# India

FOR THE

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## NOTES AND NEWS.

SOME of our home readers may already be satiated or depressed in toiling after the war-news from South Africa, and wearied in vainly trying to understand how it has all happened and whereunto tends all this confusion and agony. Let any such turn by way of relief and reassurance to the bright and pleasing descriptions in the current overland Indian journals of H.E. Lord Curzon's visit to the kingdom of Bhopal, and his reception by the monarch thereof, her Highness the Begum. By contrast with the present gloomy and grievous aspect of affairs in this Western portion of our Empire, this glowing *tableau* of an imposing political function in Central India appeals to the imagination and æsthetic sense like some vision of fairyland in olden time. And the distinguished figures that move before us as we read are full of life and endowed with human work-a-day speech. Albeit H.H. the Begum was veiled in burkha of brocaded silk, across which was drawn the light blue sash of the Star of India Order, with insignia attached of her Highness's rank thereon as "Grand Commander," through this slight disguise her Highness was able to read in "clear, unfaltering voice" her address of welcome to his Excellency, in which she said of herself: "In this vast Indian Empire there is none to-night so fortunate as I am, or who enjoys such royal favours as I do, because the representatives of our beloved Queen-Empress, his Excellency Lord Curzon, and her Excellency Lady Curzon, are my guests this evening." In course of his lordship's happily-worded response, after alluding to the devoted loyalty of the former Begum in the dark days of the Mutiny, he said—in recognition of the present ruler's active interest in the welfare of her people—"but the sceptre need not pass into feeble or irresolute hands when, by the accident of fortune, it is wielded by a woman, is shown by the career of our beloved Sovereign her Majesty the Queen-Empress."

This brief indication of the practical political business aspect of Lord Curzon's first official visit to an Indian State must suffice. Our passing object in drawing attention to this brilliant spectacle is to remind some of our insular politicians, who seem bent on ruining our commonwealth by rushing into a policy of aggressive and pinchbeck imperialism, that those purple tints which our Indian Empire displays ever and anon are really "fast dyes," as the past history of this Bhopal State illustrates, so far as they indicate that justice and the keeping of our pledged word to the politically weak are the only true and abiding foundations of Empire.

Lord Curzon took occasion in his speech at Gwalior to deliver a warning which, it is universally agreed, could not have been meant for the Mahárájá of that State, who is, as the *Times of India* says, "a chief of exceptional merit." Much that the Viceroy said was excellent:—

> The Native chief has become by our policy an integral factor in the Imperial organisation of India. . . . I claim him as my colleague and partner.

He went on to insist that the chief must not be "a frivolous and irresponsible despot," nor must "his *gadi* . . . . be a *divan* of indulgence. . . . . His figure should not merely be known on the polo ground, or on the race course, or in the European hotel." But his Excellency should remember that for these evil ways in Native chiefs Europeans are greatly responsible. It is they who praise and foster the sporting tastes of Mahárájás, while too many of them look askance at those who busy themselves with affairs of State, as if they were interlopers in the ground sacred to European intellect and energy. Still, the warning is sound and timely, and the proper head would do well to fit on the cap and look to the future through the new glasses furnished by the Viceroy. If a Mahárájá means to go to the dogs it is clearly the duty of the paramount Power to see that he does not take his people with him.

Several of the war correspondents have specially noted the impassive courage of the Natal Indians already acting in the field as dhoolie bearers, and have freely expressed their admiration. General Sir William Olpherts—"Hell-fire Jack"—who must be allowed to have an opinion on bravery before an enemy, thinks that sufficient attention has not been called to the devotion of these fellow-subjects of ours in their work of mercy. Says the *Daily News* (December 20):

> Under the heaviest fire they seek the wounded, fearing nothing, although without means of defence. Sir William Olpherts knows these obscure Indian heroes well. He saw them at Lucknow, where, risking death continually, they went out day after day to gather grass for the horses, themselves unable to find anything but grass to eat. In the opinion of Sir William Olpherts, these Indian fellow-subjects of ours are doing in Natal a work which requires even more courage than that of the soldier.

Undoubtedly; perhaps a different order of courage. It is most gratifying that an authoritative voice like that of Sir William Olpherts should be raised in justice to "these obscure Indian heroes," as well as in honour of the heroism of the British troops themselves.

In our last issue we noted the *Pioneer's* suggestion that one regiment of British cavalry and two batteries of horse artillery might be spared for South Africa—in addition to the contingent of some 11,000 troops already despatched. The *Daily News*, since then, has announced that four regiments of infantry, with a brigade of cavalry, will soon be on the way from Bombay to Natal. Upon which the *Westminster Gazette* comments (December 19):—

> One's natural impulse is to exclaim, "For this relief much thanks," but we confess to being not quite certain whether it is wise further to drain India of troops in this way. Ten thousand have already been sent, and if it is safe to send further contingents, will it not be said that this is proof that, as things are at present, we keep too many troops in India? For it must be remembered that India has to pay for these troops, and that this payment has always been rather a moot point. Would it not be wise to fill up the gaps in India made by these drafts for South Africa?

Evidently enough, it is safe; otherwise the troops would not go. The fact tells heavily against those excitable and injudicious persons who exclaim over the prevalence of "sedition." The payment of those excess troops has been rather more than a "moot point;" but the point can wait in the meantime, though, of course, it is now thrust into a prominence that will, it may be hoped, lead to a satisfactory settlement.

Some enemies of the Congress are trying—happily in vain—to stir up the people of Lucknow against it by suggesting that the delegates may bring the plague with them. Evidently they have not succeeded in persuading the inhabitants that the Congress principles are pestilential, so that they have to fall back on the fear of physical contagion. But even this danger the Congress arrangements have carefully provided against. Meantime the

effort to show that the Mahometans are standing aloof throughout India is being discredited by the facts. Thus, at Bareilly, according to the *Advocate* of Lucknow, out of eleven delegates chosen in public meeting five were Moslems. It goes without saying that these Moslems will be welcomed as frankly as if they were Hindus; it is not the Congress that desires to promote division, nor indeed the Mahometans generally.

A question often discussed in Calcutta last winter is again being asked: Is there plague in the city or no? Many cases of supposed plague have been proved not to be plague at all. Even the Anglo-Indian *Friend of India* is doubtful. It declares that, if some true cases have been found, they bear an insignificant proportion to those reported:—

> The fact is, the evidence on which the vast majority of these recorded cases are put down as plague cases is the unverified testimony of policemen, neighbours, and other lay observers as to what in their opinion was the probable cause of death.

And our contemporary rightly insists that, considering the liabilities and inconveniences which the supposed presence of plague entails on a household, no case should be recorded without proof. Calcutta has already suffered severely in its loss of municipal independence through mere suspicion of possibilities of plague, while in fact it has warded off attack with conspicuous vigilance and ability.

We have recently had occasion to refer to the crusade against the teachers in Madras. In Calcutta they have begun with the text-books. According to the *Sanjibani*, some zealous officials suspected that the text-books in use in the Cuttack division were tainted with "disloyalty." They, therefore, asked Rao Bahadur Radha Nath Roy, Assistant Inspector of the Educational Department, to send them some copies. Further enquiries elicited the fact that the Assistant Inspector had himself written a book. The book was examined and disapproved; and the author, "a distinguished educationalist of long standing," was deprived of his Rao Bahadurship. Pressure is now being put upon him to resign his office. The *Amrita Bazar Patrika* finds it difficult to believe that this can be true.

We confess that we feel ourselves in the same difficulty. It would materially assist one's judgment if the passages disapproved were set out for public information. We have not an atom of sympathy with any attempt to instil disloyalty into Indians, whether in or out of school; but, when so much nonsense is being largely talked on the subject of disloyalty, we should be glad to see the particular facts of this alleged case. Obviously, if it is a true case, then the deprivation of the Rao Bahadurship is inadequate penalty for the offence. If it is not a true case, then a serious injustice is being done to a gentleman that has to his credit a long course of unexceptionable public service; indeed, his reputation and his livelihood are gone. It is due to the authorities themselves that they should make this obscure and perplexing case abundantly clear to the public mind. Why has the character of the book not been discovered before now?

The *Civil and Military Gazette* expresses surprise at a Mahometan heading the list in the examination for the Indian Civil Service. This surprise is anything but flattering to the members of that community. However, apparently to make amends, it goes on to depreciate the Bengalis in comparison with their countrymen of the Punjab, Oudh, etc. The *Tribune* replies with some instances of the eminent service performed by Bengalis, recounting how for over thirty years the head clerk of the District Office at Peshawar belonged to Bengal, though now such offices, on account of the firmness and administrative capacity required, are reserved for Europeans. Among other cases it is mentioned that in the days of the Punjab Frontier Force the adjutant's right-hand man was always a Bengali. Still more striking is the story of the Bengali civil surgeon of Gurgaon, who in the time of the Mutiny converted the district gaol into a fort and held the rebels at bay. The *Tribune* claims "a fair field and no favour" for all races in India.

Some Indians talked so loudly when passing along a road near the Sub-Divisional Officer's bungalow that, as they would not desist when warned, he prosecuted them before Mr. Engelbregt, the Sub-Deputy Magistrate of Sitamashi, who convicted them under Section 160 of the Penal Code, and fined them each Rs. 10, or in default one week's simple imprisonment. Unfortunately this section only refers to persons disturbing the public peace by fighting in a public place, and even if the accused were quarrelling they were certainly not fighting. Consequently, when the matter came before the District Magistrate of Mozufferpur, he declared that the conviction was "altogether bad," and ordered the fines to be returned. The men were the servants of a zemindar. Had they had no protector they might have been unable to appeal, and would then have suffered a grave injustice. We take the account of the case from the *Amrita Bazar Patrika*.

The Bengali clerk of Mr. Scot, manager of the Singri Tea Estate, finding himself growing old, asked to be allowed to leave the plantation. This was refused. Some time later, finding the clerk's work in arrear, Mr. Scot took him to task, and on the clerk's declaring the work too heavy gave him some cuts with a cane and set two men to keep watch over him. Next day the manager asked the clerk if he still meant to leave him, and being answered in the affirmative beat him again and increased the number of watchmen. In the night the clerk managed to escape, leaving his wife behind him, who was afterwards rescued by the police. These particulars, which we take from *Power and Guardian*, are those given by the clerk in his complaint to the Deputy-Commissioner. No doubt Mr. Scot will be able to give a different version of the affair. But the Deputy-Commissioner by refusing to issue summonses has put difficulties in the way of investigating a case which certainly seems to require some investigation.

The following case is given by the *Amrita Bazar Patrika* as an example of "the folly of investing boy-magistrates with high responsibilities. In September last a certain Babu Kunja Behari Dam was walking along the road with his umbrella open. Mr. Peter, manager of the Martinga Tea estate, was driving along the road in the opposite direction. The Babu failed to shut his umbrella up, when this august member of the ruling race approached; so Mr. Peter ordered his syce to break it. This he did, and assaulted the Babu into the bargain. The Babu swore an information and the case came before Mr. H. L. Salkeld, who is said to have joined the Civil Service only about a year ago, and who was in charge of South Sylhet during the absence of Mr. S. G. Hart. Mr. Salkeld not only dismissed the complaint but made the following extraordinary order:—

> As the man has been breaking the ordinary rule of courtesy to be observed towards Europeans in this Sub-division, he deserved what he got.

The Babu appealed to the Deputy Commissioner, Mr. Porteous, who ordered a further enquiry and severely reprimanded Mr. Salkeld:—

> The act complained of seems to have been an absolutely wanton and unjustifiable assault. The Magistrate's remarks on the occurrence complained of display a most extraordinary misconception of his duties as a Judicial Officer and are of a nature hardly believable as coming from an officer placed in so responsible a post as the charge of a Sub-division.

Mr. Porteous likes his own way as well as most men, but he has a deep sense of justice; and in any case, Mr. Salkeld's remarks must have intensely offended his robust commonsense. After the Chupra clanishness of officials, Mr. Porteous's sensible and severe strictures are refreshingly welcome.

The *Pioneer* does not believe that the recent Resolution of the Government of the North-West Provinces on the want of interest shown concerning the stamp revenue will have much effect. 'No doubt it will but produce many conflicting opinions as to the forces that underlie the figures, yet without any conclusion of much value. Our contemporary continues:—

> But so long as civil officers are out of touch with the professional and commercial classes there is not much likelihood of the accumulation of valuable opinion. If the observations of Government lead to closer relations with these classes, they will have served a more than useful purpose.

The coincidence of Indian and Anglo-Indian opinion that the officials are out of touch with the people and that this

is an evil to be remedied, is interesting—and no less suggestive. But when the doctors agree so well in the diagnosis, it is a pity there should be so much bitterness as to the treatment of the disease. The *Pioneer* flouts the Congress and at the same time endorses many of its complaints.

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The difficulties of the Indian Government are continually translating themselves into questions of finance. For instance, the Government and the European residents from excellent motives clamour for improved sanitation in Indian cities; the municipalities respond to the best of their ability; and as a consequence they often find themselves on the verge of bankruptcy long before they have satisfied their sanitarian critics. We learn from the *Pioneer* that the Government of India recently called on the Madras Government to furnish particulars of the financial state of the municipalities in that Province, to many of which it had lent money. The reply was not encouraging. The loans had been required chiefly to improve the drainage and water-supply; and last year, owing to expenditure on plague prevention, only ten municipalities were able to meet their engagements out of their ordinary revenue, and this although municipal taxation had been raised on the average one anna per head. The Madras Government, however, are still hopeful, because the legal limit of taxation has not yet been reached.

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The *Times of India* enforces the same moral in a very different sphere. The report of the Ajmere-Merwara Police is very bad: crime is increasing in the district, and last year nearly twenty-five per cent. of the force were departmentally punished—double the proportion of the year before. With famine, which is always the parent of crime, now afflicting the neighbourhood, this is a very serious position. Many reasons have been given for the bad state of the force, but our contemporary reduces them to one:—

> Good men do not join the force, because the rates of pay do not make it worth their while to do so, and once more efficiency becomes, like many of the problems of Indian administration, a matter of money.

One peculiarly dangerous symptom in the case of the mounted branch of the Ajmere Police is that they are said to be much indebted to the people of the district. The remedy for this fundamental mischief—lack of money—lies in well-directed efforts to promote internal prosperity while the war-spirit is lulled or engaged elsewhere.

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Much interest attaches to the Indian visit of the Rev. Professor Ladd, of Yale University. Dr. Ladd is one of the greatest of modern psychologists, and he is hoping to be better able to work out a treatise on Indian Philosophy by actual intercourse with representative Indian thinkers. He does not come, however, with empty hands. By this time he has delivered a course of ten lectures of the University Extension type on Psychology to great audiences in Bombay; and in January he is to deliver a course of fifteen lectures in Calcutta on the Philosophy of Religion. One would fain hope that he will diagnose the mind of India more capably than Dr. Fairbairn did. In any case it is interesting to observe the growing interest in India displayed by Western thinkers of the highest calibre.

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Without discussing the Court of Wards Bill recently passed by the North-West Provinces Legislative Council, we have great pleasure in acknowledging the statesman-like attitude of the Lieutenant-Governor to his critics. In closing the debate, Sir Antony MacDonnell said:—

> I should like to say that, if the Bill as produced had been produced 25 years ago, it would have been passed with little opposition. I look upon the change in public opinion in the last 25 years as a very desirable change, a change showing that the people, without being anxious to withhold their confidence in the Government, are coming to a clearer perception of their rights, and are more conscious of their own ability to protect those rights; secondly, I look upon all the discussions as an evidence of the awakening of the Natives of the country. I think that the changes noted are for the better, and that the Bill as now presented to the Council will work for the good of the people and for the preservation of many old estates.

With Bombay interpellations in mind, the *Indian Spectator* sensibly remarks:—

> How different is this attitude from that which would call to its councils only those who could be relied on to give a physical assent to anything brought forward by the Government for the time being! No wonder that Sir Antony's name is respected from end to end of the Continent as that of one who recalls the race of Munro and Metcalfe, of Malcolm and Lawrence.

Sir Antony is a courageous practitioner of Lord Curzon's precept of "moral suasion" in both its aspects equally. Is it not strange that he should have so few followers or companions in the practice?

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It is with much regret that we learn of the death of the Hon. Naoroji N. Wadia, C.I.E. Mr. Wadia applied an English education, and especially a Lancashire engineering experience, to the introduction and development of the manufacturing and dyeing industry in Bombay. As a great millowner and mechanical engineer he did yeoman's service on the Bombay Legislative Council, to which he was appointed by Lord Reay, in the discussion of questions of industrial and sanitary reform. His active interest in the Victoria Technical College will not soon be forgotten, nor the numerous charities prompted by a considerate and generous mind.

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The latest figures telegraphed home (December 19) show that no fewer than 2,226,000 persons are on relief in the famine-stricken districts, British and Native. The Lord Mayor of London the other day passed on to the Secretary of State certain suggestions of "a much respected missionary in Bombay," and invited his attention to them. The point was "that companies should be formed for importing grain into India and selling it through missionaries and others at cost price, so as to relieve the pressure now felt in parts of India that are suffering from famine." Lord George Hamilton acknowledged the communication (printed in another column) on December 14, but did not accept the suggestion. He properly expressed a high recognition of the previous co-operation of missionaries, especially "in rescuing orphans and widows and in helping children deserted by their parents." He considered, however, that "the efforts of missionaries will be more effective if they work as part of the relief agency of the country than if they work apart."

> The Government is pledged to spare neither outlay nor effort in the attempt to relieve distress and save life in the present famine. But the Government will always cordially accept the co-operation of missionaries, or of any effective local organisation towards making the relief operations more complete, and towards mitigating the individual cases of hardship and misery which are inseparable from a widespread famine in a country like India.

The details of the proposal, if any, are not available; and in any case there are obvious difficulties on the face of it. But it is for Lord George Hamilton to see that the measures of Government relief are efficient enough to exclude independent private intervention.

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The Gujarat Sabha has presented an able Memorial to the Government of Bombay, from which we reprint some of the more important parts in another place. We should hope that this careful criticism will be duly considered by the Select Committee on the Mofussil Bill, and that just weight will be given to the views expressed. The limitations put upon the existing privilege of local self-government are very unfortunate, and indicate that the spirit which destroyed municipal control in Calcutta has taken strong hold of the officials in Bombay. If half the Managing Committee of the City Municipality, for example, is to be officially or quasi-officially nominated, it does not appear worth while for the people of the locality, any more than it does in Calcutta, to trouble themselves about their local affairs. Such a single fact is enough to reduce self-government to a mere name. The Commissioner, again, can always interfere, or his sanction is required for this, that, and the other thing, as if the representatives of the people, specially elected for the purpose of managing their affairs, were the merest babies or fools. Naturally, also, there are laid upon the municipalities duties, more or less expensive, that ought obviously on any reasonable consideration to be undertaken by the general Government. We observe, too, that the Sabha complains in very many cases that the fines or other penalties prescribed by the Bill are excessive. The draftsman gives but too ample evidence how far he is from being in touch with the actual condition of the people. The Sabha, however, has discharged its duty faithfully, and it remains to be seen what attention the Government will pay to its representations.

## THE LUCKNOW CONGRESS.

THE meeting of the Congress at Lucknow comes at a time when England is so much occupied with another matter that it may be more difficult to obtain a hearing for it in this country than it has even been in past years. In some respects since the meeting twelve months ago the situation of India has been ameliorated, in some it has been aggravated, and it is not easy to decide on which side the balance lies. In one point it appears that some of the supporters of the Congress are inclined to too gloomy a view. They complain that they meet year after year and make little progress; that they see no results from their labours; and that they seem to have little influence on the course of events in India. Now this is a very natural impatience; and it may be that the results do not always correspond to the devotion and zeal displayed. But this is only the common lot of all great and permanent movements. To cite the old analogy, the waves on the sea-shore rush forward and draw back, but the tide is steadily flowing all the time. A period of reaction in England—it might almost be said, in Europe—has necessarily given birth to a period of reaction in India. But it is adversity that tries nations as well as men, and separates the grain from the chaff. It is then that self-seekers and braggarts fall away. It is in such times that men of true metal best show their stern purpose; and triumphing over all obstacles make their very failures, as Saint Augustine has it, the ladder by which they climb to greater things.

There is, indeed, in the spectacle of the Indian Congress, meeting year after year, impervious to the ridicule of its enemies and the lukewarmness of its weaker friends, something of good augury for the future of India. If its path of late years has been cheered by few victories, so much the more does its steadfastness of purpose shine before men. There has been manifested of late in many quarters, and even among the most strenuous friends of the Congress, a disposition to blame want of organisation or want of leadership for the slow progress made. By all means let us have the best organisation and the best leaders possible. But while reaction is sweeping over Europe, it is impossible that progress in India can be other than slow. The curious fate that has linked together India and England, those mighty opposites, has established a close connexion between the state of the body politic in both those countries. While the people of England are engrossed with Empire and military glory, and pin their future safety to the alliance throughout the world of the Anglo-Saxon race, there will be little inclination to gratify the hopes of the Indians. But these false gods will not for ever delude the English people; and when the day of awakening comes, the Congress will reap the fruits that have been sown in patience and matured in fortitude. It has ever been the strength of the Indian character to bear an equal mind in prosperity and in adversity. Let the Congress take heart. In happier days, generations yet unborn will look back on this unbroken series of annual meetings, and say: "Surely the men of those days were true men, full of courage and of hope. Surely it is an honour to be of their descendants."

And when we look around India to-day there are not wanting signs to encourage us. Only two years ago the country was afflicted by the triple scourge of war, pestilence and famine. The plague, alas, is not yet extinguished, and famine has come again—come while the ravages of its predecessor are still fresh and unremedied. But if the angels of death that slay with pestilence and hunger still hover over the land, the angel that slays with the sword has passed on to other lands. Not from India is the tale of blood now required. On her frontiers there is peace. The proud conquerer trusts her in his adversity—nay, looks to see what help she may give him should danger give place to disaster. And it is a remarkable lesson to those that talk glibly and patriotically of the "sedition" in India that the enthusiasm of Englishmen for the success of the British arms in South Africa is matched throughout the length and and breadth of India, and that Indians—the despised and persecuted Indians—in Natal are displaying a heroism of fortitude and calmness in aid to the wounded on the field which has extorted the glowing admiration of Englishmen on the spot and of the bravest of the brave—for instance, Sir William Olpherts—at home.

This relief from frontier adventure is an advantage that, the more it is studied, the greater it appears. No longer has India to pour out the blood of her sons; no longer has she to pay away the hard-earned money of her peasantry, at most always on the very verge of existence, in wild and inconclusive forays against the savage tribes of the frontier. No longer has she to support an English army immensely beyond her needs. It is an ill wind that blows nobody good; and that blast of war which is dyeing the soil of Africa red with blood, has set India free from a weight that has long been crushing her. The very admission that the poorest part of the Empire has been keeping up an army vastly greater than was needed for her own defence, is of good augury for the future; for there are other burdens from which India is still unrelieved. And let no one contemptuously pass this by as a mere question of money. Sound finance is the necessary condition of sound administration. Want of money is the rock on which the finest schemes of Indian reforms are wrecked. The sending of several regiments to South Africa not only closes for a time the policy of adventure on the frontiers; it relieves the Indian Treasury of the considerable sum spent in their maintenance; and it diminishes the Tribute in some small degree, if only under the head of private remittances to Europe. And the lessening of the Tribute is a fundamental condition of Indian prosperity.

There is another point wherein the country is more happily situated than in former years. True, it is by comparison a small matter. But questions of personality are necessarily of importance in India. That country has now in Lord Curzon a ruler of strong will, of great activity, of forceful intellect, anxious for reforms, and not wanting in the energy and audacity to carry them through. By a combination of circumstances most happy for India the question on which he was most opposed to Indian opinion, and in which his action would have been most disastrous had he followed out his previous ideas, has been removed for the present from the arena of practical politics. The forward policy has betaken itself to other lands, and the Indian frontier is at peace. Time alone can reveal whether Lord Curzon will fulfil the generous hopes of the people over whom he rules; whether he is really the young hero riding out to fight the three-headed monster of famine, injustice and oppression. But the Indians resolutely believe him to be so, and the belief is a cheering ray of sunlight in the darkness of reaction.

On the other hand, the tide of reaction has been flowing strongly since the Congress met a year ago. The long contest over the Calcutta Municipality has closed, and for a time the people have lost the control of their own city administration. Now the municipalities of the Bombay Mofussil have been attacked. And as if to show that no part of India can escape, the political liberties of the teachers, and even the unpaid managers of schools, in Madras have been threatened. Meanwhile, reform, whether fiscal or administrative, is almost at a standstill; the dearest wishes of the Indians are flouted; and the legislative energies of the Government, when not employed in limiting what little freedom India has acquired, are occupied with such doubtful attempts at the redress of grievances as the Bill to prevent the alienation of land in the Punjab.

But if the Congress has too seldom been able to make its influence directly felt—although its direct influence has been both large and beneficent—it has at least had the bitter satisfaction of seeing the evils that have come from a disregard of its advice. Especially is this to be seen in the matter of frontier policy, wherein it dealt faithfully with the Government. The frontier policy against which it protested was continued; the inevitable results followed; and there are few to-day, even among the most active revilers of the Congress, who will not admit that it would have been better if more heed had been paid to the opinions expressed by that body. Lord Curzon professes to be open to take advice. Is it too much to hope that on the many questions pressing for solution, he will pay heed to the views put forward by the representatives of educated India as they will now be set forth at Lucknow?

It is true that those who denounce the Congress for imaginary failings tell us that it occupies itself with vague and florid rhetoric and puts forward no definite proposals. Nothing could be further from the truth, as the most cursory survey of its published proceedings would show its critics. So far from its resolutions being vague or wordy, they are most succinct and practical, and deal with all the

great questions before the country. Last year, the *Times* indulged in one of its usual attacks on the *personnel* of the Congress. It spoke of the delegates as men without practical experience of the matters with which they had to deal. But it would be difficult even for the *Times* to make this good in the case of the present President. Mr. Dutt has spent more than twenty years as a civilian in the service of his country. He has risen to the highest post ever attained by an Indian on the executive side—the Commissionership of Orissa—and he has always been held both by his official superiors and the public, alike when a young man in subordinate posts and later in high office, as an honourable, able, and active member of the Indian Civil Service. On such questions as the state of the Indian peasantry, and the admission of Indians to a greater share in the administration, he speaks with authority second to none. Here then is a practical man—no mere talker or dreamer however eloquent he may be, but one who has spent his life in the practical work of administration, and that too with acknowledged distinction. To scout the advice and the warnings of such a man would be too absurd, even in the most irresponsible journalist. In the Government of India, it would be a blunder not distinguishable from a crime.

## THE JUDICIAL COMMITTEE.

FROM many quarters there has lately come a deepening cry of dissatisfaction with the judgments of the most august of British tribunals, the Judicial Committee of the Privy Council. Unpretentious and homely as is the outward aspect of the sittings of this unique body, its work embraces a variety and importance of interests beyond the range of the House of Lords itself, for under the surface of its purely legal business there runs an unseen current of vast political consequence in the relations of the Colonies and Dependencies to the Mother Country and the Paramount Power. A judicial body for the decision of appeals from the highest tribunals of local justice throughout the varied outlying members of the Empire cannot but be a most potent power for good or for evil, according as it commands or fails to command the confidence of the local litigants and the local judicatures. The recent symptoms of dissatisfaction, therefore, urgently invite enquiry. Sir W. Comer Petheram and Sir W. H. Rattigan have placed the complaint of India in a startling light, from different but converging points of view; and it is but fair to say that these experienced judges have only impressed with special authority opinions that have for some time been in open currency in Indian legal and private circles. Their views were resumed and enforced by Mr. Pickersgill, M.P., in an article on "Indian Appeals to the Judicial Committee," published in our issue of May 12 last (INDIA, vol. xi, p. 233). Perhaps the authorities will be more inclined to take into serious consideration a leading article in the *Times* of December 14 which runs on the very same lines, and advocates "the strengthening of the Judicial Committee." This article is couched in terms of conventional restraint, but that only increases its force of suggestion to anyone that is capable of reading between the lines. The *Times* has done conspicuous service in bringing the question within the range of practical treatment, on an array of fresh cases pointedly illustrative of the weakness of the tribunal.

A court sitting at Whitehall, even though distinctively Imperial in jurisdiction and character, inevitably shares the Imperial deficiencies of the neighbouring departments of State administration. The natural tendency is to make it predominantly British, or rather English, in acquirements, tone, and outlook. The political influences of the situation irresistibly encroach upon a sphere that ought to be governed by considerations of jurisprudence and law. It would be adventurous to affirm that the appointments to seats on the Judicial Committee are decided on grounds of substantial fitness apart from political convenience or party urgency. Yet there is no tribunal in the Empire where pure reasons of personal competence ought to weigh more heavily in the selection, and where extraneous reasons ought to be at a larger discount. In the Queen's Bench, the unfortunate results of political and social appointments are working out in a congestion of business, a declension of the Divisional Courts, and a pressure on the Court of Appeal; and the Lord Chief Justice is calling for more judges. But the Judicial Committee is a very different body, and such a weakness in it is not capable of remedy by such a simple expedient. Besides, the mischief resulting from the weakness tells far more seriously, for it operates a political discontentment as well as a legal dissatisfaction.

Again, let us assume that the political and social elements are wholly excluded from the system of appointment, and that the authorities are honestly bent upon securing the services of the best men available. Who are the best men? Here again the traditions of the English judicial system are exceedingly apt to be misleading. On a vacancy on the Bench, speculation is at once busy in seeking a successor in the limited number of Queen's Counsel that have most briefs; the question of juristic accomplishment is not the primary, but quite a secondary, consideration. It is the rarest of occurrences when an unknown junior of narrow practice is raised to the Bench by a Lord Chancellor that happens to know of his striking legal capacity, as in the case of Sir Colin Blackburn. And not unfrequently the new judge is chosen neither from the many-briefed nor from the jurist barristers of fewer briefs. In like manner, when a vacancy occurs in the Court of Appeal, the uppermost idea is to scan the courts of first instance for fit subjects of promotion. On this principle, possibly not without admixture, the home authorities have not unnaturally sought out gentlemen that have held high office, judicial or legal, in India, to represent India on the Judicial Committee. Yet, somehow, it is impossible to acknowledge that the result has been a success. The reason is not far to seek. A man does not find himself Legal Member of the Viceroy's Council, or Judge of the High Court, or Chief Justice even, on pure grounds of juristic capacity and accomplishment. It is hardly surprising, then, to discover that his promotion to the Judicial Committee has not secured the qualities theoretically required for the position. What is wanted preeminently is a jurist. But the very idea of producing or even countenancing jurists is only commencing to glimmer within the jurisdiction of the Council of Legal Education; and to your "practical" man, solicitor or statesman, a jurist is a dangerous fellow to be avoided or repressed.

There are points in the *Times* article that well deserve particular notice. "By the death of Lord Herschell and Lord Watson," says the writer, "the Committee lost two jurists who had great weight in the colonies." Yes, two "jurists": that is precisely the qualification that gave importance to the judgments of those two laborious and able men, and on which the colonial confidence in them was grounded. "Under a recent statute," the writer proceeds, "three colonial judges were made members of the Judicial Committee; but they had not been, and probably will not be, able to give much assistance to the Committee." Why so? The *Times* writer does not expressly say. Neither do we; for we do not know definitely the grounds of their selection, nor whether the claims of private or public interests allowed them time to qualify themselves as "jurists," although they certainly seem to have had time and opportunity already to show their paces. Further, "it is sometimes stated, but oftener hinted, that the Judicial Committee is needlessly prone to decide appeals on small, secondary issues, and too much afraid to lay down broad principles." Here too is a tradition of the English courts, which seems to have its roots mainly in a rule-of-thumb training, and to be extremely alien to a thoroughly juristic capability. The late Lord Watson was a conspicuous exception to this criticism, for he never shirked discussion of any substantial point fairly arising in a case; but it would be simple enough to point to an equally notable example of the weakness in the person of a distinguished member of the Court who never on any account goes beyond the minimum necessary to dispose of the particular matter directly in issue. This, we agree, is a deplorably false economy, while the alternative need not imply an exhaustive treatise for every judgment. Finally, "the judges of last resort know the documents; they do not know much more." The limitation involves a very grave censure. For, as the *Times* writer points out by specific reference to Indian cases decided the other day, there are constant questions "not to be safely handled without a knowledge of Native life and character." This weakness is further accentuated when the cases involve circumstances of Native life under

a transition such as took place about the period of the Mutiny, where peculiar social matters are complicated with historical facts that can be properly understood only by laborious investigation of official records. Take, for example, the settlement of Oudh, which the Viceroy, Sir John Lawrence, was so anxious to prevent from pressing too hard upon the smaller local people. The example is suggested by a reminiscence of a series of cases pursued through the courts up to the Judicial Committee some two or three years back, at the instance of a Maháráját against certain alleged birtdars and others in villages within his taluks. We say nothing as to the rightness or wrongness of the decisions. We merely join the *Times* in emphatically urging that the law cannot possibly be properly applied unless the judges are saturated with the local knowledge and the historical circumstances. One is apt to forget how much is implied into the case by the very atmosphere, of which an ordinary judge is all but unconscious. The lack of this atmosphere in Indian cases is peculiarly marked, and the decisions have thus too frequently proved "violently opposed to the drift of popular feeling," though the judges were aiming at laying down the law in strict accordance with Native ideas. This has been amply illustrated by Mr. Justice Bonnerji, Sir Comer Petheram, and Sir William Rattigan, as may be compendiously seen by reference to Mr. Pickersgill's article in those columns on May 12 last. The results are exceedingly unfortunate. "The law of the Courts," as Sir Comer Petheram says, "differs from the law of the people, and this has caused much misery and ruin, and has also in its own way tended to foster a feeling of distrust and discontent." But we are slow to learn. Does anybody remember, from historical reading, the violent excitement caused in Calcutta in 1765, in Clive's time, when a Native merchant, Radachurn Mitter, was condemned to death for forgery, in accordance with English law, though the Natives had never heard of such a penalty for the offence? The only difference now is that the excitement and indignation is suppressed and smoulders.

The *Times* refers to a supposed answer, to the effect that "suitable recruits cannot be found"—only to reject it. "What is the cause of this dearth," asks the writer, "if it exists? Why has not the Indian Bench been made inviting to men of the requisite ability to sit one day with credit in the Judicial Committee?" We pause for a reply, for we have already indicated our opinion of the way in which English judges are sometimes appointed to the Indian Bench. But there is more to be said. India cannot be properly represented except by Native Indians. That there are perfectly competent Native judges is indisputable: witness the impressive testimony of the late Lord Selborne. Mr. Justice Mahmood, the most learned and acute of modern Indian judges, has retired. Mr. Justice Muthuswamy Aiyar is dead. But who is there that could represent Mahometan law more ably than Mr. Justice Buddrudin Tyabji of Bombay? And who could more fitly represent Hindu law than Mr. W. C. Bonnerjee of Calcutta (and Croydon), who was vainly pressed by Sir Henry Maine to accept a judgeship nearly twenty years ago, and who enjoys beyond any other living man, except Mr. Dadabhai Naoroji, the confidence of his countrymen?

## LETTER TO THE EDITOR.

### THE ANGLO-INDIAN ATTITUDE.

*To the Editor of "India."*

Sir,—In the article on "The Lessons of the Rangoon Outrage," published in your issue of October 6, you speak of the contempt for the people so common among the Anglo-Indians. The existence of this feeling of contempt, however, would, I am sure, never be publicly admitted by the Anglo-Indian Press and our big officials, not because they do not believe in its existence, but because they think it inexpedient and impolitic to admit it. But we need not go far for our proofs. Not a month passes but we obtain the most convincing evidence of the existence of this feeling in the Indian stories which now form a distinctive feature of the monthly English magazines. These stories are obviously written by Anglo-Indians or persons who are intimately acquainted with their life and nature, and profess to depict Anglo-Indian society as it really is, and give us a glimpse of the real soul of the community. To take up a single magazine—the *Strand*, for instance. Its September number of the current year contains a story, "An Amateur Buddha" (p. 304), which begins with a "Britisher" addressing his Madrasee page in the following terms: "Well, come here, you confounded nigger, you; where are my shirts?" I dare say the ordinary English reader will not deny that this is not the way people in England address their servants when asking for their shirts, and that if it does not betray contempt it betrays something dangerously like it. Moreover, the ordinary matter-of-fact way in which the writer puts the words in the mouth of one of his most respectable characters would positively prove, if indeed any proof were needed, that this mode of addressing Native servants—and sometimes even persons of a superior class—is not considered at all an unusual thing in Anglo-Indian circles.

Turning again to the November number of the same magazine, we come across the following dialogue at page 506:—

"'You must have known there was plague there [in Bombay], my dear,' Sir Ivor put in. . . . . 'But only the Natives get it.'

. . . . "Oh, only the Natives!' Lady Meadowcroft echoed, relieved, as if a few thousand Hindus more or less would hardly be missed among the blessings of British rule in India."

I fear the quotation correctly indicates the attitude of the average Anglo-Indian in regard to the unfortunate Native victims of the plague. Instances might be multiplied from other magazines, but are unnecessary.

It is indeed in small matters like the above that the true nature of the Anglo-Indian discloses itself, because in domestic circles and family gatherings he is free from the necessity of being on his guard, and assuming a garb of hypocrisy which public policy and common decency would demand on more public occasions. "Sympathy, boundless sympathy," in the words of the present Chief Justice of Bengal, is all that we require at the hands of our rulers, and mere formal expressions of praise and stereotyped public speeches, however kind they may be, are as sounding brass or a tinkling cymbal unless they are followed up by real, genuine sympathy in the everyday affairs of life, which afford the greatest opportunities for its display. As long, therefore, as a wholesale reversal of feeling does not take place among the Anglo-Indians the root of evils like the Rangoon outrage will not be eradicated, and so long we may expect to see cases of outrage by Europeans upon Indians cropping up with quite a tropical luxuriance.

I am, yours, etc.,

A VOICE FROM INDIA.

## NOTES FROM BOMBAY.

[FROM AN INDIAN CORRESPONDENT.]

BOMBAY, December 1.

The news of chief importance is undoubtedly the visit of the Viceroy to Bhopal and Gwalior and his utterances at those historical places. At Bhopal he had to address a female sovereign who occupied the throne of her ancestors when Lord Curzon was a boy at Eton. The Begum has for years been known to be a capable and shrewd princess who thoroughly understands the art of government. She had an excellent training under her mother, who administered Bhopal before her. Both princesses have been loyal, without a shadow of suspicion, to the Paramount Power; and the relations of this excellently managed State with the Government of India have on the whole been of a most cordial character. So Begum and Viceroy had no difficulty in exchanging courtesies. The former was right royal in her hospitality, which Lord Curzon greatly appreciated. There was abundance of rose-water, and no doubt everybody was made happy by the Viceregal visit. But when all has been said, one cannot but feel somewhat humiliated at the tenour of the address in which both the Begum and the Maháráját of Gwalior, who also was profuse in his hospitality and full of honey and flowers in his utterances, welcomed the representative of her Majesty. Discounting all oriental exaggeration, pardonable in such addresses, one may question whether the humble undertone was quite consonant with the dignity and character of sovereigns of two such independent States as Bhopal and Gwalior. They spoke more like humble and obedient vassals than rulers in their own right. There has of late been discernible no little of this kind of humility among our indigenous princes and potentates, which shows how far they are being slowly reduced in dignity. It may be a serious question whether Political Agents, like the old Mayors of the Palace in France, are not the real rulers of Native States, while the Princes and Chiefs themselves are so many shadows of royalty.

It is not surprising that the Viceroy in his speech at Gwalior assumed the *rôle* of Imperial Cæsar and broadly hinted at the respective functions of the Feudatories and his Government. I have no recollection that former Viceroys adopted such a tone as that which Lord Curzon assumed there, albeit in a

most friendly garb, and in words which somewhat conceal the meaning they nevertheless conveyed. The preamble of the speech is worth carefully reading and analysis. No doubt it will rejoice the hearts of men like Sir William Lee-Warner and others who have peculiar notions about the Paramount Power and what they are pleased to call "Protected States." Slowly, but steadily, all vestiges of independence among Feudatory States in India are dying away. When the map of India may be all red one cannot say. But there are already signs of the transformation.

I notice that the news regarding the details of the prevailing famine is not published in the British press with anything like fulness. This is really a matter of regret. Surely there is no rigid censorship over famine news as there is over the news from South Africa? Why should not the English journals have fuller telegrams on the famine? The broad facts touching the course of this dire visitation are as follows. Let me first state the number of famished people on relief works and in receipt of gratuity on November 18 last, as compared with that on October 28:—

| | October 28. | November 18. |
|---|---|---|
| British India .. .. | 485,546 .. | 850,202 |
| Native States .. .. | 193,248 .. | 97,730 |
| | 678,794 | 947,933 |

It will be seen that there is an increase of 269,138 persons in three weeks. So far as to all India. Now as to Bombay:—

| | October 28. | November 18. |
|---|---|---|
| Bombay .. .. | 78,294 .. | 169,354 |

The increase is 91,060, say, in round figures, one hundred thousand. But this increase is chiefly made up from the district of Khandeish, where on the last mentioned date there were as many as 88,448 persons dependent on the State for their daily food. In the Punjab there are 72,566 on relief works, to which Hissar contributes as many as 60,821. Coming to the Central Provinces, we find as many as 528,592 persons on relief. Here almost all the different districts are bad, Raipur contributing the largest number, say 120,770. Next is Bilaspur with 84,710, Betail with 71,238, Chanda with 58,435, and Balaghat with the same number. This is indeed grievous for the Central Provinces. No province or presidency seems to be so hard hit as this, and one cannot but sympathise with the population there. Coming to Rajputana we find that the district known as Marwar is the worst, with 31,000 people on relief works. But the condition of Kathiawar is desperate. There are as many as 234,373 people on relief, and this number grows from week to week. In this province the scarcity of water is very terrible, and enhances the hardships and privations of the starving. But we are yet in the cold season. What the course of things will be when the summer approaches can only be imagined. Our anxiety will not be at an end till the monsoon of the coming year is assured. From these facts it will be seen what a sore trial our starving people have before them for the next eight or nine months.

Lord Sandhurst has had his last tour in Sind, which seems to have greatly pleased the people. His lordship leaves very pleasant memories behind him so far as that adjunct of the Kingdom of Bombay is concerned. How far, however, he will carry with him the good wishes of the people of the Presidency as a whole remains to be seen. Apart from his personal sympathy with the people in the matter of plague and famine, there is little which is deserving of approbation in his administration, while it cannot be disguised that the people have not yet forgotten the perpetuation of the grave injustice inflicted on the Sirdars Natu since 1897. They will never forget it unless Lord Sandhurst relents before his retirement.

The Institute of Original Research, which has now received the blessings of the Government of India, has been highly eulogised by the Indian Press. The resolution on the subject greatly commends Mr. Tata's enlightened endowment and expresses the hope of Government that it may be the glad harbinger of greater intellectual and material prosperity to India. The Institute, when fully equipped and in full operation, will be a lasting memorial of the munificent donor—a benefactor of his race.

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The nomination of Kumar Sir Harnam Singh to represent the Punjab in the Viceroy's Legislative Council has given much satisfaction. "To intelligent and sincere loyalty," says the *Indian Spectator*, "he joins a degree of independence almost unknown to men of his class. His grasp of public questions is remarkable, especially on the revenue side."

## THE VICEROY ON TOUR.

### SPEECH AT BHOPAL.

### THE BEGUM'S "GIFT OF GRACEFUL SPEECH."

At a State banquet given in honour of Lord Curzon's visit to Bhopal, her Highness the Begum proposed the health of his Excellency and Lady Curzon in the following terms:—

THE BEGUM'S SPEECH.

"Your Excellency, Colonel Barr, Ladies and Gentlemen,—I may say without fear of contradiction that in this vast Indian Empire there is none to-night who is so fortunate as I am, or, who enjoy such Royal favours as I do, because the august guest, the representative of our beloved Queen-Empress, his Excellency Lord Curzon, and her Excellency Lady Curzon are the guests of this evening. It is not possible to express in words how great is the honour and the pleasure I myself and my people have received from the visit of their Excellencies. This insignificant State may well be proud of the distinction which your Excellency has conferred upon it by granting me the privilege of being the first to give your Excellency a public reception, and for this favour, I thank your Excellency from the very bottom of my heart. It may not be unknown to your Excellency that my ancestors have invariably been loyal to the British Government, and since I assumed charge of the State, no ambition of mine has been greater than that of surpassing them in loyalty and devotion to the British Crown. In this connexion, I may say that I have organised the Imperial Service Regiment, in the hope that the inhabitants of this place may receive proper training to serve the Imperial Government when necessary, and to earn a name in that service. (Cheers.) My subjects, whether Mahometan or Hindu, are most obedient to the British Government. In fact, no Mahometan who is true to his faith, and who strictly observes the rules of his religion, can conscientiously be disloyal to his sovereign. It may not be out of place to mention here that about a couple of years ago, I abolished the silver currency of Bhopal, and the British rupee has since become the current coin of the State. This change has removed the inconvenience arising from exchange and smoothed the path of all business. (Cheers.) I may also state that in August, 1898, certain regulations relating to arms were passed for this State. The object of the measure was to prohibit the possession of arms by the criminal tribes, and suspicious and turbulent classes, so that they might not commit mischief within or beyond the borders of this State. It was not intended that the regulations should deprive respectable or peaceful inhabitants of protecting their lives and property. My lord, successive failures of crops in the past few years have straitened the circumstances of the people of the State. The outturn of the crops during the last two years, however, has been favourable, but before they have completely regained their normal condition they have unfortunately to face another year of scanty rainfall. May God be merciful to my people. If the Mahawut or winter rain falls the apprehension of famine will cease to exist. I may be permitted to repeat that the visit of their Excellencies has been a matter of great honour to me. Their Excellencies will find hosts worthier than I am; it is good luck only that brings me the illustrious guests like them. I sincerely pray that her Imperial Majesty the Queen Empress may have a long and prosperous life, and that their Excellencies Lord and Lady Curzon may ever enjoy sound and perfect health and continue to take an interest in the welfare and advancement of the people of this country. (Cheers.) Before I conclude I must thank the other guests for their very kind acceptance of my invitation. Now, ladies and gentlemen, I have the honour to propose the health of their Excellencies Lord and Lady Curzon, and request that you will receive the toast heartily." (Cheers.)

THE VICEROY'S REPLY.

His Excellency the Viceroy in reply said:—

"Your Highness, Ladies and Gentlemen,—Her Highness the Begum, whose guests we have the pleasure of being to-night, has the gift of graceful speech no less than that of munificent hospitality. She has proposed the health of Lady Curzon and myself in terms so felicitous that in our recollection they will always crown the memory of our first official visit to one of the principal Native States of India. (Cheers.) It is a satisfaction to me to think that the particular State which thus receives us should be one, the ruler of which has during a period of more than thirty years won so honourable a reputation for enlightened and public-spirited administration, besides sustaining the tradition, already rendered notable by the conduct of her mother, of devoted loyalty to the British crown. (Cheers.) That the sceptre need not pass into feeble or irresolute hands, when by the accident of fortune it is wielded by a woman, is shown by the career of our own beloved Sovereign, her Majesty the Queen-Empress. (Cheers.) Nor need we go far on a smaller scale to find an illustration of the same phenomenon in the case of the two successive Begums, who have now

for a combined period of more than half a century presided over the fortunes of the State of Bhopal. (Cheers.)

Her Highness's mother was distinguished not only, as I have said, for her fidelity to the British Raj, but also for her ability as a ruler. Similarly the rule of her Highness has been rendered memorable by many acts of administrative prudence and of private generosity. (Hear, hear). From the speech which she has just delivered I gather with pleasure that her active interest in the well-being of her subjects is far from being exhausted, and that she still continues to devise and to carry out projects which testify to her practical wisdom and will conduce to the prosperity of the State. (Cheers.)

I shall on Monday morning have the pleasure of inspecting on the parade ground the regiment of cavalry which Her Highness has contributed to the defence of the Empire, and which she has designated with the name of her Majesty the Queen-Empress. (Hear, hear.) Her Highness has never failed to take as great an interest in these men as though she were herself their military commander, and I am pleased to hear that she has recently added to the attractions of the regiment by raising the scale of pay. (Hear, hear).

"I look with great interest upon the conversion of the Native currencies in the feudatory States of India, and the substitution for them of the uniform and staple coinage of the British mints. In taking this step, as far back as 1897, her Highness has acted as a pioneer in a movement in which I believe that she is destined to find many followers, and which must unquestionably tend to the commercial advantage of the entire community.

"Similarly her Highness has been well advised in keeping her eye upon the gangs of desperate and unruly men who from time to time raise their heads even in modern India, and who find in any season of distress an opportunity for reviving the discredited profession of predatory crime. The first test of an orderly State is the degree of security which it gives to the life and property of its citizens, and dacoits are public scourges to whom the State should show no mercy." (Hear, hear and cheers.)

"It is a source of great gratification to me to find on coming into the Bhopal State that, although as her Highness has said, the situation is not altogether free from anxiety as to the agricultural outlook yet the circumstances of this part of India are so much more favourable than many of those which I have lately been visiting. It is a trying experience to see pinched human faces and dying cattle. I echo her Highness's prayer that in this State she may escape both calamities, and that Providence may be merciful to her people.

"In conclusion it only remains for me to thank her Highness the Begum for the friendly and auspicious wishes that she has uttered on behalf of Lady Curzon and myself, to assure her that we shall not forget our right royal welcome in this State, and to ask all the ladies and gentlemen who are seated at this table, and who like ourselves are the recipients of her profuse hospitality, to join with me in drinking Long Life and Prosperity to her Highness the Begum of Bhopal." (Loud and continued cheers.)

## SPEECH AT GWALIOR.

### MARTIAL SPIRIT OF THE MAHARAJA.

At a State banquet at Gwalior on November 27, the Mahárájá proposed the toast of the Viceroy and Lady Curzon. In the course of his speech he touched on the progress in the chief departments of his administration, referring modestly to the noble work he has done in combating the famine, and giving forcible expression to his military ardour and loyalty in the following terms:—

An immense improvement has lately taken place in the condition of the Military Department since it was reorganised, and the greatest credit is due for this result to the Commander-in-Chief of my army, General Kashi Rao Sarve, C.S.I. (Cheers.) On two occasions it has been my pride and privilege to send a portion of my army across the frontier to serve with her Majesty's forces in the field—(loud cheers)—a pride tinged with regret that I myself have personally been unable to take part in these expeditions. (Continued cheers.) I need hardly say that the whole of the resources of my State, including my army, are at the disposal of her Majesty whenever and wherever they are required, for my greatest ambition would be to serve in person against the enemies of the Queen Empress, if possible in the front line, or failing that I should gladly seize the opportunity of serving in any capacity or anywhere, even at the base of operations, with the armies of the Queen. (Loud and continued cheers.)

His Excellency, who on rising to respond was warmly received, spoke as follows:—

Your Highness, Ladies, and Gentlemen,—In rising to thank his Highness for the agreeable manner in which he has proposed the health of Lady Curzon and myself, I feel that I am enjoying one of the happiest experiences of any Indian Viceroy in coming for the first time as a guest to the Ruler and the State of Gwalior. (Cheers.) There is in this place such a pleasing and uncommon blend of old world interest with the liveliest spirit of modern progress that one hardly knows whether the imaginative or the practical side of nature is more thrilled by all that one sees and hears. The official visits of Viceroys to Native States are sometimes deprecated on the score of the ceremonial and, perhaps, costly formalities which they involve, and of their time-honoured attributes of pomp and display. I am not inclined to share these views. To me personally there is no more interesting part of my Indian work than the opportunities which are presented to me on tour or elsewhere of an introduction to the acquaintance, and, as I fondly hope, to the confidence of the Native Princes and the Chiefs of India—(hear, hear, and cheers)—and if these Princes prefer, as I believe they do prefer, to receive the representative of the Sovereign whom they all acknowledge, and for whom they entertain a profound and chivalrous devotion—(hear, hear)—with a dignity becoming both to his position and to their own rank, I think that he would be a captious and sour-minded critic who would deny to them an opportunity which I believe to be as highly appreciated by their subjects as it is valued by themselves. (Cheers.)

### THE GOVERNMENT AND THE NATIVE STATES.

The spectacle and problem of the Native States of India are indeed a subject that never loses its fascination for my mind. Side by side with our own system, and sometimes almost surrounded by British territory, there are found in this wonderful country the possessions, the administration, the proud authority, and the unchallenged traditions of the Native dynasties—a combination, which, both in the picturesque variety of its contrast and still more in the smooth harmony of its operation, is, I believe, without parallel in the history of the world. (Cheers.) The British Government alone of Governments has succeeded in the wise policy of building up the security and safeguarding the rights of its feudatory principalities, and to this are due the stability of their organisation and the loyalty of their rulers. I rejoice wherever I go to scrutinize the practical outcome of this policy, to observe the States consolidated, the chiefs powerful and their privileges unimpaired. But I also do not hesitate to say, wherever I go, that a return is owing for these advantages, and that security cannot be repaid by licence, or the guarantee of rights by the unchartered exercise of wrong.

### "MY COLLEAGUE AND PARTNER."

The Native Chief has become by our policy an integral factor in the Imperial organisation of India. (Cheers.) He is concerned not less than the Viceroy or the Lieutenant-Governor in the administration of the country. I claim him as my colleague and partner. (Loud cheers.) He cannot remain *vis-a-vis* with the Empire, a loyal subject of her Majesty the Queen-Empress, and *vis-a-vis* with his own people a frivolous or irresponsible despot. (Hear, hear.) He must justify and not abuse the authority committed to him. He must be the servant as well as the master of his people. (Cheers.) He must learn that his revenues are not secured to him for his own selfish gratification but for the good of his subjects, that his internal administration is only exempt from correction in proportion as it is honest and that his *gadi* is not intended to be a *divan* of indulgence but the stern seat of duty. (Cheers.) His figure should not merely be known on the polo ground, or on the race course, or in the European hotel. (Hear, hear.) These may be his relaxations—and I do not say that they are not legitimate relaxations—but his real work, his princely duty, lies among his own people. (Cheers.) By this standard shall I, at any rate, judge him; by this test will he in the long run, as a political institution, perish or survive.

### THE MAHARAJA SCINDIA'S EXAMPLE.

It is with the greater freedom that I venture upon these remarks on the present occasion, because I do not know anywhere of a prince who better exemplifies their application, or who shows a more consistent tendency to act up to the ideal which I have sketched than the young Mahárájá, whose splendid hospitality we are enjoying this evening. (Loud cheers.) Before I arrived in India I had heard of his public spirit, his high sense of duty and his devotion to the interests of his country. During my first few days in Calcutta I had, as he has mentioned, the pleasure of making his acquaintance, and now, in his own State, the opportunity is presented to me of improving it, which I very highly prize, and of seeing at first hand the excellent work which he is doing in almost every branch of the administration. The Mahárájá appears to me, from all I have heard, to have realised that the secret of successful government is personality. (Hear, hear.) If he expects his officials to follow an example, he himself must set it. If he desires to conquer torpor or apathy, he must exhibit enthusiasm. (Hear, hear.) Everywhere he must be to his people the embodiment of sympathetic interest, of personal authority, of dispassionate zeal. There is no position to which a prince who fulfils this conception may not aspire in the affections of his countrymen, and there is scarcely any limit to his capacity of useful service to the State. (Cheers.) It is only five years since the Mahárájá Scindia was invested with full ruling powers; but how much may be done within a short space of time by an exercise of the faculties and accomplishments which I have described, may be gathered from the remarkable, but unassuming record of administrative progress set forth in the speech which his Highness has just delivered. It is a record which any ruler might be proud to point to, and any Viceroy gratified to receive. (Cheers.) The Mahárájá has mentioned the steps which he took in 1896-97 to relieve the famine distress in those portions of his State which were

then afflicted. But he has refrained from alluding to a measure then taken by him which I regard as of at least equal importance in the evidence of public-spirited and practical sagacity which it supplied. He came to the rescue of some of the neighbouring States in their hour of need, and by a system of well-timed loans, in which the Government of India were only too happy to lend him the assistance of their guarantee, he enabled several of his brother Chiefs to tide over what would otherwise have been a serious crisis. At the same time he obtained a reasonable interest upon his own outlay. The policy, in fact, was not merely one of an opportune and generous relief, but also of sound and practical finance. (Hear, hear, and cheers.) I hope that should the occasion again arise his Highness may be equally ready in protecting the interests of his own subjects, while I rejoice to have heard, since my arrival in Gwalior, that he has already volunteered to repeat his former action in lending a helping hand to some of his less wealthy and well-placed neighbours. (Cheers.) The Mahárájá has alluded to another measure, viz., the conversion of his currency, in which we may find a further illustration of the same liberal ideas combined with good business. (Hear, hear.) It is obvious that the existence of as many as five different coinages of various and fluctuating value in a State of this size must have been fraught, not merely with inconvenience, but with positive economic loss to his subjects. Indeed the Mahárájá himself has graphically described it as a public calamity. So it was, but it will not be so much longer, for I entertain no doubt that the conversion, when it has been completely carried out, will result in a direct expansion of the State, as well as an advantage to every class of the population, from the zemindar and cultivator of the soil to the merchant and Bunnia in the city bazaars. I must also express my acknowledgement of the excellent service that has been rendered in a perhaps less showy, but certainly not less important, field of administration by the revision of the Revenue Settlement in Gwalior, and by the operations of the Revenue Board, in both of which measures his Highness has had the invaluable and expert assistance of one of his ablest officials, Colonel Pitcher. (Cheers.)

MILITARY RESOURCES OF GWALIOR.

And now I come to another department of the Mahárájá's activity in which he has shown a good deal of the enthusiast as well as of the aptitude of the statesman. I believe that his Highness may be said to have inherited his military instincts from his distinguished father, the late Mahárájá, who was, as we all know, no mean soldier, and who was honoured by being made an honorary-general in her Majesty's army. (Cheers.) To-morrow morning I shall have the pleasure of inspecting both the Imperial Service troops which his Highness has furnished on so liberal a scale towards Lord Dufferin's great scheme of combined Imperial defence, and also his own military forces. I must not, therefore, praise that which I have not yet seen, except in the streets yesterday and to-day; but I am at liberty to appeal to notorious facts. The service which was rendered by the Gwalior Transport Corps in the Chitral and Tirah Campaigns is known to all—(cheers)—and we also know how keenly their Prince has interested himself in every detail of their equipment and discipline, and how earnest was his desire to be permitted to serve with them at the front. (Cheers.) His two regiments of Imperial Service Cavalry are, I am informed, equally fit for active service, and it must be a gratification to Sir Howard Melliss and to his capable band of inspecting officers to see how thoroughly the aid that they have given to the Mahárájá in the organisation and training of these troops has been justified by results, the more so as this is the last occasion upon which Sir H. Mellis will inspect them before he retires from a service which has been of equal advantage to the Native States, whose Imperial Service regiments he has supervised, and to the Government of India by whom he has for so many years been entrusted with the task. (Cheers.) As regards his own forces the Mahárájá's rule has been characterised by a similar advance in efficiency, for whilst he has decreased the number of his troops he has taken active steps, in which he has not been unassisted by the Government of India, to raise the standard and to improve the condition of the remainder. I am convinced that his Highness is speaking from the bottom of his heart when he declares that he has no higher ambition than to serve in person against the enemies of the Queen in any capacity, or place, where the opportunity may be afforded to him, and I shall not fail to pass on to her Majesty his loyal statements and his manly and patriotic words. (Loud cheers.)

OFFICIAL COMPLIMENTS.

I was glad to note the generous and friendly tribute which was paid by the Mahárájá to my Agent in Central India, Colonel Barr—(hear, hear)—as well as to the officer, Colonel Pears, who is at present filling the post of Resident in this State. (Hear, hear.) I know from experience that Colonel Barr, who has been so long associated with his Highness, regards him with an affection that has in it almost a parental tinge—(cheers)—and I rejoice to think that the many services which Colonel Barr has rendered to the Mahárájá and to the State are not less frankly recognised in Gwalior than they are at the headquarters of the Government. (Cheers.)

BRILLIANT HOPES.

Before I sit down I must not fail to thank his Highness for the singularly graceful terms in which he has included the name of Lady Curzon in this toast. We shall both look forward while we are in India to further opportunities of improving an acquaintance so happily begun, and so likely, as I hope, to deepen into a personal regard. I shall watch the future of his Highness with the keenest interest. I believe that he has before him a career that will be replete with advantage to his subjects and with honour to himself. I trust that he may be blessed with good health, that his spirits may remain eager and his courage undimmed. (Cheers.) For my own part, I can truthfully say that I never raised a glass to my lips with greater pleasure than on the present occasion when I give to you all, ladies and gentlemen, the toast of his Highness the Mahárájá Scindia of Gwalior. (Loud and continued cheers.) The Mahárájá briefly thanked his guests for the kind manner in which they had received the toast of his health.

## FIGHTING THE FAMINE.

### SUGGESTIONS OF INDEPENDENT ACTION.

### LORD GEORGE HAMILTON'S VIEWS.

The Lord Mayor of London has received the following communication from the Secretary of State for India on the subject of the famine in India:—

India Office, December 14, 1899.

My Lord,—Lord George Hamilton directs me to thank you for inviting his attention to suggestions recently made by a much-respected missionary in Bombay that companies should be formed for importing grain into India and selling it through missionaries and others at cost price, so as to relieve the pressure now felt in parts of India that are suffering from famine.

It is, unhappily, the case that large regions in Rajputana, Central India, Northern Bombay, Berar, the Central Provinces, and the Southern Punjab are affected by famine. It is possible that distress may also be felt in parts of the North-Western Provinces and the Deccan. Some of these regions, especially certain districts of the Central Provinces, suffered severely in the famine of 1896-97. In Bengal, Burma, and the greater part of Madras good harvests are expected, and in the rest of India the crops will probably be fair. The Government of India reported some weeks ago that probably 350,000 square miles and a population of 30,000,000 would be affected by famine.

The pressure has come rapidly and unusually early in the season; but the relief arrangements appear to have been promptly organised. At the end of November, 2,205,000 people were in receipt of famine relief, and the latest detailed figures (November 18) show that of the then totals about three-quarters were being employed and paid on relief works, while nearly one-quarter were being relieved gratuitously at their homes or otherwise. Of the total numbers being relieved on November 30, 1,578,000 were in British districts, and 627,000 in Native States. The rulers of Native States are being helped by means of loans and in other ways to give relief wherever it is needed, and also to organise their relief operations on the most effective system. No estimate has yet been framed of the extent to which relief may eventually be required before next rainy season brings succour, but it is feared that cattle may suffer even more seriously than their owners. Prices of food are high, more especially in the famine districts, but there is as yet no sign that food will not be carried by traders from prosperous to needy parts of India, while the amount of wages on relief works and the amount of gratuitous relief are from time to time raised as prices rise.

In the famine of 1896-97, as in previous famines, the co-operation of missionaries in relief operations has been ungrudgingly given and thankfully acknowledged. Lord George Hamilton hopes and believes that this valuable assistance will again be given. In rescuing orphans and widows and in helping children deserted by their parents the charitable operations of missionaries have been specially opportune. But his lordship considers that the efforts of missionaries will be more effective if they work as part of the relief agency of the country than if they work apart. They can, in concert with the Government relief officers, either be responsible for the work in defined areas or in particular branches; but there may be waste of power if they carry on relief operations apart from the regular relief system.

The Government is pledged to spare neither outlay nor effort in the attempt to relieve distress and save life in the present famine. But the Government will always cordially accept the co-operation of missionaries or of any effective local organisation towards making relief operations more complete, and towards mitigating the individual cases of hardship and misery which are inseparable from a wide-spread famine in a country like India.

I have the honour to be, my lord,
Your lordship's obedient servant,
RICHMOND RITCHIE.

The Right Hon. the Lord Mayor.

## INDIA IN THE BRITISH PRESS.

### THE CHUPRA SCANDAL.

[From the "New Age."]

Last week we set forth in detail the facts of the outrageous injustice of the Chupra case. The very first step was an illegal act—the order of the officiating District Magistrate directing the police to use "natural persuasion" with the people to get them to do unpaid public work on certain embankments of watercourses. The next step was criminal as well as illegal—the shameful assault upon Narsingh, the constable, and the compulsion of the people to engage in the desired work. The third step was a still deeper descent in criminality—the conspiracy of the local officials to accuse and convict the perfectly innocent constable, knowing him to be innocent. The fourth step sank deeper yet—the official pressure on the Native Judge (subordinate to the District Magistrate) to ensure the conviction. The very Commissioner of the Division allowed himself to be implicated so far as to advise or approve Mr. Twidell's refusal to explain his share in the matter to the Sessions Judge, and to address a semi-official letter, which was substantially an order to the Sessions Judge to take the case "in camera" on appeal. We should hope that the highest authorities have not also implicated themselves by the transfer of Mr. Pennell to Noakhally, "the most pestiferous hole in Bengal;" and we await anxiously the news of his appointment to a position adequate to the courage and honesty of his scathing judgment in favour of the unlucky constable. The action of Mr. Pennell is the one redeeming feature of the ghastly incident.

Proud as we are of the Indian Civil Service, and especially of our administration of justice, this case jars most painfully upon convictions we have been taught to cherish; and there is too much suggestion of possibilities of evil that may lie behind. We cannot but ask ourselves whether indeed this is an isolated case, or whether after all there are not a few similar cases that never come to the notice of the British public. For, obviously, if the judgment against Narsingh had shut his mouth, or if he had not happened to be represented by a pleader of exceptional courage as well as of a strong sense of justice, the shocking outrage would have never been known outside the narrow limits of the locality. And even then it would never have been known if Mr. Pennell had not done justice with honourable independence and fearlessness, and in contempt of consequences. The British in India naturally stand together; the British officials naturally support each other; but it comes upon the people at home with a cruel shock when they uphold each other in defiance of legality and justice. Surely it cannot be a common occurrence to find the whole hierarchy of the executive joining hands to enforce an illegal order by methods that do violence to the most ordinary principles of justice and humanity. If the case be exceptional, we shall expect to see the officials implicated in it treated by the authorities as they so richly deserve. The honour of the Service and of the British name can no longer be safe in the hands of men capable of such detestable official conduct.

One is not disposed to lay too great stress on the misconduct of the Deputy Magistrate, for he was evidently bound to be a tool in the hands of his superior, otherwise he must face the risk of all but certain loss of place and prospects. The frightful consideration is that he should have been under the orders of a superior capable of placing him in the dread necessity of choosing between his conscience and his livelihood. There can be no doubt that the difficulty of Indian administration is greatly enhanced by the employment of mere youths in positions of immense influence and power. Mr. Corbett, the Assistant Superintendent of Police, is a young man of but 23; Mr. Bradley, the Superintendent of Police, is but two or three years older; and the Officiating District Magistrate, Mr. Twidell, can only be about 30. Still, one might have supposed that an ordinary sense of humanity would have dictated a more moderate and just exercise of their powers. The case really brings us back to the first proposition, that British officials in the midst of an alien population domineer at will as if the people had no rights beyond what the temporary whim of their immediate rulers chooses to concede. One would wish to limit the proposition as severely as possible, but what can be said in the face of such an illustration as this Chupra case? The mischief of it is that an exhibition of this nature tends to cast grievous doubts upon all favourable testimony to the good qualities of the Service, and to discredit the reputation of the fair-minded men in it, and, indeed, of the whole body. One must guard against sweeping inferences. But can these be resisted unless the authorities signify in a most marked manner their grave displeasure at what has happened at Chupra—and visit that displeasure upon the right parties? To hush up the scandal is to tarnish the fair fame of the Service. To crush the one man who has stood for justice and honour—that indeed is incredible.

The great administrative lesson of the business bears impressively on the necessity of an immediate and complete separation of the executive and judicial functions. This point has been specially emphasised by our contemporary India:—

The root of the mischief is seen to lie in the fact that the executive officials had the whole matter in their own hands from first to last, and that they assumed that, once their blow was struck, Narsingh would have neither the pluck nor the means to carry the case to appeal. If Mr. Twidell had been a purely executive officer, is it to be supposed that he would have dared to order, and carry into execution his order, imposing forced labour upon a free community? If Mr. Twidell had possessed no authority over Moulvie Zakir Hossein, is it to be supposed that the Moulvie would have acted with with such crawling subservience to him in the conduct of the trial of Narsingh? It was the independence of Mr. Pennell that saved the situation. If the Moulvie had been independent, the situation would in all probability never have arisen. There could be no more illustrative case of the mischievous consequences of the union of executive and judicial functions.

This is a reform that Indians, and even British Indian officials, have been crying aloud for all through the century. The mischiefs are fully recognised. They have been frankly acknowledged by Lord Cross and Lord Kimberley, Tory and Liberal Secretaries of State for India. The difficulty, of course, is the money to pay for the change. But now Mr. Romesh Dutt, ex-Officiating Commissioner of Orissa, and President-elect of the Indian National Congress, has devised a plan that practically answers without any appreciable addition to the public cost. Lord George Hamilton is waiting for the opinion of the Government of India. Let us trust, then, that at last—after a century of agitation—this reform will be carried out. The Chupra case should constitute a most telling argument towards a favourable decision.

## INDIAN VOLUNTEERS IN NATAL.

Mr. M. K. Gandhi of Durban, has sent to the *Natal Witness* the following correspondence with the Government in connexion with the offer of English-speaking Indians to serve on the battlefield:—

To the Honourable the Colonial Secretary, Maritzburg:

Sir,—About 100 English-speaking Indians of Durban met together at a few hours' notice on the 17th ultimo to consider the desirability of unreservedly and unconditionally offering their services to the Government, or the Imperial authorities, in connexion with the hostilities now pending between the Imperial Government and the two Republics in South Africa. As a result, I have the honour to enclose herewith a list containing the names of a portion of those that have offered their services unconditionally. These have been subjected by Dr. Prince to a rigorous examination. He will examine the remaining Volunteers to-morrow, when about ten are expected to pass the test. But as time is of essence, it was proposed to forward the incomplete list. The services are offered by the applicants without pay. It is open to the authorities to accept the services of all, or so many as they consider fit or necessary. We do not know how to handle arms. It is not our fault; it is perhaps our misfortune that we cannot, but it may be there are other duties no less important to be performed on the battlefield, and no matter of what description they may be, we would consider it a privilege to be called upon to perform them, and would be ready to respond to the call at any time appointed by the Government. If an unflinching devotion of duty, an extreme eagerness to serve our Sovereign, can make use of any of us on the field of battle, we trust we would not fail. It may be that, if in no other direction, we might render some service in connexion with the Field Hospitals or Commissariat. The motive underlying this humble offer is to endeavour to prove that, in common with other subjects of the Queen-Empress in South Africa, the Indians, too, are ready to do duty for their Sovereign on the battlefield. The offer is meant to be an earnest of the Indians' loyalty. The number we are able to place at the disposal of the authorities may appear to be small; but it probably represents 25 per cent. of the adult Indian males in Durban that have received a tolerably good English education. The mercantile portion of the Indian community, too, have loyally come forward, and, if they cannot offer their services on the battlefield, they have contributed towards the maintenance of the dependants of those Volunteers whose circumstances would render such support necessary. I venture to trust that our prayer will be granted—a favour for which the petitioners will be ever grateful, and which would, in my humble opinion, be a link to bind closer still the different parts of the mighty Empire of which we are all so proud.

The following is the Government's reply:—

Sir,—With reference to your letter of the 19th ultimo, forwarding a list of Indians who are willing to offer their services unconditionally and without pay to the Government or the Imperial authorities in connexion with the hostilities now taking place, I have the honour to inform you that the Government is deeply impressed with the offer of her Majesty's loyal Indian subjects in Durban, who have offered their services in this connexion, and I am to state that should the occasion arise, the Government will be glad to avail itself of those services. Will you be good enough to convey to the Indians in question an expression of the Government's appreciation of their loyal offer?

# THE BOMBAY MOFUSSIL BILL.

## MEMORIAL FROM THE GUJARAT SABHA.

We extract the following passages from an important Memorial addressed to the Government of Bombay by the General Committee of the Gujarat Sabha on Bill No. II of 1899 relating to the better management of Municipal affairs in Mofussil towns and cities. It is dated Ahmedabad, November 22, 1899.

### Restrictions on Local Self-Government

2. Before entering into a detailed consideration of the several sections of the Bill, the Sabha ventures respectfully to submit that the Bill curtails to a great extent the privileges of Local Self-Government accorded to the people till now. The principal features of the Bill in this regard are :—

(*a.*) That it invests the Governor in Council in the Case of City Municipalities, and the Commissioner in the case of Town Municipalities, with power under section 17 sub-section (1) to remove a Municipal Councillor from his office for "misconduct, neglect of, or for continuous or repeated absence from, or for incapacity or inability to perform his duty"—words which are susceptible of very wide interpretation.

(*b.*) It invests the Governor in Council with power to require that the selection of the Chairman of the Managing Committee of a Municipality shall be subject to the approval of Government. (*Vide* section 25, sub-section 12, clause *a.*)

(*c.*) It empowers the Governor in Council to direct that half the number of members on the Managing Committee of a City Municipality shall be nominated by the Commissioner alone, or by the Commissioner and such public bodies as the Governor in Council may notify. (*Vide* section 25, sub-section 12 (*a*), proviso ii.)

(*d.*) It further enacts that the Commissioner can remove from such Managing Committee any member who, in the opinion of the Commissioner, by continuous or repeated absence from, *or neglect of duty*, has been *unable or failed to discharge his duty*. (*Vide* section 25, sub-section 12 (*a*), proviso ii.)

(*e.*) It requires City Municipalities, upon the requisition of the Governor in Council, to appoint a Chief Executive Officer whose salary and tenure of office are to be determined by the Municipality but subject to the approval of the Commissioner. (*Vide* section 147.)

(*f.*) The appointment of a Health Officer and Engineer is subject to similar restrictions. (*Vide* section 148.)

(*g.*) The Chief Executive Officer, the Health Officer, and the Engineer so appointed cannot be removed from office by the Municipality except with the sanction of the Commissioner, even though he be found incapable or guilty of misconduct or neglect of duty. (*Vide* section 149.)

(*h.*) The previous sanction of the Commissioner is necessary even in cases where the Municipality wants to reserve powers delegated to a Chief Executive Officer under section 150.

3. While on the one hand the rights of City Municipalities to choose their own Managing Committee, their Chief Executive Officer, their Health Officer, and their Engineer, their right to dismiss such officers for misconduct or incapacity, and the right of a Managing Committee to select its Chairman are thus restricted and the position of a Councillor rendered less secure and independent, there is, on the other hand, a simultaneous increase on Municipalities of financial burdens which ought to be borne by the Government. The cost of giving relief and of the establishment and maintenance of relief-works in time of famine or scarcity, which ought properly to be borne by the Imperial Exchequer and which is quite optional with the Municipality under the existing law is, by the present Bill, made a compulsory charge on the Municipality. (*Vide* section 62, clause (*g*).) The cost of maintaining lepers and lunatics habitually resident within, or removed from, a Municipal district under any enactment has also been made similarly compulsory.

4. Under these circumstances the Sabha is of opinion that if the Bill with such restrictive provisions be passed into law it will be viewed by the public with mixed feelings, as it will saddle Municipalities with fresh and onerous duties with little, if any, extension of the rights of Local Self-Government.

### Some Criticisms in Detail.

6. In section 10, sub-section (*c*), clause ii, we find that his Excellency the Governor in Council has been empowered to make rules prescribing the number of Councillors to be elected by sections of the inhabitants. The Sabha is of opinion that the words "or by sections of the inhabitants" should be dropped, as they bring out racial distinctions into undue prominence. Government have the power by nomination to appoint members to represent minorities on the Municipal Council. The words above quoted are therefore unnecessary.

7. In section 10, Proviso I, sub-section (*e*), at the end, instead of the words "by the Commissioner" the words "by his Excellency the Governor in Council" should be substituted. The power of fixing the minimum amount of taxes which shall entitle a person to vote or to stand as a candidate for a Municipal Councillorship was, till now, vested in the Government, and such a power which settles the limits of the Municipal franchise ought not to be delegated to the Commissioner. The present Bill makes a distinction between City and Town Municipalities and where it invests the Commissioner with powers in certain cases when Town Municipalities are concerned, it gives power to his Excellency the Governor in Council in the case of City Municipalities. In the present section 10, proviso I, sub-section (*e*), this distinction between City and Town Municipalities does not seem to have been observed, while the necessity of observing it becomes evident, if the Commissioner is at all to have the power of settling the pecuniary limit of the franchise.

8. Section 17, sub-section (1), of the Bill deserves to be omitted. The word "misconduct" is not defined. The duration of "continued or repeated absence from duty" making a Councillor liable to be removed is not specified. The words "incapacity or inability to perform his duty" are too vague. Although in Town Municipalities as distinguished from City Municipalities the Revenue Commissioner has alone been empowered to remove a Councillor under this section, the virtual power will ultimately rest with the Mamlatdars and other revenue officers who are either Chairmen or Vice-Presidents or Presidents of such Municipalities, because a Commissioner having scarcely any sufficient opportunities of coming in personal contact with non-official Councillors so as to enable him to judge of their misconduct, incapacity, neglect, or inability himself, will have to rely in such matters on the reports of his subordinates. His subordinate revenue officers will thus be the virtual arbiters of a Councillor's destiny, and the fact of their being able to wield such power is in the opinion of the Sabha highly prejudicial to that healthy growth of independent public spirit which is so essential to the progress of Local Self-Government. In such cases, for instance, as the imposition of a particular tax or the framing of a particular rule or bye-law where the ratepayers' opinion should happen to differ from official opinion as represented by the authorities, and where sharp but equally justifiable differences of opinion are likely to arise, a Councillor representing the popular side of the question will, the Sabha thinks, shrink from doing his duty to his constituents by fearless advocacy of their cause through a natural apprehension of being otherwise removed from his post. And instead of having, by becoming a Councillor, to court such an undesirable contingency of dismissal which will doubtless operate as a social indignity, a self-respecting gentleman will prefer rather to remain away from the Municipal Board.

10. Section 21 of the Bill deals with the determination by the District Judge of the validity of elections. The Sabha thinks that in sub-section 4 of section 21, a right of appeal to the High Court on a point of law should be allowed to the party aggrieved by the Judge's decision. Several questions of legal intricacy are likely to arise in interpreting the section, and a decision by the highest Court of Appeal will settle the construction to be placed upon it once for all. To sub-section (4) of section 21 the following words should be added at the end, after the word "conclusive," namely :—"On points of fact, but an appeal shall lie to the High Court on a point of law." . . .

12. Section 25, sub-section (12), clause (*a*), in so far as it vests the Government with the power of imposing a restriction on the choice of a Chairman by the Managing Committee interferes with the autonomy of a Municipality, is uncalled for, and indefensible in principle. The present law enacts no such restriction, and it has worked well till now, so far as the Sabha is aware of. The Sabha therefore submits that in section 25 sub-section (12) clause (*a*) the words commencing with "but if the Governor in Council" and ending with "Commissioner" should be dropped.

13. Section 25, sub-section (12), clause (*a*), proviso II, paragraph 1, deserves to be omitted. For the purpose of looking after its own interests as well as the interests of minorities and such public bodies as Government may think deserving, the latter have the right of nominating members to the general body of the Municipality. It is the whole Municipality, including both the elected and the nominated Councillors, that elects its Managing Committee, which, when formed in this manner ought to be considered and really is, representative of all interests of which a Municipality is constituted. It would therefore be inequitable to allow to a few of such interests the right of being again represented on the Managing Committee. The Sabha is not aware of any Managing Committee having been so neglectful of the interests of Government or minorities or public bodies as to have called for the existence of a drastic provision in the present Bill giving them a right of double representation. But apart from the question of this provision working an injustice to the electoral body of ratepayers, it is further objectionable as unduly interfering with the rights of a municipality to elect its own Managing Committee. When a Municipality is once constituted, the management of its internal concerns, and particularly the selection of its Executive Committee ought to be left to the Municipality itself. The present provision, however, comes in the way of a free and unfettered exercise by the Municipality of such a right, and thus takes away a substantial portion of the privileges of Local Self-Government. A Managing Committee appointed under the above section will, the Sabha fears, partake more of the nature of an offioial body than of one representing all the interests of which the whole Municipality is constituted.

14. Paragraph 2 of the same proviso II is also objectionable. It empowers a Commissioner to remove a Councillor from the Board of the Managing Committee for "continuous or repeated absence from, or neglect of, duty, or who has been unable or failed to discharge his duty." To these words the Sabha takes the same objections which it has urged against section 17, sub-section 1 (*vide* this Memorial, paragraphs 8 and 9). The latter section gives ample powers to the Commissioner if they are at all needed. The Managing Committee will be almost a semi-official body under paragraph 1 of proviso (*a*), and the second paragraph will make it still more official, and less independent. This paragraph 2 should therefore be omitted. . . . .

18. Section 40, sub-section (1), clause (*b*), sub-clause iv. An octroi on animals will press heavily on poor villagers, who bring goats, sheep, cows, bullocks, etc., to town for sale, and have often to take them back to their village for want of customers, after having uselessly incurred the expense of feeding them in the city. . . . .

20*b*. Section 45 should be omitted. The people in mofussil cities and towns are not yet sufficiently educated to observe the procedure prescribed in sub-section (1), clauses (*a*), (*b*), (*c*), and (*d*), of this section. Municipal servants should, as heretofore, be directed to ascertain these matters. The penalty for neglecting to give such notice, prescribed in sub-section (2), is also very heavy. . . . .

24. Section 58, sub-section 11, clause (*c*), ought to be omitted. Poor people cannot always afford to deposit the amount of the tax beforehand. This clause will virtually deter them from appealing.

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