indications of a fell disease that had spent its force. Be this as it may, we are apparently free from that complaint in a dangerous form at present.

DARJEELING SOLDIERS' CASE.

Referring to the Darjeeling case in which two Privates Wyndham and Hogan were charged with rash driving and thereby fracturing the collar bone of a woman, the Lahore 'Tribune' remarks:—The heroic Britons were prosecuted and their trial came off on the 27th ultimo. The Magistrate admitted in his judgment that the evidence was conclusive that Private Wyndham had knocked down the complainant and fractured her collar-bone. Medical evidence showed that her injuries were of a serious character. The Magistrate accordingly found Wyndham guilty of rash driving and causing grievous hurt under Sections 279 and 308 of the Indian Penal Code and Hogan of rash driving under Section 279, and sentenced the former to a fine of two rupees for 'rash' driving in a crowded market and another of three rupees for 'grievous' hurt, and the latter to a fine of two rupees for the former insignificant offence. Would not the 'prestige' of the British Raj have sustained grievous hurt if two British soldiers had been properly punished for enjoying a gallop in a crowded 'native' bazaar and breaking the collar-bone of a poor 'native' woman? Not long ago in a United Provinces town a 'Native' was sentenced to rigorous imprisonment for two years for having strayed into the compound of a European 'gentleman' in a drunken state! He had not abused or assaulted anybody, and was lying on the ground in a half-unconscious state when discovered.

EVERY COMMUNITY has been benefited by the introduction of Chamberlain's Colic, Cholera and Diarrhoea Remedy into this country. There is scarcely a neighbourhood but that someone can be found whose life has been saved by its use. It is the best known medicine for all forms of stomach and bowel troubles. It never fails to give immediate relief and can always be depended upon. For sale by Smith Stanistreet and Co. Wholesale Agents, B. K. Paul and Co., Abdool Rahaman Adool Karim, Calcutta.

AN OVER-ZEALOUS POLICE OFFICIAL.

A correspondent from Cuddalore writes to the 'Hindu':—Our Police Inspector, Mr. Paulie, is a little over-zealous and indiscreet. He seized the sword and other arms brought by the servants of His Holiness Sri Sankarachariar on the ground that license has not been obtained. This caused much alarm and His Holiness at once brought this to the notice of the District Magistrate and Superintendent of Police who directed the over-zealous Inspector to restore the arms seized to the owners. The action of the Inspector is, to say the least of it, highly indiscreet. Nor is this all. Last week two complaints were filed against him before the Head-quarter Deputy Magistrate, accusing him of wrongful confinements and hurt. The case is that the Inspector seized a jukawalla in a cart-stand, beat and kicked him there, took him to the Police Station, kept him in the lock-up and severely beat him. A medical certificate has also been filed. The Deputy Magistrate examined the complainant's at some length and as the accused is an Inspector he may, perhaps, send up the papers to the District Magistrate. If the allegations contained in the complaint are true, they indicate considerable rashness and police zoom. Another complaint against the Inspector filed before the Sub-Magistrate was thrown out.

AGRICULTURAL CHEMISTRY IN MYSORE.

The Agricultural Chemist of the Mysore State, Dr. Lehmann, records in his fourth annual report the results of the experiments which he conducted during last year. The plot experiments with improved, drought-resisting grasses proved a failure in Mysore as they have done elsewhere. Deep digging in the case of sugar cane, resulted in much larger and more vigorous canes than ordinary cultivation. Fertilizer experiments, with coffee yielded what Dr. Lehmann very appropriately calls "very disappointing and contradictory" results. In two of the fields experimented on the "no manure" plots gave practically the highest results, while in the third the crop produced stood last in the list. The plots were selected with great care as regards their uniformity, and Dr. Lehmann concludes, as it is quite obvious, that the results of the experiments indicate that some factor or factors of plant growth other than the manures applied must have also varied. It will be the object of future experiments to discover these unknown factors. With a view to fix a standard quality of coffee, other than that assignable from the appearance of the bean or its "liquoring" properties, neither of which is sufficiently accurate, experiments were made in the laboratory, but the only conclusion arrived at is that the best kinds of coffee weigh heavier than the ordinary kinds and that their nitrogen contents are greater. An analysis of oil-cakes showed that an adulterated white castor gave the richest manure. As regards cattle manure, Dr. Lehmann found that Europe cattle yielded more valuable manure than the cattle of Mysore. A principal cause of this result is that the urine is totally lost in this country, and it constitutes the most important part of the manure. It is encouraging to note that planters in Mysore are starting Chemical Laboratories at their works for the purpose of testing their fertilizers.

A TUSSEL WITH A LEOPARD.

A correspondent from Kanga has sent the following interesting story:—A hure leopard visited the Gopalgore tea estate a few days ago, and arriving about eleven o'clock in the morning took a good look round. After roaming about and, apparently, satisfying himself that everything was going on all right, he felt the pangs of hunger coming over him. There were Gaddis knocking about; but no leopard even in the most extreme state of starvation would ever think of eating a Gaddi. The reason being that these people are clothed in rags, and a leopard could never be sure of getting his teeth through them. A Gaddi, man or woman, is all rags, and what isn't rags is holes, so that a Gaddi man is never out of a draught except when he is in bed. Hence the hardness of the race. A leopard might have a bite out of their bare legs; but this would be sure to give the beast blood-poisoning, and the leopard is not such a fool as to risk this, so he turns to something less dangerous and more appetising. The hospitality of the Manager of the Gopalgore Tea Estate is proverbial, and he has a "Mutton Club." The leopard soon got to find out this, and he, therefore, strolled into the precincts of the Club and made himself an honorary member straight away, quite unconventional and without any of the usual formalities. For "tiffin" he selected and seized the fattest sheep. But the boy who was in charge of the sheep would not allow this, so he caught the sheep by the hind legs and hung on to them while the leopard was tugging away at the other end, the boy yelling "blue murder" all the time. When this had gone on for a few minutes the Manager came riding up, and observing the state of affairs, at once chipped into the game. He and the boy between them succeeded in rescuing the body of the sheep, but the leopard got the head. He contented himself with this for the time being, and it is a wonder that he didn't take more, and that he did not attack the Manager and the boy who deprived him of his meal. The leopard had his revenge for his discomfort a few days after, when he mauled a girl and a member of the Girathas.

It is believed that Lord Curzon's extension of office will be until April, 1906.

The Government of India have at last approved of the outlay of 1/2 lakh on the supply at Shalimar of the Electric Transporters appliances.

Mr. S. Eardley Wilmot is confirmed as Inspector-General of Forests, U. P., consequent on the retirement of Mr. Wroughton on the 15th instant.

During the year 1903-04 there was a considerable increase in the number of vaccinations in the Punjab. The total number of vaccinations within the period referred to was 685,105, and increase of 17,561 over the figures of the previous twelve months.

With regard to work on various new lines undertaken by the Bengal-Nagpur Railway Company, the Bhoojudd-Malkera section in the neighbourhood of the Jheria coalfields has been opened for passenger traffic, and the Nainpur-Burgi section of the Satpura extension for goods traffic.

Notes on The Russo Japanese War.

CARRYING OFF THE "RECHITELNI."

The most startling news is that from Chifu concerning the action of the Japanese in entering a neutral harbour and forcibly carrying on the destroyer "Rechitelni." On the face of it this looks like a flagrant defiance of the rights of neutrals and the laws of war—and it is no wonder that the United States—which took the initiative in procuring the assent of the Powers to resolutions safeguarding the neutrality of China—is meditating vigorous action in the matter. It is impossible to understand the meaning of the Japanese action in the absence of any explanation, the only surmise that occurs to one is that the Russian destroyer may have surrendered to avoid being sunk and then subsequently escaped to Chifu. Or it may have been unauthorised and quite misplaced zeal on the part of the commanders of the Japanese destroyers. If Japan is in the wrong she will have to make restitution.

SUPERIORITY OF THE JAPANESE ARTILLERY.

A Tokio message says the strength of the Japanese artillery and the destructiveness of their gun-fire are greatly feared by the Russians since the outbreak of the war and the discovery of the marksmanship of Japanese gunners. Moreover, the "Shimose" powder has been widely advertised in Europe by newspaper correspondents with the Russian Army. In the battles of Nashan and Tokuriji and at the battle of Hamotung, the enemy was compelled to retreat simply by their opponents' artillery fire. In fact, the Russians had no time to spare for the destruction of their guns before they retreated in disorder against all the principles of tactics. For this reason more useful guns have fallen into the hands of the Japanese than might have been expected. That so many guns were taken is chiefly accounted for by the prompt action of the Japanese, but also in some measure by the great weight of the Russian artillery, which made its transportation through the hilly districts a matter of great difficulty.

LETTERS FROM PORT ARTHUR.

Correspondence is reaching the outside from Port Arthur, notwithstanding the vigilance of the Russian authorities there in inspecting departing junks, and the scouting Japanese torpedo boats which intercept the travellers on the high seas. Many letters have been coming into Chefoo in solid, water-soaked and generally damaged condition, due to the carriers' efforts to conceal them from Russian and Japanese scrutiny. The Chinese are said to adopt the ingenious method of wrapping in sea leads the letters they are entrusted to carry out, and submerging them beforehand near the place from which their junks depart. The boats are inspected just previous to departure by Russian guards whose watchful eyes fail to detect the subsequent fishing up of the precious packages from their brim-bath. To enable them to successfully run the prowling Japanese torpedo boats, they are buried at the bottom of the sand ballast which most of the junks carry, and so reach their destination in safety, though in somewhat dilapidated condition.

DETAILS OF THE ENGAGEMENT.

Details of the naval action are coming in but slowly and are still imperfect. The only Russian vessels absolutely accounted for are the battleship "Tsarevitch," which has taken refuge in a damaged condition in a German port along with the cruiser "Novik" and a destroyer, a destroyer which has reached Shanghai and the two battleships "Retvisan" and "Pobeda" which were reported to have got back to Port Arthur. A telegram to Bombay states that the "Askold" has also reached a German port, but this is uncertain. There is also a report that four Russian warships got away towards Saddle Island, which is off the Korean coast, and possibly the absence of more definite news from Admiral Togo may be accounted for by his being absent dealing with these refugees. In St. Petersburg it is stated that the Japanese armoured cruiser "Kasuga," one of the two purchased from Argentina, was sunk in the engagement, but there is no confirmation of this. The whereabouts of the remainder of the Russian fleet is uncertain, and it is surmised that it may have succeeded in regaining Port Arthur. Three battleships at least are still unaccounted for; until we know their fate no general estimate of the engagement can be made.

THE CITY OF LIAO-YANG.

The following interesting description of Liaoyang is from the "Hongkong Telegraph":—The city of Liaoyang is probably the oldest in Manchuria. It is situated on the Taishu River, which runs into the Hun, a large tributary of the Liao. It is about forty miles in a direct line W. S. W. or Mukden. The outer face and battlements of the high walls are of very hard brick, inner faces of well-quarried stone, the variety of stone making them an interesting study for a geologist. The walls have a circumference of over ten miles. Much space within is now under garden and orchard cultivation; this city being especially famous for its grapes, pears, plums, and apricots. The population is about 50,000, amongst whom are not a few Mahomedans and very many Chinese banner-men, with a goodly number of Manchus. The trade—which is general—is very flourishing; it is local, however, and there are no special manufactures. The surrounding district is very fertile. The imperial highway from Mukden to Newchwang and Port Arthur separates here from the old road to Korea. Liaoyang was in ancient times a great Korean city, but was destroyed by the Chinese and became the first capital of the Liao or Iron Dynasty which ruled north China in the tenth and eleventh centuries. The fine Tibetan-Indian pagoda stands up loftily against the skyline. It was built at the beginning of the present Manchu Dynasty in memory of the brave Ming General, Kung Yu-teh. There was probably a Yuen monument there before it, which the present one superseded. Formerly Liaoyang was a great timber mart, rafts coming from the mountains to the city. The opening of the Yalu and Tatungkou and the clearing of the nearer forests have caused this trade to decline. The Roman Catholics had a large seminary at Shading, ten miles to the north-west, which was totally destroyed in 1900 by Boxers. Liaoyang has prospered much with the advent of the Russians and their railway. The

railway runs east and west past the city; towards Mukden it goes (N. E., and from Shoushan S. S. W.)

THE BALTIC DEFENCES.

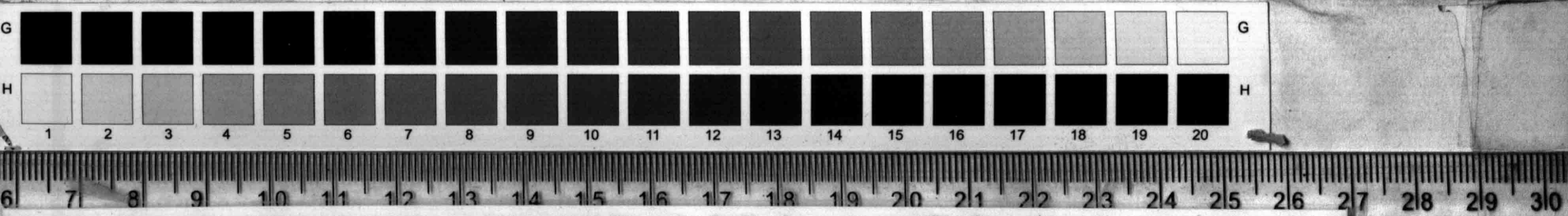
A correspondent writes from St. Petersburg:—I am enabled to state that large sums of money and an immense amount of labour are now being expended in fortifying Helsingfors, Kronstadt, and various vulnerable points of the Baltic coast against attack by a foreign maritime Power, which is regarded in Government circles as a contingency eminently probable at the close of the present campaign to justify an enormous outlay at a moment when all available sums seem needed by the exigencies of the present war. So complete and thorough are these works of defence that even the Neva is included in the scheme and a place named Ishore, about ten miles from here, is being strongly fortified.

AN IMPORTANT STATEMENT RELATING TO THE CORPORATION OF CALCUTTA.

Statement showing the European Eurasian and Indian Employees of the Corporation carrying salaries of Rs. 200 and upwards per month, with their designation, for the year 1893.

Table listing names and salaries of employees, including Mr. J. G. Ritchie, Mr. John Cowie, Mr. W. R. Macdonald, Mr. J. Owen, Mr. J. Cooper, Mr. R. K. Bhattacharjee, Mr. Babu Modhusudan Rudra, Mr. Babu Uday Narain Sing, Mr. Babu P. K. Mukerjee, Mr. Babu Kumar Amerandra Krishna, Mr. Babu Romoni Mohua, Mr. Babu Omeo Nath, Mr. Babu Hem Ch. Banerjee, Mr. Babu J. K. Bose, Mr. W. J. Simpson, Mr. Dr. R. Sen, Mr. G. Wright, Mr. H. Vincent, Mr. F. Desante, Mr. W. C. Bishop, Mr. Samuel Cunliffe, Mr. James Kimber, Mr. G. Wintgens, Mr. O'Flaherty, Mr. Babu M. M. Ghose, Mr. W. A. Glass, Mr. Babu Ohoy Churn, Mr. Mr. W. Dear, Mr. W. M. Jones, Mr. Babu Ram Ch. Mitter, Mr. H. A. Muller, Mr. Babu Kanye Lal, Mr. Mr. W. H. Kirkpatrick, Mr. E. M. Smith, Mr. D. George, Mr. G. M. Dickson, Mr. W. H. Armstrong, Mr. J. Price, Mr. A. C. Blair, Mr. H. E. Waddell, Mr. F. W. Vallint, Mr. G. D. Hohenbocken, Mr. Babu Jogendra Ch. Bose, Mr. W. H. Johnstone, Mr. Babu Mati Lal, Mr. D. J. Rowe, Mr. J. Canham, Mr. J. McDonald, Mr. H. Kirchner, Mr. Babu Bolle Chand Rana, Mr. F. Barclay.

Table listing names and salaries of employees, including Surface Drainage, Mr. P. B. LePatourel, Mr. Hon'ble Mr. R. T. Greer, Mr. B. L. Vice-Chairman, Mr. H. P. Duval, Mr. Mr. Fred. Gainford, Mr. H. R. Rowcliffe, Mr. Mr. S. C. Chatterjee, Mr. Babu S. C. Ray, Mr. Mr. N. Ford, Mr. Babu P. K. Mukherjee, Mr. Mr. S. A. Joseph, Mr. South Gowkhana, Mr. Babu Jogendra Ch. Bose, Mr. Babu Jogendra Krishna Bose, Mr. Mr. H. E. D. Cruz, Mr. Babu Koman Mohon Chatterjee, Mr. Mr. J. A. Price, Mr. Mr. C. C. Cooper, Mr. Babu Rajoni Kanto Bhattacharjee, Mr. Babu Giris Chunder Dey, Mr. Mr. H. Travers, Mr. Mr. W. B. Mac Cabe, Mr. Mr. J. S. Farrell, Mr. Mr. W. Leys, Mr. Babu Jotendra Nath Roy, Mr. Mr. D. George, Mr. Mr. A. Pierce, Mr. Mr. H. T. Smith, Mr. Babu Motilal Ash, Mr. Mr. J. Ball Hill, Mr. Babu Radhica Prosad Roy, Mr. Babu Balai Chand Rana, Mr. Dr. J. N. Cook, Mr. Dr. W. G. Vince, Dr. J. N. Dutt, Dr. R. Sen, Mr. Mr. H. T. Bromley, Mr. Mr. P. R. Roy, Mr. Dr. J. Chowdhury, Mr. Mr. M. P. Sandel, Dr. U. N. Mitter, Mr. Mr. A. A. Formie, Mr. Mr. K. Mukherjee, Mr. Mr. W. M. Wakefield, Mr. Babu N. C. Roy Chowdhury, Mr. Babu S. C. Chatterjee, Mr. Mr. W. G. Wells, Mr. Mr. F. W. Vallint, Mr. Mr. K. Cowasji, Dr. B. N. Mullan, Mr. Mr. J. C. Loch, Mr. Mr. J. D. Campo, Mr. Mr. R. Miller, Mr. Mr. C. R. W. Filmer, Mr. Mr. A. Blair, Mr. Mr. J. Jordan.



INDIA AND THE FAR EAST IN PARLIAMENT.

HOUSE OF COMMONS.

Monday, July 18 (additional).

The Imperial Institute.—Sir Mancherjee Bhownagree asked the Secretary of State for India: Whether the annual contribution of 1,625l. now made from the Indian Exchequer for the research work done at the Imperial Institute was volunteered by the Government of India, or whether they raised any objection in regard to it; and will he place the papers relating to this payment upon the table of the House.

Mr. Brodric: The Government of India were consulted, and the amount of the grant was settled with their concurrence at 1,725l. a year since reduced to 1,625l. in consequence of establishment changes, for five years ending March 1906. It provides only 200l. a year for research work, the balance representing the establishment and maintenance charges of the Indian section. Papers on the subject are contained in the annual report for 1901-1902 of the Indian Section, Imperial Institute, presented to Parliament in 1902.

Sir Mancherjee Bhownagree asked the Secretary of State for India: Whether, in consideration of the contribution amounting to upwards of 150,000l. made by the Government, princes, and people of India to the Imperial Institute, and of the annual payment now made by India, he will move the Board of Trade to arrange for the reception and training of three or four graduates of Indian Universities in the laboratories of the Institute in such chemical research work as is now performed there for Indian purposes.

Mr. Brodric: I am not aware that graduates of Indian Universities desire to be trained in the laboratories, and I have no reason to believe that the laboratories are adapted for instructional purposes. I consequently do not feel it necessary at present to move in the matter.

Tuesday, July 19 (additional).

The report of the Select Committee on Petitions.—Sir Charles Dalrymple asked the Secretary of State for India: If he has observed a special report of the Select Committee on Petitions in reference to petitions presented to this House from India; and if he will call the attention of the Government of India to the report, in order that petitioners may be put upon their guard, and may better understand the limited effect of petitions.

Mr. Brodric: A copy of the report will be forwarded to the Government of India with instructions that, so far as is possible, steps may be taken for carrying out the recommendations of the Committee.

Water Storage Works in India.—Mr. Samuel Smith asked the Secretary of State for India: With reference to the recommendation of the Scott-Moncrieff Commission for the multiplication of water storage works of comparatively small size and cost, what progress has been made with surveys for actual work, more especially for Northern Goojerat and the Deccan, and what definite projects have been prepared and sanctioned; and can any localities be named where any actual work has been done towards the saving of waste floods during the monsoon which is now prevailing in most of those districts.

Mr. Henry J. Wilson asked a similar question.

Mr. Brodric: I will communicate with the Government of India, and ascertain whether the information desired by the hon. member can be supplied.

German Locomotives for Indian Railways.—Sir A. Hickman having asked whether, in view of the fact that the East Indian State Railway had lately placed an order for locomotives in Germany, and that the employment in the engineering trades was reported by the Board of Trade to be dull, and that the percentage of unemployed trade union members was more than double what it was this time last year, he could take steps to secure a portion of this or similar orders for this country.

Mr. Brodric says: I am informed by the East Indian Railway Company (which is not correctly described as a "State railway") that no orders for locomotives have been placed in Germany since 1902. Their latest orders were given to firms in this country.

Indian Drafts.—Asked by Mr. Crae whether it was intended under the new Army scheme to furnish the required drafts for India from the proposed new depots, and if he could state the conditions to be imposed as to age and length of training before the recruits could be sent abroad.

Mr. Arnold-Foster says: The reply to the first part of the question is in the affirmative. As regards the second part of the question, the minimum age for Indian drafts will be 20 and the length of training six months.

Health of British Soldiers in India.—Asked by Sir W. Foster whether any steps were being taken to investigate the mode of infection in dum-dum and other allied parasitic fevers in India, with the view of preventing the heavy mortality and invaliding from these fevers among British soldiers in India, and so diminishing the annual drafts now necessary.

Mr. Arnold-Foster says: Steps are being taken to investigate the mode of infection in dum-dum fever; but it will be some time before the investigation will be completed, and further evidence must be awaited before anything in the nature of special preventive measures can be intelligently formulated. Assuming that by other allied parasitic fevers malarial fevers are referred to preventive measures have been adopted at military stations in India where such fevers are prevalent. It may be added that as regards other fevers a special commission is investigating Malta fever, the occurrence of which in India is becoming more recognised, and a special committee is investigating anti-typhoid inoculation.

Yokohama Naval Court.—Mr. Nannetti asked the Under Secretary for Foreign Affairs whether he had received any report from his Majesty's Acting Consul-General at the port of Yokohama, Japan, of the proceedings of the Naval Court which was summoned by the Acting Consul-General at Yokohama, on April 12, 1904, to inquire into the charge of wilful disobedience to lawful commands preferred by the master of the steamship "Ras Bora" against 21 of the crew of that vessel; whether he was aware that the 21 men referred to proceeded on the vessel of the ground that she was carrying contraband of war;

that at the trial the crew of the vessel produced his Majesty's proclamation of neutrality; and that the Naval Court ordered the 21 men to be dismissed from their ship and to forfeit their wages; and whether, in view of the results entailed by the refusal of assistance to those men by the Acting Consul-General, he would state if this official was justified in acting in this manner; and if he would cause inquiries to be made at once into this matter.

Mr. G. Balfour: Yes, sir; I have received the report of the Naval Court held at Yokohama, in April, to investigate the complaint made by the master of the "Ras Bora," that certain members of the crew were guilty of continued disobedience to lawful commands, and continued wilful neglect of duty and general insubordination subversive of discipline. The Naval Court, having heard evidence on both sides, found the charge proved, and passed the sentence referred to in the question. From the information which I have received, it appears that the vessel did not carry contraband of war. The matter was dealt with by a duly constituted Court, with the Acting Consul-General as President, and the Executive have no power to interfere with the finding.

Wednesday, July 27.

The Tibetan Expedition.—Mr. Lambert asked the Secretary of State for India what had been the casualties sustained in killed and wounded to date by the British and Tibetans respectively during the progress of the Mission.

Mr. Brodric: The losses known up to date to have been sustained by the British forces during the progress of the Tibet Mission are as follows:—British officers—killed, 3, wounded, 17; British rank and file—killed, 2, wounded, 12; Native officers—killed, 2, wounded, 5; Native rank and file killed 31, wounded, 98. It is obviously quite impossible to state what losses have been sustained by the Tibetans.

Mr. Lambert: Have not telegrams been sent from India to the right hon. gentleman estimating approximately the loss of the Tibetans?

Mr. Brodric: Only in very general terms, I am afraid; there is nothing that will allow me to give a reliable estimate.

Mr. Lough asked whether the right hon. gentleman would ascertain the Tibetan loss. Mr. Brodric said it was really quite impossible. It would no doubt be possible to ascertain the number of bodies that had been buried after these operations, but not the number of wounded.

Mr. Lambert asked whether the right hon. gentleman would give them the figures he had now in his possession.

Mr. Brodric said the only figures he had had already been given to the House. He would endeavour as far as possible to make a computation from them.

Mr. Lambert asked the right hon. gentleman whether the commander of the British and Indian forces in Tibet had instructions to advance to Lhasa before negotiating for peace, and at what date was it expected that destination would be reached.

Mr. Brodric: The mission and escort have orders to proceed to Lhasa to negotiate there in accordance with the notification made to the Tibetan authorities that this action would be taken if they felt to send competent negotiators to Gyantse by a fixed date. There is nothing to prevent negotiations taking place at any point on the march to Lhasa if competent negotiators appear. The latest information received states that the mission marched to Yarsig on the 21st inst. Yarsig is 66 miles from Lhasa.

Mr. Lambert asked on what date the expedition was expected to arrive at Lhasa.

Mr. Brodric: I am afraid I cannot give any estimate on that point; it depends on whether the mission meets with any opposition.

Indian Military Expenditure.—Mr. Lambert asked the Secretary of State for War what are the total Army Estimates, including military works, during the current year, for the United Kingdom and India respectively.

Mr. Arnold-Foster: The figures are as follows:—United Kingdom.—Army Estimates (including Ordnance Factories), 29,000,000l.; I am unable, as I stated in a reply to the hon. and learned member for Dundee on the 21st inst., to give the estimated expenditure out of Loan Funds in 1904-1905 on military works. The figures for India, which have been supplied to me by my right hon. friend the Secretary of State for India, are:—Army Estimates, 18,215,000l.; military works, 1,018,300l.; special defence work, 250,700l.; total, 19,483,000l.

Assam Excise.—Mr. Herbert Roberts asked the Secretary of State for India: Whether, with reference to the inquiry instituted into the allegations made against the Excise Administration of Assam, in a memorandum issued by Mr. James Buckingham, C.I.E., in 1902, on behalf of the Indian Tea Association, he can now state when the report, together with the views of the Government of India upon the question, will be issued; and whether it will be published in the form of a parliamentary paper.

Mr. Brodric: The papers regarding Assam Excise will be published in India this week, and copies for presentation to Parliament will be sent here as soon as possible.

Thursday, July 28.

Irrigation Works in India.—Mr. Weir asked the Secretary of State for India: Whether it has yet been decided to proceed with any of the irrigation works recommended in the report of the Irrigation Commission; and, if not, will he state the cause of the delay.

Mr. Brodric: Provision has been made by the Government of India, in their forecast of capital outlay on irrigation works for 1904-1905, for expenditure on some of the schemes recommended in the report of the Irrigation Commission. Other schemes will be taken up as funds are available.

The Police Commission Report.—Mr. Weir asked the Secretary of State for India: Whether he is now in a position to state when the report on the police of India will be laid upon the table of the House.

Mr. Brodric: I have nothing to add to the answer I gave to the hon. member on May 19 last. I have not yet received the proposals of the Government of India on the report.

Imports into India of Boots, etc.—Sir John Rolleston asked the Secretary of State for India: Whether he will state the value of boots and shoes and hosiery imported into India since the last Budget statement, and the countries of origin, which is omitted from the published accounts 1904-1905.

Mr. Brodric:—The annual trade returns for 1903-1904 have not yet been received, and the monthly returns do not show the imports of hosiery separately, and do not give the countries of origin in respects of the imports of boots and shoes. From April 1, 1903, to the end of May 1904 the total value of boots and shoes imported into India was 235,944l.

The Murder of Capt. Warneford.—Sir Edward Sassoon asked the Secretary of State for India: Whether his attention has been drawn to the murder of Capt. Warneford recently at Aden; and whether, seeing that the steps taken by General Maitland to arrest the murderer have failed, he will consider the desirability, in the interests of British prestige, of ordering the infliction of some punishment on the tribe to which the murderer belonged.

Mr. Brodric: I received on March 9, with great regret for the loss of a very valuable officer, a telegram from the Resident at Aden stating that Capt. Warneford had been shot at Am Rija on the previous day by a police sowar in our service. I subsequently received a full report on the circumstances, including the proceedings of the Court of Inquiry which was ordered to be held. The murderer escaped, and fled into tribal territory beyond the reach of our police. All the neighbouring sheikhs were written to and warned not to give asylum to the murderer, but he has not yet been discovered. Efforts continue to be made to secure his arrest. As regards punishment of the murderer's tribe, it must be pointed out that the man was a police sowar in our employ.

The Achinese War.—Mr. Henniker Heaton asked the Under Secretary of State for Foreign Affairs: Whether he is aware that the Dutch in the 32nd year of their war with Achin, killed at Likat, on June 20, 124 women and 88 children; and whether, having regard to the effect produced in the Malay States under British protection, where the Europeans are to the Malays in the proportion of about 1 to 100, he will consider the advisability of making representations to the Dutch Government with the view to the cessation of such measures.

Earl Percy: No such information has reached the Foreign Office, but in any case the matter is not one in which his Majesty's Government could properly interfere.

The Indian Budget.—Mr. Herbert Roberts asked the First Lord of the Treasury: Whether, in view of the military expedition to Tibet and other questions of importance to India awaiting discussion, he will arrange for the debate on the Indian Budget to be taken before the concluding days of this session.

Sir Mancherjee Bhownagree asked the First Lord of the Treasury: When it is proposed to take the Indian Budget; and if he can arrange to appoint for the debate a date in the first week of August.

Mr. Balfour said it was not possible to fix a day for the discussion of the Indian Budget. He could hold out little or no hope that it would be taken in the first week of August.

Mr. Herbert Roberts asked whether the right hon. gentleman would give an undertaking that it would not be taken on the last day of the session.

Mr. Balfour: I am afraid I cannot give even that promise.

The Tibetan Expedition.—Mr. Herbert Roberts asked the Secretary of State for India: Whether he will give the latest information as to the position of the military expedition to Tibet; whether he will state what is the approximate cost of the expedition up to the present date; and whether, having regard to the issues involved in the expedition, the Government still adhere to their decision to charge the whole cost of the hostilities upon the Indian revenue.

Mr. Brodric: The latest information I have received states that Khamba-La was found unoccupied and that General Macdonald hoped to secure the passage of the Sangpo River, 45 miles from Lhasa, on July 24. As to the cost, I have nothing to add to the information I gave the hon. member on May 31 that the total estimated cost of the mission to March 31 last was 308,500l., and that the cost since then is estimated at a little over 50,000l. a month. There is no intention to modify the decision as to the incidence of the cost.

Education of Children Employed on Tea Plantations.—Sir Mancherjee Bhownagree asked the Secretary of State for India: If he has received any communication from the Government of India in regard to the suggestion transmitted by him last March to provide proper facilities for the vernacular education of the children of labourers employed on tea and other plantations in Assam; and can he state if the suggestion has been acted upon.

Mr. Brodric: I transmitted my hon. friend's question to the Government of India in April last, but have not yet had any communication in reply. I will inquire when one may be expected.

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