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NOTES AND NEWS.

PLAGUE is raging in Belgaum, but the Natus are still detained there. When the epidemic again broke out they begged to be allowed to leave the town for some safer place, but they were informed in effect that the location of State prisoners rests upon the will of Government and not upon the choice of the prisoners. It is pointed out by the *Mahratta* that there are still some towns in the Presidency free from plague. Would it really endanger the tranquillity of the country to allow the Natus to remove to one of these? Have the Government considered the grave responsibility which will rest upon them if one of these untried prisoners should die through being kept by the Government in a plague-stricken district? Is imprisonment not sufficient expiation for those crimes which have never been proved, and of the very nature of which the Natus have been kept in ignorance? Does the tranquillity of the country demand their death?

That this danger is not imaginary may be judged from the fact that two of their servants have already caught the infection. One of these, the *Mahratta* says, was recognised in the plague hospital by Mr. Carmichael, the Collector, whose conduct throughout has been worthy of all praise. He went at once to the Natus, and told them not to stay in their infected bungalow. But the question then arose whether they were to go. At last, after the exchange of many telegrams between the Collector, the Government, and the military authorities the Natus were allowed to remove to a bungalow in the Fort, but it is not certain how long they will be allowed to stay there, nor how long the Fort will remain free from infection. During the delay the second servant was taken ill. The Natus were refused permission to go to a village which they own because it was outside the Belgaum district. A proposal that they should go to Dharwar, which is in the district, came to nothing. The elder Natus expressed his willingness to go if ordered, but declined to go otherwise, for if the plague broke out there, as is not improbable, the Government would say he went there of his own choice and they were not responsible.

It is to be feared that the authorities at Belgaum in their zeal for the suppression of the plague are making the mistake that was made in so many places on the occasion of the first outbreak. By their drastic measures they are alienating public sympathy and creating a panic. It will be remembered that Mr. Capper recently addressed a meeting there in order to impress on the people the advantages of inoculation, evacuation being, in his opinion, out of the question during the rains. Apparently, his eloquence had not the desired result, for according to the Belgaum correspondent of the *Mahratta*, the District Magistrate has issued an order that all the inhabitants must be inoculated or must quit the city. A second order requires the removal of all plague patients, whether inoculated or not, to the plague hospital.

A case has lately occurred in India which is exceedingly apposite to one of the questions raised in the recent Indian debate, for it shows with great force the evils of the present confusion of executive and judicial functions. The following facts are taken from the *Amrita Bazar Patrika*. Mr. Maguire, the Deputy-Commissioner of Manbhum, who

unites in his person the offices of Magistrate and Collector of his District, had occasion as manager of encumbered estates—a statutory function—to prosecute certain men for trespass before his subordinate Mr. Garrett, the sub-Divisional Officer of Gobindpur, who acquitted the accused and decided that their employers, the East India Coal Company, were lawfully in possession. In spite of this judicial decision, Mr. Maguire granted leases to Messrs. Bird and Company, whom Mr. Garrett had forbidden to interfere with the work of the East India Coal Company. Mr. Maguire followed this up by directing Mr. Garrett to see that Messrs. Bird and Co. were put into possession, *i.e.*, to do as an executive officer what he had declared to be illegal when sitting as a judge. As Mr. Maguire was his superior officer, Mr. Garrett was in a difficult position. He asked for further instructions, and received them by telegraph:—"Carry out my orders and send record immediately." This, as the judges of the High Court afterwards said, the unlucky subordinate could not do, so his superior took other measures.

As Collector, Mr. Maguire wrote a memorandum giving reasons against Mr. Garrett's judgment, and then as Magistrate he directed the police to give effect to his views. He also asked that Mr. Garrett should be transferred from Gobindpur, and a new case, similar to the first, having been put up against the agents of the East India Coal Company, he himself removed Mr. Garrett, who was thus punished for having refused to act illegally. The accused now sought the protection of the High Court, which declared Mr. Maguire's proceedings unjustifiable and illegal. Here, then, we have a Revenue Officer using, in a case in which he is officially concerned, his power as a magistrate to defy a legal decision, to endeavour to force a subordinate into an illegal course, and to punish that subordinate because he refused to act as he was required. Surely the separation of judicial and executive functions is a crying necessity.

Power and Guardian is responsible for a tale which shows what hardships Indian prisoners may have to encounter. Between eighty and ninety prisoners were sent from Moradabad to Fyzabad shut up in iron-barred compartments and under a police escort. The man in charge of the commissariat left the train at Saharanpur, and the prisoners were kept without food for two days. Of course, this was an accident, but an accident which should have been impossible. Had it occurred in Russia or Siberia, and come to the notice of a passing traveller from the West, how shocked the British public would have been.

The *Pioneer* has an outspoken article on the Financial Department. It appears that as far back as 1858 Sir Henry Ricketts was commissioned to examine into its organisation. In his report he laid it down that "the constitution of the Department must be regulated with a sole view to efficiency without distinction of service, profession, race, or religion." The main point was to secure a body of officials trained in the business of the Department, without regard to whether they were members of the Covenanted Civil Service or not. His views were adopted and the Department flourished under that system till 1876. Then there came a change, which according to the *Pioneer* synchronised with a period of slow promotion among the civilians of the North-West Provinces. At all events, they discovered that under an Act of 1861 the office of Accountant-General was reserved to the Covenanted Service, and this was allowed by the Government, though it was apparently the office now known as the Comptroller-General's that was meant. In the end a certain number of posts were kept for civilians, and among Accountants-General since then there have been a Joint-Magistrate, an Assistant-Magistrate, a sub-Collector and a Judge of the

Small Cause Court. The great purpose of securing men trained in the work has been set aside, and the disorganisation of the Department has been steadily proceeding. Our contemporary asks whether the time for reorganisation has not arrived.

The correspondence in the *Pioneer* on "Unrest in India" is chiefly remarkable for the unanimity with which the growth of this unrest is asserted. Whether the subject is viewed from the British or the Indian standpoint, whether the evil be attributed to religion or education, whether it be looked upon as temporary or permanent, the existence of this spirit of unrest is not denied. Moreover it seems to be generally allowed that the relations between the civilians of to-day and the Indians are not so satisfactory as were the relations of their predecessors. Are the educated Indians in fault here? Well, as one writer observes, formerly the Collector was very willing to patronise and most Indians were proud to be patronised. Now the Collector may be quite as willing to patronise, but men of education expect to be met in a different spirit; and for this the Anglo-Indians are not yet ready. The Anglo-Indians will have to adapt themselves to the requirements of the educated Indian, however little they may like the process.

The great qualities of the late Sir Romesh Chunder Mitter have naturally been recognised in cordial and handsome terms by the Indian press. As an example, we have pleasure in quoting the following tribute and record of the main points in the late ex-judge's career from the *Lahore Tribune* :—

It may be said without hesitation that Sir Romesh Chunder was a truly great man. As a vakil of the Calcutta High Court, he was very successful. When he was a little over thirty, he gave up a large practice and accepted a judgeship of the High Court . . . and made as successful a judge as he had been a pleader. He twice officiated as Chief Justice, and was created a knight on his retirement in 1892. Even while he was a judge, he was put on special duty in connexion with the Public Service Commission, of which he was a prominent member. The independence that he displayed on that occasion showed his character in the best light. Although one of the highest officials in the land, Sir Romesh Chunder Mitter at once took his stand with the non-official Indian members and retained that attitude up to the end, and signed the minority report. He was nominated a member of the Viceroy's Legislative Council, and, whatever may be said of his views, his sturdiness and independence were beyond question. On account of his ill-health he had to resign his seat before completing his term. He was then appointed a member of the Bengal Jury Commission, and, while unhesitatingly condemning the Jury Notification, Sir Romesh Chunder proposed the extension of trial by jury to several offences, including defamation, not so tried at present. In the last Calcutta Congress he accepted the chairmanship of the Reception Committee, but his ill-health prevented him from making a speech. In one way or another he continued to serve the Government of the country to nearly the very end. Of high character, able, independent, patriotic, wise, gentle, such a man is an ornament to his country and a glory to his people.

That is very well said. The Government threw away a fine opportunity of wise conciliation when it carefully refrained from confirming Sir Romesh as Chief Justice.

A correspondent writes :—*Appropos* of Keith's holy horror at "being touched by the clammy hands" of a "Native," mentioned in the last issue of *INDIA*, Max O'Rell gives the following passage from the letter of one of Keith's countrymen, a magistrate in India :—

Time passes tolerably here. For that matter, we are too busy to be much bored. Week follows week, and each is rather like the one that went before; but all are well filled up. Last Monday, I condemned an Indian to six months' imprisonment and held three inquests. On Tuesday, I presided at a meeting called for the purpose of hearing the report of the *Zemana* Missions. On Wednesday I went to races and won £25. Every one had bet on Mignonne, who was backed at two to one; but seeing that the ground was damp and slippery, I chose Phobus, a heavier horse, backed at ten to one. I was lucky in my choice. On Thursday, after the work of the day, I went to see the nautch girls dance. It is a little *risqué*; but I have often heard you say that a man should see everything, so as to be able to judge between good and evil. There was a regatta on Friday. I went in for one race, but only came in second. On Saturday I had to make out over a hundred summonses, and try several petty offences. An uninteresting day. It is with a feeling of apprehension that I always await Saturday. I have one more examination to pass before I can sentence the Natives to more than one year's imprisonment, and two before I can send them to the gibbet. On Sunday I read the lessons in church. In the afternoon I addressed a congregation out of doors. They seemed greatly impressed, and I count on several conversions.

"You must admit," adds the French humourist, "that this was a well filled week. I thought the mixture of sacred and profane quite delicious."

Western India has not been forgotten by the rain, after all, though the supply has been insufficient as well as belated. The fields are still very thirsty in the Deccan, as well as in Kathiawar and Gujarat, which would be extremely gratified with the surplus rainfall of Bengal. Sowing and transplantation have been grievously delayed, the standing crops have been seriously stunted for want of nourishment, and the value of cattle has declined almost to zero. One must still hope earnestly for relief, though much damage has already been done irreparably. There will be wide sympathy with the agriculturists and the poor people, who are primarily and eventually affected in the most serious degree.

The *Pioneer* is exercised over a very singular subject—"the unattractiveness of Indian appointments." It starts from the early retirement of Mr. Dawkins, which has nothing to do with the subject at all. Indeed, it is difficult for any one that knows the facts to see that any of our contemporary's examples are really in point—Mr. Chalmers, Sir Andrew Scoble, Sir Evelyn Baring, or the rest. "It cannot be said," remarks the *Pioneer*, "that it is conducive to the dignity of a seat in the Government of India that those who hold it should be constantly on the look-out for something else, and should be off the moment that something offers." Why not? It is the same with many other posts that one has heard of. Nor does the change seem at all likely to be detrimental to the Government service. Anyhow, the *Pioneer* casts about for remedies. It suggests an extension of the term of office from five years to ten. It suggests also a pension—"and this, we understand, is the remedy that finds favour with the authorities." No doubt—a pension paid out of another's pocket! Has it ever occurred to the authorities or to the *Pioneer* that there are plenty of Native lawyers perfectly competent for the work and ready to perform the duties without pension? Or that there are plenty of excellent lawyers, and jurists too, in the Temple who would be quite ready to do the work for the money? The chief difficulty in getting at such men is the hopelessness of their ever seeking or obtaining nomination, under the existing system of selection. It is not every studious jurist that will submit to be certificated and recommended, and shouldered into favour, even for the well-paid "dignity of a seat in the Government of India."

At the so-called Railway Conference, which met at Simla on August 15, Lord Curzon gave some hints of useful development in the system of consideration of projected lines. For one thing, it will be well "that the conclusions at which we arrive with reference to various lines be formulated in an easily intelligible shape and be published." In this way promoters will learn how their schemes stand in the estimation of the Government, instead of being content as they are now with an official intimation of success or a private inference of failure, while the public will gain an idea both of the magnitude and of the complexity of the problem which we are called upon to discuss, and of the general principles upon which we attempt to decide it.

Again, Lord Curzon said he had it in his mind to constitute, should the case arise, a small peripatetic commission, which should in the touring season visit and conduct a public enquiry at any locality where such a problem called for decision, the local government or local commercial bodies being represented upon the commission so as to lend both impartiality and weight to its decisions. In both these suggestions Lord Curzon shows a most welcome, as well as a most businesslike, desire to "place the Government in constant touch with the currents of public opinion." Such a result is vastly more important than "to satisfy promoters as to the *bona fides* and thoroughness of the investigation to which their claims are submitted," though that is, of course, a most proper thing to do. *O si sic omnia!*

On general railway policy Lord Curzon seems to be judiciously cautious, though the report of his speech does not enable us to judge his attitude on particular points of immediate interest. Contrasting the policy of Lord Dalhousie and the policy of Lords Lawrence and Mayo, he thinks we can now "adopt a reasonable compromise." He says :—

If the compromise tends towards the contraction of the area claimed by the Government and the increasing expansion of the facilities afforded to the companies, it is because we do not want to overweight the shoulders of the Government with a burden which they are unfitted to bear, because we want to reinforce our own power and resources with the assistance of capital both British and Native—

and I wish there were more of the latter forthcoming as well as of the former—and because the spirit of healthy competition so engendered seems to be the best guarantee for the promotion of the public interest.

There seems to be an official notion of arranging the Viceroy's in an order of merit reckoned by the mileage of their railway building. We must hope that Lord Curzon has more sense than to enter into any such competition. There is not now any pressing necessity for railways beyond the narrowest limits of existing projects, and the development should be left to come naturally. The investment of British money in Indian railways is the most expensive of all forms of railway expansion—for India. Let India in due time build her own railways and put the dividends in her own pocket.

Mr. G. R. Cheetham writes to the *Times* to say how much he is puzzled between Lord G. Hamilton's railway construction figures and intentions. Lord George exulted in the statement that the receipts from the Indian railways during the past financial year were the largest on record, and declared that "on financial grounds alone" there was conclusive evidence for "a vigorous prosecution of reproductive works in India." Here are the intentions. Then he stated that three years ago he had sanctioned a triennial programme to cost Rs. 30,000,000, but that famine and trans-frontier war had made necessary a reduction of the amount to Rs. 25,000,000. Worse still, the new triennial programme is estimated at only Rs. 20,322,000, which is brought up by certain arrears to Rs. 22,372,000. Here are the figures. Mr. Cheetham cannot reconcile the two positions. We are not surprised. The intentions are retailed for the British public, who are not so critical as Mr. Cheetham; the figures are reduced because the Government of India wants to save up money to start its precious gold currency business. One would have thought that, now that military enterprise is temporarily restrained, the internal development of the country would at last get a chance. By no means. Instead of developing the country up to the requirements of a gold currency, the Government is providing an irrelevant gold currency and leaving the country to struggle on as best it may.

Those of our readers who took the trouble to follow in our reports the questions and answers regarding Indian railways towards the end of the Session would be prepared to hear that steps were to be taken by the Government of India to acquire full ownership and control over the three remaining large guaranteed systems. The first step in these large transactions is thus concisely described in the *Standard's* City article of Tuesday:—

Great Indian Peninsula has risen 2, to 176, on the announced decision of the Indian Government to acquire the Company's system. Under the contract [of 1849 and its renewals] with the Company it is provided that this purchase can be effected at a price based on the average market value of the Stock for the three years immediately preceding the purchase. The price may be paid either in sterling or by means of an annuity expiring in fifty years' time.

What the price of G. I. P. Stock has averaged for the last three years City editors will soon reckon up for us; but since the rate of return has been five per cent., plus a fringe of "surplus profits," that average will not be less than a premium of fifty per cent. beyond par. Few, if any, of the original subscribers can be now extant; and most of the present holders will have bought at market price; but the result is none the less a very hard bargain for the Indian Government and its taxpayers. This it was, not only because of the high rate of interest, but also in the subsidiary terms regarding the fixed rate of Exchange (1s. 10d.) and the arrangement as to "surplus profits," which was heads for the Company and always tails for the State. It is not for us, here and now, to sit in judgment on the makers of these contracts, who we are willing to believe acted fairly according to the lights of the period.

The one really cruel reflection is that when, twenty-five years ago, the first option of purchase arose it was flung away, though the adverse and one-sided nature of the contract was by that time plain to the meanest capacity. That grievous neglect was in no wise due to the Indian Government which reported and recorded its business-like decision. On the Secretary of State of the period, the Duke of Argyll, and his advisers at the India Office must rest responsibility for that refusal to act on the option.

That must have cost India the sacrifice of many millions, for remaining contracts were allowed to slide. One other remark may be made as regards one very large factor that must enter into the negotiations now proceeding with this company: that is the claim against it for arrears in respect of interest paid by the Indian Government to make the difference between net earnings and the five per cent. Last year the "loss to the State" under this head amounted to some 57 million Rs. and of this the G.I.P.'s share of indebtedness must be considerable. The capital stock of this company is about 254 millions sterling, and there are or were about three millions of debentures.

Ranjitsinhji has accomplished a very difficult feat: he has astonished the cricket world by beating all records—his own and other men's—for the highest aggregate of runs in a season. He "has hardly any more worlds to conquer," says one of the *Daily Chronicle's* cricket correspondents; "there is, however, yet one ambition deep in his heart, and that is to make his aggregate 3,000 for the season." His ambition is extremely likely to be more than gratified, seeing that he has already outtopped his own record of 2,780. In its editorial columns, the *Daily Chronicle* writes:

That Ranjitsinhji is the finest cricketer that has ever lived is, we believe, beyond question. "W. G." at his best perhaps excels him in the power of "placing," and of course in sheer force of muscle; but in exquisite and fitting grace of movement and the capacity to make runs off every kind of ball, no one has ever approached the young Indian. To watch him playing at his best and fastest is really a lesson in physical perfection.

We record with much regret the death of Mr. William Simpson, the pioneer of journalistic artists on the battlefield. He started on this line of enterprise as far back as 1851, when he went out to the Crimea to make a series of illustrations of the war, later embodied in his "Campaigns in the East." In 1859-62, he visited India, Kashmir, and Tibet, and in 1867 published his sketches in "India, Ancient and Modern." In 1875-76, he accompanied the Prince of Wales on his visit to India, sending home numerous sketches to the *Illustrated London News*, and illustrating his "Skikaree and Tamasha," which recounted his experiences. Again, in 1878, he was with Sir Samuel Browne's force in the Khaibar Pass, and carried out for Lord Lytton a series of archeological investigations at Jallalabad and Gandamak. In 1884-85, he visited India a fourth time, accompanying General Sir Peter Lumsden and the Afghan Boundary Commission of delimitation. He also wrote a curiously interesting volume on "The Buddhist Praying Wheel," in which he collected a strange variety of materials bearing on the symbolism of the engine. He illustrated at first hand the marriage of Alexander III of Russia, the Abyssinian campaign of Sir Robert Napier, the Franco-German war, the marriage of the Emperor of China at Peking (1871-72), the Modoc-Indian war in California, Dr. Schliemann's excavations at Mycenae and in the Troad, the coronation of Alexander III at Moscow (1883), and many other historical events during the past fifty years.

A correspondent writes:—

The school under the principalship of Mr. G. Harrison Pope, at Ranelagh, Southfields, broke up for the summer holidays on the 27th ult., an interesting feature of the prize distribution being the presence of a Hindu gentleman, Mr. Nilkanth B. Wagle, who has lately come to this country as a travelling fellow of the Bombay University, and a scholar of some of the Native States of India, to study British industries. Mr. Wagle presided, and after distributing various awards of merit offered a copy of Professor Max Müller's "India; and what it can teach us," as a prize to the best boy in the school. Mr. Wagle in the course of his speech dwelt on the advantages of education, good discipline, and moral training, advocating obedience to parents and teachers, and the bringing of knowledge to bear on life and conduct. He said that while Indian youths had to learn a lesson from the careers of English youths, the latter also, from what little he had observed of them, should in their turn follow their Indian brethren in their modest and submissive obedience and respect for parents and teachers. The Rev. J. Cunningham, in proposing a vote of thanks to the visitor from the distant East, thanked Mr. Wagle for his useful address. Subsequently Mr. Wagle met at dinner several ladies and gentlemen from the locality, including the staff of the school, and he was able to speak to them of the vast Indian Empire, its past glory and its present crippled condition in respect of social, industrial, and political activities. He said that the India of to-day, with a population of 250 millions, might be compared to a dumb animal whose sufferings could only be inferred by those that were near it. Some members of the party much interested in Mr. Wagle's speech undertook to convene a few meetings this winter and requested him to give them further information on Indian matters—an invitation which Mr. Wagle accepted.

THE TELEGRAPHIC PRESS MESSAGES BILL.

THE Government of India would appear to have very little pressure of work when it finds time to busy itself with the legislative creation of a privilege for half-a-dozen persons or business organisations. Now that wars and rumours of war have ceased on and beyond the North-West Frontier, our Simla legislators might have been expected to devote their undivided energies to the internal recuperation of the country and the development of industry and commerce. Yet on July 14 they addressed themselves to a new Bill, called the Telegraphic Press Messages Bill, the result of which, if carried into an Act, will be not only to hamper the chief Indian daily newspapers, but also to deprive the Government of an incidental aid that might be promptly and unobtrusively useful in no small degree. Apparently it will be passed into law with all the expedition of Bills on which the Legislative Council has set its mind. On July 30, it was referred to a Select Committee; and there will be practically no delay interposed by the action of the non-official members, who are almost all absent from Simla at the present time. The course is clear, and the Bill will incontinently be transformed into an Act. Meantime, however, Mr. Pherozeshah M. Mehta, as President of the Bombay Presidency Association, has telegraphed (July 27) to the Viceroy an urgent representation that the Bill should not be proceeded with at Simla, "being of a controversial and non-urgent character," such Bills not being as a rule disposed of finally there, but to defer the consideration of it till the Council assembles at Calcutta. At Calcutta it would be in some touch with public opinion; but it may be doubted whether that is regarded at Simla as in the nature of an advantage.

The matter is this. The Government is impressed with "the great importance to the Indian Public of a first-rate service of telegraphic news." Nobody will question the fact—always assuming that the news is of real public interest or advantage. But, says Mr. Rivaz in his statement of objects and reasons, "it is undoubted that enterprise in that direction is being checked, because the existing law recognises no right of property in published telegrams, and the systematic piracy of expensive foreign press messages has been the result." We presume that the Government is prepared to adduce evidence capable of establishing both the alleged "undoubted" fact and the reasons annexed. On this basis it is proposed to legislate by way of remedy, after the example of New Zealand, Australia, the Cape of Good Hope, Hong Kong, and Ceylon, and specifically to follow the framework of the Ceylon Act. There is no English statute on the subject to furnish the desired precedent. Accordingly, the proposal is to protect all telegraphic press messages despatched from any place outside British India to any place within British India against publication by anyone except the receiver or persons authorised by him "until after a period of thirty-six hours from the time of first publication in British India" or of sixty hours from the time of receipt, which is to be stated on publication by the receiver. The only exception is "any document published by, or under the authority of, the Government." The term "publication" is tolerably extensive. For "the publication of any part of a telegraphic press message or of the substance thereof, or (excepting the publication of any similar message in like manner sent) of the intelligence therein contained, or any comment upon, or any reference to, such intelligence, shall be deemed to be a publication for the purposes of this Act." The maximum penalty for a first offence is a fine of Rs. 100, for a subsequent offence Rs. 500. The Act will sharpen the wits of those who want to evade it, and it is offensive enough to tempt otherwise well-disposed people to gratify themselves by getting round it. One cannot but recall Macaulay's reference in a similar case to the absurd Acts prohibiting the sale of game which were virtually repealed by the poacher, and the many absurd Revenue Acts that were virtually repealed by the smuggler.

The Government, according to Mr. Rivaz, has been receiving representations of the expediency of some such measure "on several occasions in the course of the last twenty-seven years." We quite believe it. Representations from whom? Mr. Rivaz speaks of "the importance to the Indian public of a first-rate service of telegraphic news." Has the Indian public—that entity whose exist-

ence is so keenly questioned on occasion by officialdom—made the alleged representations? Has any single member of the Indian public done so? It is not worth while to pause for a reply. Not a single Indian, we venture to say, has ever done, or for an instant thought of doing, any such preposterous thing. Who, then? Well, *cui bono?*—who expects to profit by the Act? That also is sufficiently plain. The only importers of telegraphic press messages in India, so far as we are aware, are the big Anglo-Indian dailies and Reuter's Agency. The necessary inference, then, would seem to be that it is from these parties that the Government has received the representation. It would seem to follow further that when the Government professes anxiety for the telegraphic information of "the Indian public" it really means that it wants to confer a legislative privilege on its faithful supporters in the Press. It has recently been our duty to comment on the peculiarly official character that Reuter's political telegrams to this country exhibit. One hesitates to draw unpleasant inferences, and one is naturally willing to make allowance for the strange freaks of coincidence in this world. But in any case we should have much preferred that Reuter's lucky participation in official views had been recognised by a peerage—even a dukedom—rather than in a manner so obnoxious to the best interests of the country.

Apart from the leading Anglo-Indian journals, Reuter enjoys a practical monopoly of foreign telegraphic Press messages to India. The Act therefore means that journals must either pay his price or go without his telegrams till they are in effect two days old. Reuter's fee, we believe, is Rs. 500 a month, with a year's guarantee. There is hardly one Native journal that can afford to pay this sum. Indeed, there is no Native journal that would care for the general run of such a service. These journals give very little attention to the bulk of such news as Reuter furnishes. "The feats of the Cliftonian boy, Collins, at a cricket match in England," says *Power and Guardian*, "are not matters of an absorbing interest to the Indian public." "The news that Sussex has beaten Surrey," says the *Amrita Bazar Patrika*, "though very interesting to Englishmen here, is as insipid to an Indian as water." The only messages through Reuter or in the Anglo-Indian journals that any Indian paper would care a straw for are such as contain political, and especially Parliamentary, news on Indian questions of immediate moment. Such news, however important in its bearings upon the government of India, will therefore be necessarily reserved by them till time brings it outside the scope of the Act. In this way, then—the only way in which the Act can affect the Native journalist—it must infallibly operate in the direction diametrically opposite to the professed purpose of the Government of India—namely, to secure for the Indian public a first-rate service of telegraphic news. There is no saying when the reservation of news for thirty-six hours—practically two days—may result in very serious political mischief. The quasi-official Anglo-Indian dailies no doubt already pay Reuter's fee, and they have also their own correspondents' messages protected by the Act. Their withers are unwrung. Not one of them, so far as we have observed, has a word to say about the Bill, good, bad, or indifferent. The whole force of the Bill, therefore, is directed against the Native journals—the very journals whose contents are likely to reach directly "the Indian public."

Of course, it does undoubtedly seem a grievance that a man should pay heavily for his wares, and then have them appropriated gratis the moment they are set out in public view. That is the private objection of the individual person. On the other hand, he may fairly be asked to take into consideration the distinction for enterprise and public spirit that is always readily conceded to an energetic journal. In this country, the higher view of the matter has always been acted on by our great journals, though the commercial spirit has recently shown signs of having effected a conquest in the councils of some of them. But the public interest is too serious to be neglected even when Reuter's agency is concerned, and the Government feels this when it puts into foreground as the reason of its action "the great importance to the Indian public of a first-rate service of telegraphic news." In the present case, we think that *Power and Guardian* is right when it points out that the Act "will close the only source of correct information, and the consequential result will be that the ignorant public will be free to indulge in all sorts of wild surmises in

regard to particular matters"—at any rate for thirty-six hours, a period that may mean very little or very much according to circumstances. It is not only the news that is protected, in whole and in part; the Bill also provides against comment upon it, and even against the slightest reference to it. There is nothing in English law that goes so far as this. The *Mahratta*, too, sensibly argues:—

The protection of news is an innovation, and a mischievous innovation. But if news is to be protected, why not inland as well as foreign news—news by post as well as by telegram? Let consistency prevail, and let the feet of truth—at least, knowledge—be thus shackled completely.

It is scarcely credible that Reuter or the Anglo-Indian journals are injured to the extent of a single pie per annum by the existing arrangements, or that any one of them will cease to supply his telegrams unless he obtain a protective Act. If so, there is no real ground for the present legislation, except on the theory that the public interest is less than the private interest of an individual—even when the private interest of the individual is, as the mathematicians say, less than any assignable quantity and =0. That theory seems an exceedingly strange one in the mouth of a government that professes to be impelled to legislation by a recognition of "the great importance to the Indian public of a first-rate service of telegraphic news." Anything is possible on the heights of Simla, out of the world and above it. Let the Government hold its rash hand till it descends to the plains and hears the criticism of "the Indian public."

INDIAN MUNICIPALITIES.

IN a recent number of *INDIA* we called attention to the true constitution of the Bombay Municipality which differs very considerably from the travesty recommended by Lord Curzon for use in Calcutta. It will be remembered that Lord Curzon's plan is to have twenty-five members elected by the ratepayers, fifteen nominated by the Government, and ten chosen by various bodies representing the European community. In Bombay, on the other hand, though the ratepayers choose the same proportion, thirty-six out of seventy-two, the remaining moiety is not entirely official or European. Sixteen of the remaining thirty-six are elected by the Bench of Justices, a body drawn from various sections of the community and forming a narrow but weighty and respected electorate, leaving only twenty nominees of the Government and the European community as such, or less than two-sevenths of the whole. In Bombay, as in the Calcutta scheme, the executive consists of twelve members, four nominated by the Government and eight elected by the Corporation; but it is obvious that the Indians have a far better chance of obtaining a majority on the executive in Bombay than they could have under the plan of Lord Curzon.

This comparison, and still more the contrast between the existing constitutions of the Calcutta and Bombay municipalities will prepare the reader to find great differences among the civic corporations of India. It may not be without interest to compare two other municipalities, those of Allahabad and Agra, which, situated in the same part of India and alike in having an official chairman—it is said that only six Indian towns have this privilege—are nevertheless sharply distinguished by the results of their labours.

To begin with the more successful of the two, the Corporation of Allahabad has just issued its annual report. The *Pioneer*, which as an Allahabad paper is specially interested in and has special means of judging this Municipality, complains that the document is filled with unimportant details and throws little light on the debated questions of Indian civic government; but it adds:—

The responsibility for deficiencies must be laid at the door of the system which requires reports to be prepared unintelligently in a cast-iron mould.

Yet it is evident that the *Pioneer*, whether it depends upon the report or upon its own observation, is generally satisfied with the way in which the municipal authorities do their work. Thus it appears, if the statistics are reliable, that the birth-rate is 38.17 per thousand and the death-rate 23.15, figures which, as the *Pioneer* says, compare favourably with those of many large English towns. The finances are honestly administered; the town pays its way in spite of the heavy expense involved in maintaining the water supply; and no

scandals have been discovered, even by the piercing eyes of our contemporary, which is not too ready to give credit to the success of elected municipalities in India. If we turn to the constitution of the Allahabad municipality we find that it consists of 28 members, of whom 15 are elected by the Indian city and 6 by the civil station, while 6 are nominated by the Government, the remaining member being the official chairman. It will thus be seen that the representatives of the Indian city are in a clear majority, fifteen to thirteen, rendered all the greater by the more regular attendance of the Indian members, one of whom was present at every one of the eighty-four meetings of the board and its committees.

The natural answer which the opponents of Indian civic self-government will make to this excellent record is that though the Indian ratepayers elected a majority of the Board, yet the great powers of the official chairman kept them from doing all the mischief to which their evil natures are prone. But this is a dangerous argument for them to employ; for in the first place, the present municipality of Calcutta, which is in such urgent need of reformation according to these same critics, has an official chairman; and secondly, two other municipalities which enjoy the same advantage have lately been in very bad odour. These are Howrah and Agra, and it is obvious that in these smaller bodies the real power of the chairman, who is one of the great men of the place, is immensely greater than it is in so large a body as that of Calcutta, in a city where there are so many much more important personages. As for the history of the Howrah Corporation with its official chairmanship, or rather its whole staff of officials, it is well known. Its failures—above all that gigantic failure, its water-works—have been brought to the notice of our readers; and they have been able to judge how little Howrah has benefited by having what appears to be the most officially ruled municipality in India. But on the other case, that of Agra, it may be allowable to enter into further detail.

When in January last Sir Antony MacDonnell, Lieutenant-Governor of the North-Western Provinces, visited Agra, he found the municipality almost bankrupt. Now for this state of things our contemporary the *Tribune* gave two reasons. One of these was that Sir Auckland Colvin, when Lieutenant-Governor, had insisted on a scheme for supplying the town with water, the construction and maintenance of which had overtaxed its resources. The other was that the affairs of the town had been mismanaged by the late Secretary to the Board, who had throughout received the support and countenance of the official chairman. Having held the office of Secretary for more than twenty years he was no doubt in a position of great influence. According to the *Tribune*:—

The Municipal affairs of Agra had for years been managed by the official Chairman—the Magistrate-Collector of the district—and the late Secretary who had held his post for more than two decades. It was notorious that the late Secretary was the Agra Municipal Board and he could, with the support of the Magistrate-President, do what ever he liked. This being the case, the official Chairman should alone have been held responsible for the disgraceful condition into which the affairs of the Agra Municipal Board had fallen.

Sir Antony, who has revisited Agra, urged the Board to reduce the high rates of the octroi on food and to improve still further their water supply. But he saw that it was the expenditure on water which necessitated the duties on food, and he therefore promised help to carry out the former work. Nevertheless, it must be remembered that, if money be borrowed from the Government, the interest will have to be paid out of taxation. The Lieutenant-Governor also dealt with the reasons which have been offered in explanation of the state into which the Board's affairs had fallen. He said:—

On the one hand, there is the criticism that the state of affairs into which the Municipal Board had drifted was due to the relaxation of official control over its proceedings. On the other hand, the Board's misdoings are ascribed to the inordinate measure of freedom which, as alleged, was left to the Native and non-official members of the municipality. Without dwelling on the mutually destructive nature of these criticisms, I may admit that in consequence of the pressure of more urgent work during the famine, the District Collector did not exercise as much control over municipal affairs at Agra as he might in other circumstances have done; and as the policy of having as few official members as possible on the Municipal Board forbade the appointment to it of the Collector's assistant, it followed that official control was for a time reduced to a minimum.

And Sir Antony defended his action in appointing an assistant or joint magistrate as a member of every committee on the ground that it both relieved the Chairman,

and trained young officers in municipal administration. But the *Tribune* denies that there had ever been any relaxation of official control. The state of affairs at Agra which caused so much commotion in January last had been going on for twenty or twenty-five years, and had at last reached a crisis. It cannot therefore be accounted for by the other occupations which took up the official Chairman's time during the famine. The Indian members found themselves powerless when the Secretary was always sure of the support of the Chairman. When two years ago the late Secretary retired the candidate who was elected by a large majority of the members to fill his place was rejected by the Chairman and the Commissioner of the division.

Thus it is apparent that the constitution is not everything in an Indian municipality, and that under the same constitution very different results have been obtained—bad at Howrah and Agra, good at Allahabad—so that the existence of an official Chairman, even when so powerfully backed by other officials as at Howrah, or in close alliance with the Secretary as at Agra, is of itself no guarantee of good government. And in addition it is evident that the more the power of the elected members is minimised the less likely are able and independent men to come forward. If to this we add the difficulty of securing the regular attendance of non-official Europeans, immersed as they are in their own affairs, it may well be doubted whether all the tinkering with which the Government is now occupied will not leave the last state of the Indian municipalities worse than the first.

LETTER TO THE EDITOR.

ASSAULTS UPON INDIANS BY EUROPEANS.

TO THE EDITOR OF "INDIA."

Sir,—The following extracts from a letter of the Honourable Emily Eden (sister of Lord Auckland, G.G. of India) are full of significance in connexion with the recent cases of murder of Indians by Europeans:—

"April 26, 1840.—The judges were in a horrible state, and so were we. There was a brute of a man, a superintendent of roads [Hughes]. His house was robbed, and he suspected some of the men who worked on the roads of the robbery, so he had a sort of bamboo gibbet erected, to which he tied up sixteen of these men by their hands, their feet not touching the ground, and then flogged them and lit straw under them and burnt them with irons, and kept them hanging fourteen hours, and some eighteen. One man was taken down dead, and some insensible. It was proved that this all happened in Mr. [Hughes's] compound, and that he had his dinner-table brought out and dined within six yards of these wretched creatures. He made no defence, except that he did not touch them with his own hands, but only gave directions to his overseer. . . . The jury brought in a verdict of 'not guilty' [on the count of manslaughter]. Sir E. Ryan [Chief Justice of Bengal], who has been here many years, says it is invariably the case that the *low Europeans who make up a jury here always agree to acquit any man who is tried for the murder of a native.*" ["Letters From India," Vol. II, p. 148 *et seq.*]

The italics are mine. You will see from the above that it was the deliberate opinion of the Chief Justice of Bengal that the guilty sympathy of European jurors led to European prisoners always escaping the right punishment for the murder of Indians. The Anglo-Indian Criminal Law has made things very easy for European offenders by laying down that a European charged with any offence can claim to be tried by a European judge and a panel of jurors of whom the majority will be Europeans. A few months ago the European jurors who tried the three English soldiers who had murdered Dr. Sircar of Barrackpur "took a very lenient view of the offence," as Chief Justice Maclean put it. Some years ago a European member of the Salvation Army murdered a villager in Bombay. The counsel for defence shamelessly asked the jurors to "show every consideration to the prisoner," who was a Scotchman, as "they were mostly Englishmen and Scotchmen"! The scandal was so great that Mr. Justice Tyabji remarked on it in his judgment.

The attitude of Anglo-Indian jurors towards European murderers of Natives may be inferred from that of the Anglo-Indian Press which forms "a conspiracy of guilty silence" in such cases.

George [Lord Auckland] wonders every day how we are allowed to keep this country a week. . . . I wonder what Natives must think of the Christian religion, judging by its effects here? An indigo-planter the other day murdered his wife, a girl of sixteen, in the most horrible manner—beat her to death—and, because she was half-Scott, the other planters in the neighbourhood helped him to get away, and the magistrate took no notice of the murder till the papers got hold of it. Then the [Indian] Government interfered, but the murderer had gone off to France. [*Ibid.*, pp. 262, 263.]

As things go, a European who assaults a Native does so with

the conviction that he will be tried by European jurors who will never pronounce him guilty of murder even if he beats the man to death. This belief breeds in the Anglo-Indian mind an utter disregard of Native life. In 1890, four English soldiers got out of Dum-dum cantonments at night and shot an Indian dead. When remonstrated with by a comrade, the murderer said, "Oh, it is only a *d-d nigger polished off.*" This brutality towards Natives, which so many Anglo-Indians show, has been also noticed by Mr. W. H. Russell (in his "Diary in India in 1858-9," vol. i, p. 389).

If Europeans [in India] are not restrained by education and humanity from giving vent to their angry passions, there is little chance of their being punished for anything short of murder—and of murder it has been often times difficult to procure the conviction of Europeans at the hands of their countrymen. [Russell's "Diary," vol. ii, p. 408.]

Mr. (now Sir George) Trevelyan, in his "Competition-wallah," bears witness to the partiality of Anglo-Indian jurors to Europeans accused of murdering Natives. Can we say that persons like Miss Eden, Sir William Russell, and Sir George Trevelyan are seditious writers who calumniate the Anglo-Indian community?

Where lies the remedy then? It lies in making the average Anglo-Indian feel that if he commits a murder he cannot escape punishment through the guilty sympathy of European jurors. Repeal the invidious law which gives the European offender the benefit—of doubtful morality—of being tried by a majority of European jurors, and he will have a salutary care for Native lives. I am sure, in such a case, murders of Natives will be far less frequent, for Europeans will think twice before they "polish off niggers." We have thousands of educated and able Indian gentlemen who can act as jurors in such cases along with European jurors. Why then keep the invidious law of making the majority of the jury European?

Yours, etc.,

ZENO.

NOTES FROM BOMBAY.

[FROM AN INDIAN CORRESPONDENT.]

BOMBAY, August 5.

The topic of the day is the deficiency of rain in the Bombay and Madras Presidencies, in the Central Provinces, and in Kathiawar. It is nearly six weeks since the monsoon current from the south went astray. Nature in her caprice has been unduly bounteous in Bengal at the expense of the Southern provinces. The former has had more than enough of rain—so much that the sowings have been washed away. Superabundance of rain has destroyed the growing crops in Bengal. A long break will be needed to revive them. Meanwhile it is a "green famine" as distinguished from drought. The effects of excessive rain are as bad as those of drought. In the one case crops are destroyed and new sowings have to be made; in the other case the crops wither and die. The anxiety arising from this situation is intensified by the official report of no monsoon pressure in the localities mentioned above. But there is yet hope that the necessary rain may come, say in a week more. Otherwise the calamity which may befall Western, Southern, and Central India will not be less severe than that which was witnessed in 1896-97. This impending scarcity, closely following the great famine of that year, if not averted, is certain to leave more permanent injury. The Famine Commission has already told us how the sustaining powers of the agricultural masses, the day labourers who hardly get a full meal a day, have been greatly crippled. One can but imagine the hardships and sufferings of these wretched wails during the coming scarcity.

Wise through the costly and mournful experience of the last famine, the Bombay Government seems to be on the alert, so as to start relief works in time. The wisdom of preparedness cannot be questioned. But it is to be hoped that if things come to the worst, the relief operations will be carried on in a spirit of greater liberality and humanity than in 1896-97. The appalling mortality which occurred in the Central Provinces, and which has now been independently confirmed, will, it is to be hoped, find no repetition. After the revelations made by the Famine Commission, it would be a great scandal were the Central Provinces to be treated in the same culpable fashion as last time.

The plague, too, shows no sign of relaxing its deadly hold. Poona is even worse than it was three years ago. The daily mortality which a fortnight ago averaged 50, has now mounted to the appalling figure of 150, and as yet there seems to be no sign of abatement. As Professor Gokhale ruefully remarked in his reply the other day to the soothing and encouraging words addressed by Lord Sandhurst to the Plague volunteers, human ingenuity is baffled in all its most energetic efforts to stamp out the plague. There is a regular stampede among the people, and the city seems to be almost deserted. This heavy mortality has greatly exercised Bombay. It is alarmed at the rate at which refugees from Poona are pouring in here. The Municipality, the Government, and the public all seem to be on the alert. From to-day medical examination will be resumed at Kahan, where a cordon is drawn to prevent fever

patients from going to Bombay. The general opinion, however, is that whether one draws a cordon or not, and whether it be tight or slack, the pestilence is sure to break out here, and that even earlier than last year. As if to add to our troubles, the disease seems to have taken a new form. There is a high temperature of 104° to 105°, but without the buboes or the delirious eyes. In their place there comes over the patient a feebleness which soon makes the heart fail. He sinks and dies within twenty-four hours. In Poona the disease is accompanied by choleric symptoms. Native traders and bankers are greatly alarmed. Most of those who left six months ago have not returned. They have grown timorous. All confidence is lost. And superstitious as they are, they are deeply impressed by the ominous forecasts of astrologers who are always prone to benefit themselves at the expense of credulity. Again, the yarn and cloth markets have for a long time been depressed, and the wheat market has had no windfalls this season. Trade, therefore, is worse than ever. Altogether the near future of trade in Bombay looks very dismal, especially in view of the impending scarcity.

It would seem that the new currency nostrum of our rulers is doomed to failure. As the fates would have it, at the very introduction of the gold standard, the Government of India has to stare a new difficulty in the face. Exchange has for the last week ruled one-sixteenth lower than before—it is 33d.—and merchants and bankers are shaking their heads over a probable fall a little later. This much is certain, that the new recommendations have not met with any general favour from the Indian or the Anglo-Indian public. As to the latter, the speech made by Mr. David Yule a week ago, as Chairman of the Calcutta Bank, may be taken as a fair exposition of their views. It is a scathing commentary on the utility of the standard and the delusive attempts to stimulate the inflow of gold. Mr. Yule is more than doubtful as to exchange keeping up at sixteenpence; and his scepticism regarding the retention of gold by the Indian treasury is even greater. He vividly depicts the greater evils which must arise in time in view of the introduction of the gold standard and the unseen enhanced taxation which the producers of the country will have to bear. Mr. Yule is also sceptical about any large influx of capital. "Fixity of exchange" is not the only means necessary to attract British capital; the primary consideration must always be the soundness and the remunerativeness of the investment. This practical speech may be said to be the first independent and enlightened criticism of an able expert that has appeared since the recommendations of the Currency Committee were made public. Mr. Yule also vigorously assails the Government's policy of unbounded railways.

The official return of the financial operations of the three Guaranteed Railways for the past year is issued, as a supplement of the *Gazette of India*, July 22. From the date of construction to December, 1898, the total loss to the taxpayer is 13 crores. If to this be added the loss of 37 crores of the State-owned lines, the total is the colossal sum of 50 crores, besides the loss on account of the E.I. Railway from the commencement up to 1880. This is the net result of Indian railway finance on which the Secretary of State annually congratulates Parliament!

The Copyright Bill recently introduced into the Viceroyal Legislative Council, is being universally disapproved. It is monstrous to restrain by arbitrary legislation comments on telegrams for thirty-six hours. Were such a restraint to be put upon newspapers in England there would be a howl of indignation. But in India interested and selfish legislation is becoming the rule. Lord Curzon is not rising superior to the influence of the omniscient bureaucracy.

Lastly, I may refer to some curious comments of the *Englishman* on the rumour that 10,000 British troops are to be held in readiness to sail from India to South Africa. The *Englishman* thinks it is dangerous to send a single soldier away from India; for who knows what contingency may arise on the border? The second reason is the result of a strange delusion. The *Englishman* is afraid to send beyond the sea a single European soldier lest it should demonstrate (what is, of course evident) the possibility of a reduction of the number of British troops in India. No. The heavens may fall; but it would be disastrous for the Indian Government to spare a single European soldier from India lest Congressmen should triumph!

LORD GEORGE HAMILTON AND "INDIA."

The *Newcastle Leader* (August 17) in an article headed "Lord George Hamilton Again," wrote:

The Secretary of State for India is not remarkable for his prudence, but he seems to have been even more rash than usual in his references to the weekly publication called *INDIA*, in his reply to Sir William Wedderburn on Tuesday of last week. The member for Banffshire is one of the few men in the House of Commons who are qualified, by long residence in the country, and by wide official experience, to discuss Indian affairs in an intelligent fashion, and his criticisms of Lord George Hamilton's policy are, on that account, peculiarly

irritating to that Minister. In his speech on Tuesday week, however, the Indian Secretary did not attempt to reply to the points raised by Sir William Wedderburn. He substituted for a defence of his Budget a particularly truculent attack upon *INDIA*, a journal which exists for the purpose of acquainting the people of Great Britain, as far as it is possible, with the opinions and aspirations of the Natives of our great dependency. *INDIA*, according to Lord George Hamilton, circulates the "grossest falsehoods," which go out to the East, "and come back repeated a hundredfold in the Native Press," and he attempted to justify this extremely sweeping accusation by quoting certain comments of that journal upon a speech of his made on July 1, 1898. The main point of the indictment was that he had been falsely accused of calling India a savage country. In the current number of our contemporary the true facts are placed before the public. The Indian Secretary, in the speech which was criticised by *INDIA*, was defending the Indian Government. He very generously forgave those who attacked him personally, but he declared

he could not stand the attacks made upon their fellow-countrymen in positions of tremendous responsibility, who, at great risks to their lives, were striving to maintain the prestige of the British flag. If their Empire abroad was extending to an immeasurably greater extent than that of any other country, one of the main reasons of that advance and progress was that there were as many young men who at any moment when they were called upon were ready to go to a savage, foreign country, taking their lives in their hands, and by force of character and foresight they were enabled in an immeasurably short time to establish humanity and civilised order.

In his comments upon this remarkable defence of the Indian administration, our contemporary said:—

Lord George Hamilton tells us, as an answer to troublesome and seditious critics of the number of young Englishmen who are ready to go to a "savage, foreign country," to establish civilised order. Does this mean that India is a savage country, which is only becoming civilised by the efforts of the English—India which presented an aspect of ordered civilisation to the soldiers of Alexander the Great, the contemporary of Aristotle; a civilisation which was already ancient when the ancestors of the English were still nomads, and which has endured unbroken to the present day? The people of India have their faults, like other peoples; but who ever, before this, thought of them as savages? And yet if India be not one of the savage countries to which the Secretary of State refers, how does the readiness of young Englishmen to go to savage countries help the case of the English in India? Either Lord George Hamilton believes that India is a savage country or he can only defend the doings of the English in India by turning attention to what they have done in Africa, which, whether it be good or bad, is beside the question.

It seems to us that this is a perfectly fair comment upon Lord George Hamilton's speech, and it would be merely an act of courtesy upon his part to admit that he has made a blunder, and to apologise for his imprecision.

The *Investors' Review* (August 19) said:—

Too late for publication we received from the editor of *INDIA* a slip of his reply to the attack made upon Sir William Wedderburn as the gentleman responsible for the policy of the paper, by Lord George Hamilton in the House of Commons. This week other subjects so occupy our space that we regret to be unable to accede to his request and publish these extracts. But after all it is hardly necessary, because the cause of Lord George Hamilton's wrath is plain enough. Carried away by the thin glow of his oratory, he did use in a speech language that bore the interpretation put upon it by *INDIA*. He was in his feeble way glorifying English character and thanking Heaven, or his particular Imperial god, for creating such a number of nice young Englishmen who were able and willing to go forth into the world and subdue the "savages" thereof. As his address was ostensibly devoted to Indian affairs, it was a fair retort to ask him whether he considered India a "savage" country, open to the talents of these nice young men. He clearly did so mean it, and it was because he so meant it at the time that his wrath boiled over against Sir William Wedderburn and *INDIA* for catching him out in his maladroit insolence. We are sorry for him, but cannot say that we expected anything better from such a man, for we have always felt that the presence of one so weak, though perhaps well meaning, at the head of a great department like the India Office was of the nature of a warning to look out for coming trouble in that dependency. Strong men and true are wanted to turn India back from the gulf towards which it is plunging; and Lord George is not a strong man. It is his misfortune, and one can pity him more than blame. But he really should abstain from calling people liars.

The *Reformer* (August 15) reprinted our reference to the matter in our issue of August 11, and said:—"We have on several occasions drawn attention to *INDIA* as almost the only paper in England which deals with Indian matters from the Indian point of view. Probably, therefore, several of our readers will have remarked Lord George Hamilton's attack on that journal in the House of Commons on the Indian Budget night. Lest any should be unduly influenced by it, we feel

compelled to find space for the reply made by the editor of *INDIA* in the issue for the 11th, which reaches us just as we are going to press. If Lord George Hamilton did not call India 'a savage country,' then it is the *Middlesex County Times* that he should attack for reporting such 'gross falsehoods.'

THE BRITISH MEDICAL ASSOCIATION AND INDIA.

[FROM A CORRESPONDENT.]

At the recent annual meeting of the British Medical Association at Portsmouth, two important questions of Indian medical reform were discussed. In the absence of Dr. Naïr of Madras, Dr. Sarat Mullick, who was cordially received by the large audience, moved: "That the present constitution of the Civil Medical Service of India whereby all important educational, scientific and sanitary appointments are exclusively reserved for members of the military medical service—viz., the Indian Medical Service, who are only lent for civil work till required for war purposes—is wrong in principle, prejudicial to the interests of medical education, science and sanitation, and unsuited to existing conditions and requirements; and that in the interest of medical education and sanitation in India and for the general advancement of medical science, the civil medical department should cease to be an appendage or a close reserve for a military service, and all educational, scientific and sanitary appointments in the department should be thrown open to the best talent available from the open profession of medicine." At the outset Dr. Mullick acknowledged the work done by the Indian Medical Service. They were the pioneers of modern sanitation in India. But while fully crediting them with their past services and admitting their many virtues, he said the time had come when some changes were necessary in the way in which medical appointments were made in India. The Indian Medical Service was primarily a purely military service. When the Government was confronted in the early days of organisation with the difficulty of filling the civil posts, it determined to lend the military doctors to the civil authorities reserving to itself the right of calling them back to active service in time of need. That was the genesis of the present arrangement, brought about by the exigencies of circumstances. What was the position to-day? There was no dearth of trained Indian talent, there being a large and increasing number of locally trained doctors, many of whom were in charge of the subordinate civil appointments. They were men of fine intellect who for powers of perception and observation would compare favourably with any set of medical men wherever chosen. The times had changed and a new order of things had arisen. India no longer stood in splendid isolation appealing to the Occident simply through the halo of mystic philosophy. It was no longer, at any rate to the same degree, a country which was uncomfortable enough to be just sufficiently interesting for a picnic party. Increasing comforts and rapid means of transit had brought India much nearer England and revealed to her the infinite resources of the country and the unbounded genius of her people. (Cheers.) Therefore he contended that if all but the purely military appointments were thrown open to the profession at large it would attract the best English and Indian talent. Each post would attract men who had made that branch a speciality. No hardship would be inflicted on the Service for they would have the same right to compete as others and greater would be the honour of success. It was no argument to say that the present system was "open competition." The choice was unnecessarily restricted because men who disliked military service were obliged to give up the idea of competition. There was no advantage of military training for civil posts. The age for the Service was limited to 28. One would have thought that the important posts required skilled knowledge which could only be acquired by special study for a number of years. Then again it did not follow that because a candidate was disqualified for the army through some physical defect that should also limit his utility as a civil medical officer. The speaker quoted the protest of Dr. Clarence Smith, late of the Indian Medical Service, who said that "when men enter the Indian Medical Service they are necessarily mostly very young and lacking in experience and are not thus specially qualified for holding appointments in the more important civil posts." Dr. Mullick in concluding his remarks said that he confidently looked forward to the day when the interests of a Service would give place to the welfare of a nation; when medicine under skilled supervision would find as prolific a nidus for its development in India as it did in Europe, and shower upon suffering humanity the blessings of experimental and practical science. (Cheers.)

Dr. POTTER in seconding the resolution said that he had had large experience of private practice in India. He echoed every word uttered by Dr. Mullick and dwelt upon the unnecessary exclusion of eminent specialists from posts which were but ill-filled by their present incumbents. He gave instances of incompetence in the Indian Medical Service doctors, who at short notice were appointed to posts which required long special study.

Surgeon-General HARVEY next took up the case for the Service of which he is the head. He vehemently repudiated the charge of incompetence in the Service. The resolution, he held, was inaccurate, and he gave instances in which civil and sanitary posts were filled by men outside the Service. Extreme tolerance was indicated by the fact that several natives of India had entered the Service and filled high places. In one instance an eminent bacteriologist appointed by the Government of India was not a British subject—he was not even a medical man. (Cheers.) He congratulated Dr. Mullick on the temperate and courteous manner in which he had moved such a controversial and, in his opinion, impossible resolution. His judicious remarks would do more to broaden the gates of appointment than the resolution even if carried. He had taken and would take every opportunity of finding men with special knowledge for the posts. (Cheers.) He sympathised with Dr. Mullick for his natural desire to

promote the interests of his countrymen. The appointments were open to his countrymen as much as to anybody else if they cared to risk their fortunes by open competition. He twitted the Association with taking up such subjects, with which they were scarcely competent to deal. The Government of India was the proper body to regulate such appointments.

Colonel KENNETH McLEOD (I.M.S.) wished to associate himself with Dr. Harvey's remarks. He said that the Service had done a great deal of good work. (Cheers.) All the medical organisation existing in India was the product of the Indian Medical Service. The success attained by such men as the late Brigade-Surgeon R. Chundra Chundra, Mohendra Lal Siroor, the mover of the resolution and others, was largely contributed to by the Service. He wished to support Dr. Harvey with regard to the courtesy shown by Dr. Mullick. Let the wealthy men of his country freely open and support such private institutions as were the glory of England. They would then have abundant scope for their energies. (Cheers.)

Dr. MULICK in response to the loud calls for a reply said that he joined issue both with the Surgeon-General and Colonel McLeod. He had no wish to benefit his countrymen to the detriment of the profession. All he contended for was the root principle underlying the whole question of public appointments. Let them be open to all comers. If in such a competition his countrymen went to the wall after a fair and rigid test they were willing to take the consequences. He for one would not by one jot or tittle encourage nepotism even in favour of his own countrymen. (Cheers.) He knew very well that given equal opportunities the Indians would make as good a fight as any. As for the fact that some of the posts were filled by open competition, the Surgeon-General thought that that was sufficient to settle the whole question. Dr. Mullick contended that that only supported his resolution, for what was sauce for the goose was sauce for the gander. (Laughter.) The principle of open competition would equally improve the other posts. In reply to Colonel McLeod's contention that the Indians or anybody else were eligible through competition, he said that it was an unnecessary hardship to make Indians come to England and risk both time and money in an uncertain venture whilst it was different for these stay-at-home English rivals. Further they would not get the men for the high professional chairs such as they had in Europe who after years of probation and specialised study had risen to the professional chair. The simple reason being that Indian Medical Service men were plucked from one branch to another and held posts in many cases not by virtue of special knowledge but simply because they had mechanically risen in the service by the flight of time. He maintained that the defence on behalf of the Indian Medical Service was inadequate, for no answer had yet been made to the charge that no principle could be considered sound which favoured a particular service to the exclusion of the rest of the profession.

On the resolution being put to the vote it was lost by a majority of two, which is very encouraging for future efforts as Portsmouth is a naval town where naval and army doctors muster strong.

After some further business, the President called upon Dr. MULICK to move his motion which was—"That having regard to the fact that persons possessing no knowledge of medicine are by law allowed the same right to practice in India as fully qualified practitioners, this Association considers it advisable that there should be a system of registration to protect the public from the mischievous machinations of charlatans; it further undertakes to do all in its power to carry this resolution into effect." Dr. MULICK said that all he contended for at present was that there should be an official record of qualified doctors, so that the public could recognise a quack. There was no desire to establish the penal clause which prevailed in England until the Indian public was a little more prepared. Some time ago he had drafted a question which Sir Walter Foster put to Lord George Hamilton. The Secretary of State replied that there was no means of preventing quackery from consulting quacks. *Motus inquit, non datus est in potestate in England which could prevent people consulting quacks.* Yet they knew that the English Registration Act had saved many a life from the clutches of quacks. It was but a platitude to say that they in India valued their lives as much or as little as they did here. Why then should they not receive such protection as the law could give, and as they had a right to receive. He appealed to members to lay aside the attitude of *laissez faire* towards Indian questions. They could help Indian reformers by influencing the Government in a greater degree than the Indians could. It was not sufficient to express a pious opinion. If they were convinced as reasonable men of the necessity of this reform, it was their duty as members of an Association which influenced medical matters all over the empire to carry this and kindred reforms to a successful issue for the happiness of millions of their fellow subjects. (Cheers.)

The motion having been seconded, Surgeon-General DONNS remarked that he deprecated all such interference on behalf of the Association. India was a vast country and required careful handling. Such matters should be left to the Government.

The President of the Council supported the resolution, saying that the Executive Council had taken up the question and would do nothing rash. (Cheers.)

On being put to the vote the motion was unanimously agreed to.

THE INDIAN CURRENCY COMMITTEE.

IMPORTANT SPEECH BY MR. DAVID YULE.

In the course of his speech at the eighth half-yearly Ordinary General Meeting of Shareholders of the Bank of Calcutta, Limited, the Chairman, MR. DAVID YULE, said:—

Much has been said about the certain influx of European capital as soon as the Currency Commission completed their report, but I think business people in India will do well not to count on relief from financial tension from that direction. There is a great deal of doubt and

suspicion in regard to the measures taken to make India attractive as a field for fresh British capital, and the evidence given before the Currency Committee by one or two of the foremost financiers in England is of itself sufficient to suppress enthusiasm among others. The drawback to confidence is that the Government of India show little faith in their measures for securing fixity of Exchange. A railway concession may be obtained under a guaranteed interest paid in rupees, but nothing will induce the Government to pay the interest in sterling on the basis of 1s. 4d. even at a saving to the State of seventeen per cent. of the interest charge. Naturally people in Europe want payment in a currency they understand, and if they are willing to pay so much for this privilege the Government cannot refuse without shaking belief in their ability to do what they seek to assure people they can do. Fixity of Exchange is not the only means necessary to attract British capital; the primary and chief consideration must always be the soundness and remunerability of the investment. These contingencies cannot be readily assured and the influx of fresh capital, if it come at all, can only be slow and uncertain.

The fact that gold has already been tendered in India in exchange for rupees and that small purchases have been made of rupee securities is not of much importance. The gold was shipped to India as part of an Exchange operation, the importers accepting the Government's standing offer of Rs. 15 per sovereign, because it enabled them to secure their profit and close the transaction. There is no doubt that if this gold had been offered openly in the Bombay and Calcutta markets, it would have been absorbed readily, not a sovereign finding its way into the Government treasuries. We cannot overlook the fact that of the 400 million pounds' worth of gold, which is estimated to be the total quantity hoarded in India, only a fraction, some 30,000 pounds' worth, was tendered for exchange into rupees, in spite of the great emergency which existed in the money market, when even loans against gold were not obtainable at eighteen per cent. interest. The rupee securities were bought in anticipation of Government legislation to guarantee the return of the money without loss by Exchange, and as things have turned out there is now an element of speculation in the transaction, which cannot be altogether satisfactory to those concerned. So far as I can gather the recommendations of the Currency Committee do not meet with the approval of anybody in this part of the world. We have not yet received the report itself, but the telegraphed summary pointedly states that steps are to be taken to avoid all possibility of doubt as to the determination not to revert to silver standard, and that the main reason for this disappointment of those who expected the Committee to do this country justice, in face of the official wire-pulling, we are told that the proposals of the Indian Government as embodied in their despatch of March 3, 1898, cannot be recommended. I think it is eminently satisfactory to those who like myself are in favour of the reopening of the mints to find that our views have for once been placed on a footing of equality with those of the Government of India, in that both have been rejected by the Currency Committee. The despatch referred to must be read however as a carefully considered statement of reasons for the further steps which Government believed were necessary to secure fixity of Exchange. The writers of the despatch were in India; they had financial advisers at hand with long experience of the country and with the fullest information on all points. It is incredible that the precautions they advised for the safety of fixity of Exchange can be ignored and the despatch thrown aside as so much waste paper. Few of the members of the Currency Committee have lived in India, their knowledge of the country extends to what they have been told about it, and this being the extent of their experience and information, Lord Elgin's description of them as an "independent and impartial tribunal," was entirely to the point.

It remains to be seen however whether European capitalists are satisfied that the Government of India are wrong and the Currency Committee right. The capitalist can take care of himself, but business men in India cannot view otherwise the writers with suspicion the rejection of the Government's proposals, for it may justly be said that the chances of the effective establishment of a gold standard are considerably weakened, if not altogether imperilled thereby. We who believe in free coinage of silver anticipated that if the Government proposals were adopted, the result would be so disastrous to trade that in a very short time there would be a return to the system of currency under which India was so long and so notably prosperous, and our feeling now is that the half-measures recommended by the Currency Committee can but prolong the anxiety and suspense, the distress and ruin which must exist so long as the country is, as it is now, practically without any standard of value, and without sufficient currency to meet the requirements of trade. The Committee sympathise with the Government of India in their desire to strengthen the position, but beyond doing that they do very little for which the country has to be thankful. The present ratio of 1s. 4d. is to be maintained; sovereigns are to be made legal tender; the Government's hoard of gold is to become available for foreign remittance in the event of Exchange declining below 1s. 3½d. and the mints are to be open to the free coinage of gold.

The majority of the Committee have been unable to grasp the truth of the statement that the prosperity of the people and of the Government and of the Government's commercial undertakings, such as railways and irrigation works, had increased in spite of the decline in the exchange value of the rupee. The problem of what the mints of matters might be, when the rupee was worth nothing at all raised their apprehensions, but the subject being beyond the mental range of the witnesses who had brought it forward as an argument against the re-opening of the mints, no conclusion was arrived at. In view of the almost unanimous opinion of the Government witnesses that the artificial and enhanced value of the rupee had not interfered with trade or constituted a tax on the people, it is unfortunate that the Committee did not enquire who were paying the Secretary of State sixteenpence for rupees which cost the Government of India only tenpence. It would have been found that the purchasers were not Americans or Australians or Africans, but the Government of India's own subjects, and if it be not a tax on producers to be forced to pay

sixteenpence instead of tenpence for the rupees which represent the balance of profits on their exports, the word has no meaning, and another is required which will signify the loss producers sustain and the profit which goes into the Government's pocket.

It is significant that two members of the Committee recommended the ratio to be reduced to 1s. 3d. So far we have not heard on what ground they did so. It does not follow because Exchange has ruled in India at 1s. 4d. for some months past, that it has been effectively established at that rate and that prices have adjusted themselves to it. We must bear in mind that during the past year exports were largely in excess of previous years, and this was brought about by the failure of the wheat crops in Australia and elsewhere. The price of this article in consequence of the scarcity was rushed up in the European markets to an extraordinarily high figure and, fortunately, India with an excellent harvest was able to make the most of her return. The result was that there was a balance of trade in favour of India of nearly thirty crores of rupees, which had to be remitted back to the country. It is this circumstance only which has maintained exchange at 1s. 4d. and has enabled the Secretary of State to sell nearly 3 million pounds' worth more Council Bills than were required to meet the Government's gold liabilities for the year. The gold which is now in the Government treasuries was a remittance on account of these thirty crores, and but for the fortuitous circumstances of large crops in India, poor crops elsewhere, and the consequent high prices of produce, it is impossible to believe that this gold would now be where it is or that Exchange would stand at its present level. The difficulty will be to maintain that level, for it is undoubtedly too high, and with average crops and average prices, the Government foresaw, as the despatch of March 3, 1898 shows, they could not do so without borrowing in gold. They were prepared to support fixity at 1s. 4d. in spite of the dictates of trade by adding constantly to their gold obligations, a course which in my opinion could only have one end—disaster, both to the Government and to the people.

As regards the sovereign being made legal tender, it requires little knowledge of India to calculate to what extent debtors will avail of this privilege. The almost unseemly haste with which the Government have approached the representatives of the gold mining industry in India with the object of diverting the produce of the mines to the Indian Gold Reserve, indicates that the Government have no desire to encourage the circulation of gold, and this feature of currency administration will not be lost on those who have hoards of gold, and on others, who like the Government are new to the banking business but seek profit in it. The policy of opening the mints to free coinage of gold will undoubtedly help to extend the craze for hoarding, for the division of gold bars into pieces bearing the Queen's head, a guarantee of purity, will disperse the metal more effectively among the lower classes, who, so far as my experience goes, do not buy gold to sell it again. The Government's greatest competitors in the gold market are the monied classes, and they too will stand in the way of India ever being able to attain to the anticipation of the Currency Committee—a currency based on the free inflow and outflow of gold. There are one or two other points worthy of consideration in regard to the purchase of the gold produced by the Indian mines. At present the major portion of the output is exported, and a part of the proceeds as may be required to pay wages and meet other expenditure in India helped to swell the demand for Council Bills. The stoppage of shipments by the sale of the gold locally will therefore have a weakening influence on Exchange, while, as I have said, the Government may receive no compensating advantage, for sovereigns being legal tender without restriction on their coinage, it is exceedingly unlikely they will ever find their way into the Reserve Treasury, for the necessity to change them into notes or rupees does not exist.

The eagerness of the Government to increase its gold reserves cannot be concealed, and their policy will be followed loyally by all who stand for gold, and more especially by independent Chiefs. The release into circulation of large quantities of rupees now hoarded would seriously endanger the present location of the 2½ millions of gold which the Government have managed to accumulate, for the balance of trade in favour of India, has undergone considerable contraction during the past few months, and prospect of early improvement does not exist.

View the recommendations of the Currency Committee from any point you choose they are barren of hint or suggestion as to the means to be adopted to prevent the reversion to a silver standard or the measures which must be taken for the effective establishment of a gold standard. So far as one can judge, Lord Elgin's "independent and impartial tribunal" have wasted a great deal of public time and money, and the result of their labour is that they have convinced every one that the Indian Exchange problem is as far off solution as it was before, while the Government of India is left to sink more hopelessly into the pit which they dug for themselves in 1893. But the fault does not lie with the Committee. The task set them was an impossible one, seeing that their instruction from the Secretary of State practically barred them from recommending the opening of the mints. The Government of India sought a stable exchange with the United Kingdom, and under present circumstances it is just as possible for silver to meet that requirement as it is for the Government to do any ordinary expenditure and at the same time to maintain the huge commercial undertakings they concern themselves with, and which have for forty years swallowed up all surpluses and burdened the country with debt.

The warning which the Currency Committee now give the Government to husband the resources at their command, exercise a resolute economy and restrict the growth of their gold obligations was given year after year from 1874 by the steady decline in the Exchange value of the rupee. Records show that the Government fully realised the difficulties which their increasing gold obligations would land the country in, but instead of checking expenditure a great impetus was given to it by the inauguration of a policy for the more rapid construction of railways.

In spite, however, of the heavy payments for construction of new works and interest on guaranteed lines, the country was prosperous and solvent up to and at the closing of the

minis and it was only the fear of a further decline in the value of silver, which would naturally come upon any one who had been over-trading on capital borrowed from a gold currency country, that preyed upon the official mind and caused the step of closing the mints to be taken. This step was a distinct breach of the promise given by Government in 1884, and laid down by them as a cardinal principle, namely that the proposals for the extension of railways were contingent upon their involving no new taxation, but the Government had already overlooked this promise in 1886 and 1888, and they had to do so again in 1894. During the twenty-six years ending 1893-94 there was a net deficit of roughly 540 lakhs, between revenue and expenditure while the direct loss to the State on railway outlay during that period amounted to upwards of 3,000 lakhs. Against that loss the people of India have had to be admitted the means of protection from famine by facilitating the conveyance of food to districts affected by scarcity from parts where grain was abundant, as well as an instrument which has played an all important part in developing the internal trade of the country. The deficit in the revenue was after all not so great as to endanger the credit of the Government, and accounts show that the net charge of debt for the construction of railways and irrigation works was 250 lakhs less for the five years immediately preceding the closings of the mints than for the five years commencing 1874-77, in spite of the fact that the average rate realised by the Secretary of State upon his drawings during the latter five years was 5½ p. per rupee better.

No wise Government would have incurred an annual expenditure of ten crores of rupees on railways, with a steadily declining Exchange, had the country not been responding powerfully to the fertilising effects of cheap silver and an automatic currency. And the fact that no check was put on this outlay tells more plainly than rains of currency evidence that the Government of the day considered the country could bear it, and undoubtedly they were right. I wish I could be certain that the Government are justified in spending so much as they are now doing on railways and irrigation works, with famine and war again ready to sweep their treasury clean. The low prices of field produce have also to be taken into consideration as likely to affect the collection of revenue, for it must be borne in mind that the cultivators have to bear the tax of the 1s. 4d. ratio, and they are the class which can least afford it. The compensating advantages to them of higher Exchange do not exist, for there has been no decline in the cost of production, and prices of their produce exported depend chiefly on supply and demand, India having to accept what she is offered, in competition with other countries her influence in determining prices is of very minor account. For a time at least we have to abandon the idea that the mints will be reopened to free silver, this solution of the problem having been absolutely disowned by the Currency Committee. It would have been some consolation however had the proposal to reduce the ratio to 1s. 3d. received the consideration it deserved, and I do not think the Government would have lost in the end by giving this assistance to producers and manufacturers. It would have enabled them to compete with silver as well as gold currency countries on more equitable terms, while as regards the internal trade of the country it would have shifted so much of the burden of the tax from the shoulders of producers to those of consumers. The 1s. 4d. ratio can only be maintained by keeping producers from year to year under constant high pressure, a condition which few are able to bear. The Government have already by the passing of the sugar countervailing duties assisted the Native sugar industry at the cost of the consumer, and there are other industries which are quite as much in need of help. The reduction of the ratio to 1s. 3d. would have been a speedy way of satisfying those concerned. Our cotton yarn and tea industries are clearly prejudiced in competition with China, and no better illustration of their difficulties is required than the disastrous effect of higher exchange on the Government's opium account, which in the course of time will probably disappear altogether from the Budget. We should not like this fate to overtake our cotton mills or our tea gardens, by the experience of the past two years is sufficient to show that the capital invested in them is already in jeopardy. Our troubles, as you know, are ascribed to over-production, and there can be no doubt that if the present condition of things had been foreseen a great deal of land which is now under tea would still be in jungle. The idea of over-production in India is very hateful to me, for if it were justified, Englishmen are rapidly coming to the end of the work which has to be done in this country and there will soon be no room for further enterprise, for to-day everything seems to be in a dangerous position, all commodities testify. The Government is in a dangerous position if over-production is already taking place, and if it be regarded as a curse on the country, which can only be removed by the withering effects of higher exchange. Much stress has been laid on the fact that in spite of the 1s. 4d. ratio India's exports have not fallen off, and the Government is comforted by the assurance that so long as this continues they are perfectly safe in concluding that the country is prospering. It is surely to be believed that one bad year or even more would cause either European or Native producers to abandon their business. The stuff that has made India what she is, has more grit in it than that, I hope. What is happening is that, every effort is being put forward to increase production, for without that the present low prices spell ruin. Fortunately for the Government that it is so, and that it may continue, for if the balance of trade decrease or disappear, there will be something else to tackle than the fatuity of a gold standard.

THE TELEGRAPHIC PRESS MESSAGES BILL.

The following is the text of the Bill recently introduced into the Viceroy's Legislative Council to provide for the protection of telegraphic press messages:—

Whereas it is expedient to provide for the protection of certain telegraphic press messages; it is hereby enacted as follows:—

(1) This Act may be called the Telegraphic Press Messages Act, 1899.

(2) It extends to the whole of British India; and (3) It shall come into force on the first day of 1899.

2. Subject to the provisions of section 5, where any person lawfully receives in British India a telegraphic press message despatched to him from any place outside India, and publishes the same, or permits the same to be published, in any newspaper or other printed paper published or circulated in British India, no other person shall, without the consent, express or implied, of such first-mentioned person, or his agent duly authorized in this behalf, publish, or cause to be published, in any newspaper or other printed paper, such message, or the substance thereof, or any extract therefrom, until after a period of thirty-six hours from the time of first publication in British India:

Provided that nothing in this section shall be deemed to prohibit the publication of any such message after the expiration of sixty hours (exclusive of public holidays within the meaning of the Negotiable Instruments Act, 1881) from the time of the receipt thereof as aforesaid.

Explanation 1.—The publication of any part of a telegraphic press message or of the substance thereof, or (excepting the publication of any similar message in like manner sent) of the intelligence therein contained, or any comment upon, or any reference to, such intelligence, shall be deemed to be a publication for the purposes of this Act.

Explanation 2.—A telegraphic press message despatched and received as aforesaid, which is transmitted by the person receiving the same to any newspaper published or circulated in British India, is a telegraphic press message within the meaning of this Act, although it is also transmitted to persons who pay or subscribe for the same.

3. (1) Whoever, in contravention of section 2, publishes any matter, or causes any matter to be published, shall be punishable with fine which may extend to one hundred rupees.

(2) Whoever, having been convicted of an offence under this section, is again so convicted, shall be punishable with fine which may extend to five hundred rupees.

4. In any prosecution under this Act, the production of any document which purports to be a telegraphic message from some place outside India, received either directly, or through some other person who has received the same directly, and which has been delivered to some person entitled to receive the same by a telegraph officer, as defined by the Indian Telegraph Act, 1885, shall be *prima facie* evidence that the message published as herein before prescribed is a telegraphic press message within the meaning of this Act; and proof that any person is the owner, or is, or is acting, or appears to be acting, as the editor or manager of a newspaper or other printed paper in which there has been any publication in contravention of the provisions of this Act shall be *prima facie* evidence that such person has caused such unlawful publication.

5. (1) The provisions of this Act shall not apply to any telegraphic press message unless the same is printed and published under the heading "By Foreign Telegraph" and states the day and hour of its receipt.

(2) Every such statement as aforesaid shall be *prima facie* evidence of the time of receipt of the telegraphic press message to which it relates.

6. For the purposes of this Act all references to time shall be construed as referring to *Madras time*.

7. Nothing in this Act shall apply to any document published by, or under the authority of the Government.

STATEMENT OF OBJECTS AND REASONS.

On several occasions in the course of the last twenty-seven years the Government of India have received representations as to the expediency of securing some measure of protection for foreign telegraphic press messages received in British India. In 1885 it was decided to provide for the matter in a Bill to amend the law of copyright the introduction of which was at that time contemplated; but it was eventually decided that general legislation should not be initiated in India until the subject of copyright had been dealt with comprehensively for the whole of Her Majesty's dominions by Parliament.

Attention has again been drawn to the particular question of the protection of telegraphic news, and it seems to the Government of India that legislation regarding it is called for and that there is no necessity to postpone it any longer. The great importance to the Indian public of a first-rate service of telegraphic news cannot be denied; it is undoubted that enterprise in that direction is being checked because the existing law does not give any right of property in published telegrams, and the systematic piracy of extensive foreign messages has been the result; and the need for legislation has lately been recognised and acted upon by the colonial legislatures of New Zealand, Australia, the Cape of Good Hope, Hong Kong and Ceylon. In these circumstances it has been decided to introduce the present Bill, which has been framed somewhat on the model of the most recent of the colonial enactments alluded to, namely, that passed into law in Ceylon last year and entitled, "The Telegram Copyright Ordinance, 1898."

C. M. RIVAZ.

July 5, 1899.

At a meeting of the Imperial Legislative Council at Simla on July 14, the Hon. Mr. Rivaz moved for leave to introduce a Bill to provide for the protection of certain telegraphic press messages. He said:—"The question of affording proper protection to newspaper telegrams received from abroad has been under the consideration of the Government of India, from time to time, during the past twenty-seven years; and a Bill to amend the law of copyright in India which was prepared in 1885 contained a provision which proposed to protect foreign press telegrams for a period of twenty-four hours after publication. That Bill was, however, dropped, as it was considered expedient not to initiate legislation on the whole subject of copyright in this country until the law of copyright had been dealt with comprehensively by Parliament. The amendment of the general law of copyright in India is still suspended for the reasons I have

mentioned, but the question of protecting foreign press telegrams has again been recently brought forward, and the Government of India think that a good case has been made out for dealing with this particular matter without further delay. Legislation on the subject has been under consideration of late in several important British Colonies, and the present Bill, to some extent, framed on the model of the most recent of these enactments—the Ceylon 'Telegram Copyright Ordinance, 1898.' The period of protection now proposed is thirty-six hours.'

The motion was put and agreed to.

The Hon. Mr. Rivaz introduced the Bill.

BRITISH INDIAN TROOPS FOR THE TRANSVAAL.

[FROM THE "ENGLISHMAN"]

The announcement we are able to make that a force of ten thousand British troops will probably be despatched from India to the Transvaal in the event of hostilities with the Boers will be received with mingled feelings in this country. It must, of course, be a matter for pride and congratulation to all concerned in the training of the magnificent army in India to learn that the home authorities are not only willing to employ a division in South Africa but could also see its presence indispensable, and no one ought to grudge our gallant soldiers the opportunity of proving their prowess. But there is another and more serious side to the question. The troops it is proposed to utilise are wholly British. The objections that have from time to time been urged against the employment of an Indian contingent on foreign service apply with tenfold force when the despatch of the proposed contingent means a reduction, however temporary, of the British garrison in India. No one who has the slightest experience of this country can but be aware of the fact that domestic and external troubles, of a nature only to be conquered by physical force, are accustomed to arise without warning and to gather head with incredible rapidity. Scarcely two years have passed since the whole of the North-West Frontier was aflame. Never since the Mutiny has the British Empire in India been in such serious danger. People remembering how promptly Mahometan fanaticism was localised and subsequently crushed may imagine the above statement an exaggeration, but they forget that disaster was averted simply owing to the fact that we had troops and used them at once. Within a few days an army of nearly 72,000 men was lying stretched across the frontier from Hazara to Kohat. Lord Elgin in one of his farewell speeches referred to the anxious days and nights that followed the announcement that the Orangeists had risen, following the example of the Swatis, Bajauris, Mohmands, and Afridis. Had we not mobilised who can doubt that the Derajat would have been invaded, and what would happen in India with a frontier district actually in the hands of enemies of the Government?

The civil and military authorities who consider "that the situation in India will admit of a force not far short of 10,000 men being temporarily detached" for foreign service seem to look on the domestic and foreign relations of this country as fixed and constant factors the value of which may be determined not only for to-day but for next year; whereas they are so inconstant and shifting that while we can spare ten thousand soldiers to-day, to-morrow we may bitterly need them for home use also. Last year Mr. Chitnavis in the Imperial Council in the course of one of his speeches said it would be a good thing for India if the strain of supporting the British army were removed from the country, and he proposed that as a beginning the British garrison should forthwith be reduced by 10,000 men. This was the only point in the speech that Lord Curzon took any notice of. He would have Mr. Chitnavis know that while he (Lord Curzon) remained Viceroy of India the British garrison would not be reduced by a single man. If it is impolitic to reduce the garrison permanently by a few men it is not also wrong to send away ten thousand for however short a period? But even supposing that the Indian Government was absolutely sure that it could spare a British contingent in the present instance, there is the danger of the loan forming a precedent on future occasions. The army in India is just large enough for its work and no more, and the Home authorities must not be allowed to look on India as the source from which they can draw as many soldiers as they want for foreign service. We do not for a moment incline to the selfish view of India before the Empire. A crisis may arise which might call for a real sacrifice of Indian interests, and it is to be hoped that in such a case every loyal subject of the Queen in this country would be willing to make the necessary sacrifice. But no crisis exists in the present case, and the danger we are asked to run into is out of all proportion to the interests at stake. If England really needs soldiers she can get her ten thousand and more from Canada and Australia, where there exist no threatening frontier tribes and an alien population to be impressed and overruled.

There is a further objection to the loan of British troops from India. We have referred to Mr. Chitnavis and his plan for reducing expenditure. This scheme forms part of the Congress programme, and is looked on with favourable eyes by the Radical party at home. Suppose that the contingent is sent to South Africa. While it is away the Congress will say: "There you are. India is now saving money, and we do not see any signs of the British power or prestige waning in the East." We shall, accordingly, have the demand for a permanent reduction of the British garrison reiterated in a louder key, and everybody knows how persistent shouting influences those statesmen who look only for popularity. Such statesmen have been Viceroy and Secretaries of State. They may be Viceroy and Secretaries of State again. Again a more remote but none the less existent, danger is the chance of the ignorant population and frontier tribes misinterpreting the departure of British troops from India. We have already referred to Pathan fanaticism which may flare up however strong an army we may have,

but—apart from this—silly and foolish rumours as to where the Division is going and why might cause panic and disturbances all over the country. We have conceived it our duty to sum up and put on record all the objections to the use of the British garrison in India on foreign service, but it is probable that the two Governments have already made up their minds in the present case, and will not be turned from their purpose. In the meanwhile one may speculate as to the composition of the force that is being prepared. There are already two cavalry regiments in South Africa, besides the local bodies of mounted infantry and volunteers. There is no lack either of field artillery. The Division may be required to operate independently, however, in which case it must consist of all arms in regular proportions. The command, of course, will fall to an officer of the British Service, and no one seems better suited than General Sir George Luck, one of the keenest and most able soldiers in India, who has won his way to the command of the Bengal army by dint of sheer perseverance and in the face of many difficulties, and those of a kind especially disheartening to a fighting man. Not the least among his claims to the post may be mentioned the fact that he served in the Boer war of 1881 in command of the 15th Hussars.

THE RANGOON OUTRAGE.

We make no excuse for once more recurring to this shocking outrage. A correspondent in Rangoon is good enough to send us the latest Rangoon papers reporting the course of the proceedings, and, as it is clear that there is no attempt made in the matter which so nearly concerns their honour, we feel constrained to do our best as far as the means at command permit, to remedy this deficiency in regard to our own readers. First of all we must notice a Reuter's message from Rangoon dated June 7, which states that the enquiry to be held by General Montague Prothero would be confidential, and the result, entailing the censure or otherwise of the commanding officer of the West Kent Regiment, would also be confidential. This, if true, is a rather ominous beginning; public confidence can be in no way restored by public honour can be in no way satisfied, by a private enquiry and a private censure. However, setting that aside for the moment, we have soon afterwards informed by telegraph that Private Sullivan had given evidence implicating seven of his comrades, and the *Rangoon Gazette* (June 26) reports that on the 23rd these men were examined before the Commissioner of Police and their statements taken down. They were then sent before Major Wylie, the Cantonment Magistrate to whom they were willing to repeat their statements, but one of their officers (Captain Burt) intervened and advised them not to make any statement; says the report, "bearing in mind the position of the adviser this was tantamount to a command, and the men, of course, refused to speak." The men had already been warned by the Court that they were not to be compelled to answer any question or tender any statement, and it is, to say the least, curious that an officer of the West Kent Regiment should intervene to prevent the men from speaking when, having been duly warned, they were yet quite ready to speak. The proceedings before Major Wylie were therefore a perfect farce. Then comes the announcement that the Lieutenant Governor of Burma applied to the military authorities for a copy of the proceedings before the Court of enquiry but was refused, after a reference to Madras Headquarters, on the ground of privilege. All this tends to show that Reuter's agent had unfortunately been on the lookout for his announcement of secrecy.

A Simla telegram in the *Gazette* of June 25 speaks of the intense shame felt there, and says that the Civil and Military departments of the Government of India are in hearty accord in asking the perpetrators to justice. So far so good, as long as the "justice" is not "private and confidential." On July 7 the seven implicated men, Privates Johnson, Thorpe, Comber, Martin, Goff, and Boulter, and Lance-Corporal Rodgers, were again brought before the Cantonment Magistrate, who was asked for and granted a further remand of a week. The police case was complete against all the accused, but the last issue of the *Gazette* to hand (July 8) says that "before the case can go before the magistrate the orders of the Government of India are awaited on the reference made to them about the use of the proceedings of the military court of enquiry, which the military authorities say are privileged."

Upon this point the *Times* of India observes: "The Rangoon military authorities seem to be bent upon pursuing a course which is bound to bring down a good deal of unnecessary odium upon the military administration in India. . . . The question whether evidence taken at a military Court of Enquiry is or is not privileged has little connexion with the real matter at issue." By taking refuge behind its possible privileges the Indian military administration declares itself "reluctant to give the amplest assistance in its power to help forward the investigation of one of the most shocking charges of crime brought against British soldiers in recent years."

It was one of life's painful "little ironies" that the *Rangoon Times* should have in one column, under the head of "Police News," a reference to the soldiers in custody in connexion with the outrage, and, on the same page, a report of the speech of General Sir George White, V.C., at the Burma dinner held on June 14 at the Café Monaco. With the horrible story of the West Kent Regiment, as yet only partly told, Sir George White had so little sense of decency that he actually could say, "The happier conditions of life in Burma generally might be traced in the first instance to the great work done by that instrument of British tyranny and oppression—the army (laughter and 'Hear, hear!')." For our own part we can only hope that educated Burmans do not read the *Rangoon Times*. If they do they must indeed be shocked at the callousness, the ignorance, and the vanity of General Sir George White, V.C., and his applauding fellow-diners. We confess that, under the sad circumstances, we should hardly have thought it possible for any military man to make such a speech.—*The Reformer*

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