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Imperial Legislative Council.

Delhi, March 12.

The meeting of the Imperial Legislative Council was held this morning, the Viceroy presiding. The Galleries were filled with spectators. Sir Sankaran Nair laid correspondence on the table regarding the Boy Scout movements. After interpellations the Commander in Chief introduced the Bill to extend the operation of the Indian Defence Force Act, 1917. He said the commercial bodies had been invited to express their opinion.

On the motion of Sir James Meston the Indian Paper Currency Act Amendment Bill was passed.

The Motor Spirits Duties Act Bill was also passed without discussion.

SEDITION BILLS.

VICEROY'S PRELIMINARY SPEECH.

Before the Select Committee's report on the Criminal Emergency Bill was taken into consideration His Excellency the Viceroy said:—

Before calling upon Sir William Vincent I think it would be well if I were to inform the Council of a ruling which I have given on the question of the necessity of members of a select committee. I have had this matter examined and have found that it has been the usual practice in the work of this Council for all members of a select committee who wish to append a minute of dissent to sign the report and the reason of this is obvious. The Council has a right that the correctness of the report as an account of the proceedings of the committee irrespective of differences of opinion upon its details is undisputed and this can only be secured by the signature of the members. In the case of members desiring to put in a dissenting minute their signature to the report means nothing more than this that they agree to the correctness of the report. This has been the established practice of this Council and as the custodian of the usages and practice of this Council I have no alternative but to rule that a member of a committee wishing to put in a dissenting minute can only do so when he has affixed his signature to the report. I am aware that there is one exception to the practice I have described but on that occasion no question was raised and the president's orders were not taken. I can only regard this instance as the exception which proves the rule but in no sense affecting the general practice of this Council. Further there is no precedent for a minority report being admitted for the simple reason that the principles of the Bill is affirmed when the Bill is referred to a committee and no question of principle can arise on the report. It goes without saying also that no member of a committee can invalidate a report by refusing to sign. I am aware that under rule 7 it is open to the president to take the opinion of the Council upon such a point. The practice however is so clear that I do not propose to adopt this course and therefore I cannot allow any discussion on it. I note that the first three motions on the paper are based on an alleged incompleteness of the report. It follows however from the ruling which I have just given to the Council that the report is in no sense invalidated or rendered incomplete by certain members refusing to sign or by the consequent exclusion of the minutes of dissent which they desired to attach. The first three motions on the paper challenge the report on the ground of its incompleteness. It appears impossible for hon'ble members to support these motions without challenging my ruling I shall therefore have to rule these first three motions to be out of order when we come to them.

Sir William Vincent in moving the consideration of the Select Committee's report on the Emergency Powers Bill said he did not propose to discuss in any detail the various modifications in the Bill. They were very clearly expressed in the Bill and very clearly explained in the report but there were some matters of first importance to which he would refer. It would be in the memory of the members of this Council that on the last occasion when this Bill was under consideration, the Government gave their undetrakings in respect of this Bill. The first was to convert it into a temporary measure. In the second place he had agreed to what was to his mind abaundantly clear and apparent from context namely, that application of this Bill will be strictly confined to the revolutionary and anarchical crimes In the third place he had promised to consider any other modifications in so far as he could accept them without rendering the Bill ineffective for the purpose for which it was enacted. He could now say that all the three undertakings had been amply fulfilled. The operation of the Act was now limited to three years. Then again the opening section of the preamble and other parts of the Bill indicate most clearly that the application of the Bill was restricted to movements to the character of which he had already referred. Then again in deference to the wishes they had made a number of substantial modifications in the Bill, the Government regretted they could not go further to meet the wishes of the Hon Members. They trusted that the members who were in the Select Committee would admit that the Government had approached this case with the greatest care and had displayed the most reasonable attitude towards the suggestion of the Hon Members. If it had been possible to meet the Hon Members further, no one would rejoice more than himself, but there were responsibilities on the Government of India for peace and tranquility in the country which they could not subordinate to any other considerations. While he was on this he would advert to the insinuation that there was some form of compact or agreement between the Government and some members of this council. His duty was to repudiate that suggestion in the most emphatic terms. The Government always desired to obtain the co-operation of Hon Members in enacting the measures More so on the measure. of this kind on which depended the welfare of this country. If modifications made in the Select Committee has secured the support of some of the Hon. Members the Government will be more than pleased. But there never was the question of agreement or compact between Government and some of the Hon Members to his mind. It was much to be regretted that my suggestion of that character should have been made.

Continuing Sir William said he did not propose to go over the whole ground again but there were some considerations he wished to place before the council. He wanted the members to believe that the Government were perfectly sincere in their conviction that there was absolute need to enact this measure. There was no Machiavelian plot to create political agitation in the country, nor was there any intention to frustrate or defer the advent of reforms. His Excellency as one of the authors of the reforms report would be the last to allow the introduction of this Bill, had there been any such plot or intention. On the other hand, the Government desired to safeguard India from the results of the movement which had done so much in the past to discredit the loyalty of the great body of citizens of this country. Finally he wished to make clear that this Bill would not come in general operation. It could not be applied indiscriminately all over India. It would come in operation only by proclamations by the Governor General in Council in where anarchical movement was prevalent and even there it could not be used in any way to attack the liberty of lawabiding citizens. It could only be employed against the criminal whose acts were menace to the whole state and even in dealing with this criminal every effort was made so as far as they could to see that no innocent man suffered and to safeguard that no innocent man was being touched under the provisoins of law.

In conclusion he said the measure was devised in the best interests of the country, welfare of which they all had at heart.

MESSRS. PATEL, KHAPARDE AND SUKUL ON POINT OF ORDER.

H. E the President called upon Messrs Patel, Khaparde and Sukul to speak on points of order relating to notices of amendments they had given to the effect that the Select Comittee's report was incomplete and invalid and, Messrs Patel Khaparde and Sukul declined to raise the point.

On the question of the point of order His Excellency the Viceroy said the first three amendments according to his ruling were out of order.

Mr. Patel wished to be heard before his motion was ruled out.

His Excellency—You must not discuss my point of order

Mr. Patel—The motion given notice of I will not touch your Excellency's ruling. I will not question your Excellency's ruling. I will discuss it from a different point of view. Mr Patel moved his amendment as follows: "As the so-called report of the select committee is both incomplete and invalid document, it be therefore cancelled.

Sir George Lowndes rose to point of order saying the Hon. member had infringed His Excellency's ruling by moving the amendment which regarded the report of the select committee as incomplete.

His Excellency said he was waiting to hear what Mr. Patel had to say. If he said it was incomplete in fashion he (president) had it was not he would rule him out of order. Mr. Patel continuing said in his humble opinion the report of the Select Committee was incomplete and invalid. At the first meeting of the Select Committee two preliminary points had been raised. The first that the Select Committee should recommend to the Council that the Bill should be dropped. The second was that the Select Committee should recommend to the Council that it was not in competence of the Council to pass such measure. The Chairman of the Select Committee gave his ruling that the Select Committee had no power to discuss the principle of the Bill but they only recommend the changes in details of the Bill. With deference to Hon member he would submit.

His Excellency interrupting Mr. Patel—I have already ruled on the point that you cannot discuss the principles of a Bill in the Select Committee. The ruling is as old as 1866 when Sir Henry Mains made it that in the Select Committee only detail could be considered. Please discuss your other point.

Mr. Patel said second question raised it was incompetence of Select Committee to recommend to Council that the Legislative Council of India had no power to pass this measure.

His Excellency ruled this point also out of order. His Excellency said the Select Committee were servants of the Council. The Bill was referred to them to report on details and not on competence of the Council to pass it. Mr Patel said he had nothing further to add.

His Excellency said Mr. Patel had not convinced him. That amendment was not of order and he must rule it out. He asked Mr. Khaparde.

Mr. Khaparde—Yes, if your Excellency allows me.

His Excellency—Be careful Mr Khaparde (Laughter).

Mr. Khaparde said the report was incomplete. It stated that certain amendments were moved at the meeting which in the opinion of the Chairman were destructive of the principles of the Bill and he had therefore ruled them out. These amendments were not mentioned in the report of the Select Committee. He submitted they should have been included so that the Council could judge whether the amendments were destructive of the principle. He submitted the report was therefore incomplete.

His Excellency—It is the same point put in a different way. I do not wish to interrupt you but I wish to appreciate your point before I rule you out of order.

Mr. Khaparde said the report of the Select Committee should include all that took place in the Committee.

His Excellency—I am afraid Mr Khaparde I cannot agree it was ultra vires of the Committee to discuss the principle of the Bill. The Chairmn had ruled out certain amendments which went to the principle of the Bill. I have laid down just now that it was beyond the competence of the Committee to discuss the principle of the Bill. That was settled when the Council in their wisdom referred the Bill to the Committee I am not prepared to discuss the ruling of the Chairman of the Committee. He was fully within his powers to do so. If this is all you have to say I must rule your motion out of order.

Mr. Sukul having nothing to add his motion was also ruled out of order.

MR. BANNERJEA'S AMENDMENT.

Mr. Bannerjea moved the following amendment:

That the select committee's report together with the Bill and connected papers be referred to local governments, High Courts and public bodies for criticisms. In doing so he repudiated the insinuation that there had been compact with some section of house and government. He said that upon the point raised in the amendment the non-official members of the Select Committee were unanimous and he was sure the non-official vote of the Council would also be unanimous. In the matter of that kind the Indian opinion ought to go very far in determining the action of government. The proposed legislation would affect the people and the people only. They were as deeply interested as Government could be in the maintenance of law and order and in the eradication of anarchical and revolutionary movements. They have been the greatest sufferers both in respect of life and property. The revolutionary movement was a menace to their political progress and was about upon their fair name fame and reputation as the law-abiding people. They realised the gravity of the situation and the measure of responsibility. They assured in advising Government to pause and wait. The Government had not been insensible to public opinion and had shown their partial deference to it by making the Bill temporary and restricting the scope to anarchical and revolutionary crimes and by modifying its provision. But that was not enough and in the matter of the kind involving restriction of public liberties Government should receive further light and guidance not from its acredited advisors, High Courts local governments and public bodies. There was no reason why the Bill should not be postponed till the autumn sessions just like the second Bill. The Government already possessed Emergency Powers which were more drastic and more summary. If his suggestion was acted upon Mr. Banerjee maintained the agitation would be allayed All life would have departed from it. It would be feeble and a dead-alive sort of agitation and the public temper would have been placed in more conciliatory mood. The speaker claimed to know something of agitations and said when the history of time came to be written if they at all remembered him they would point him as the most obstinate, most incorrigible of agitators who would not acquiesce in the doctrine of settled fact.

Mr. Bannerjee referred to his association with the Bengal partition agitation and said the passing of the Bill at the present session of the Council would produce the same results and instead of allaying the agitation already started would intensify it. He asked the Government to give the people time to let them think over the matter, to let the responsible public bodies to record their opinions, to let the High Court give their judgment and Government would have helped to create clamer atmosphere. Another important consideration in support of his amendment was forthcoming. The introduction of the Reform Scheme in the Parliament if it turned out to be satisfactory measure that would help to create the atmosphere favourable to dispassionate consideration of the present Bill. The Sydenhamites were taking the fullest advantage of the Rowlatt report and they may block reforms unless something done to deal with anarchism. But the Government had the effective reply in the Defence of India Act for the time being and could say they fortified themselves with a Bill which was under the consideration of the Imperial Council. The Indian opinion may have profound influences in determining the trend of English opinion. If as the result of passing the Bill this sessions, intense and widespread agitation was started, reactionaries may say—let agitation cease and there will be time enough to pass the Reform Bills. Therefore in the interests of the Reform Scheme also to which they were pledged Mr. Banerjea invited the Government to acept his amendment.

In conclusion he said that would not be the sign of weakness but strength. It would be the expression of deferential attitude towards public opinion which would gratify all. It would help to dissipate the cloud of suspicion and mistrust which hang thick and dark over the public mind of India. Above all it would be worth of great Government about to enter upon a new period of responsibility in conformity with its own gracious message and the immemorial traditions of the British rule in India.

Mr. Shafi supporting Mr. Banerjee's amendment for re-publication to the Bill acknowledged the conciliatory attitude of the official majority in the select committee. He supported the motion because the Government did not observe the procedure of publishing the Bill in official gazettes. Second, because it was not proved that there was any emergent necessity of the measure. If that had been proved he would have supported the Government. He referred to a resolution moved in the Bengal Legislative Council recommending the release of the internees which was rejected and said that the people of the country were already to support the measures of which the necessity could not be disputed. He said he did not remember any Government measure having been so emphatically and unanimously opposed by non-official members. He characterised Mr. Gandhi's passive resistance movement as un reasonable and mischievous and in conclusion urged that for political expediency the amendment proposed by Mr. Banerjee should be adopted.

Mr. Chanda said he had a similar motion in his name and he would like to speak in the present motion and withdrew his own.

Mr P L Fagan (official Punjab) said he could not speak except with profound respect of men to whom the Hon Member wished the Bill to be referred but it was not unreasonable to ask what was to be gained by prolonged discussion of that character Here they had non-official political intelligence of the country fully competent to subject the bill to the minutest discussion. He believed that when Bill would emerge from prolonged course of inquisitional torture nothing would be left unthought and unexplained about the merits and demerits of the measure.

Dr. Sapur in supporting the amendment said he could not shut his eyes to the wording of the preamble of the Bill. If the criminal law as stood at present was inadequate and if the existing machinary had broke down the best people to advise upon these points were the very persons who administered law from day to-day.

In conclusion Dr. Sapru asked the Government to give public opinion time to think the matter over dispassionately.

The Maharaja of Kasimbazar in supporting Mr Banerjee's amendment for republication of the Rowlatt Bill said his principal reason for supporting Mr Banerjee's amendment was his conviction that if the Select Committee's report was referred to local Governments and High Courts and to public bodies for considered and matured criticisms the Bill would stand the chance of being considerably improved. Time was a great healer and if this was put up for consideration till the next sessions the country would forget and forgive many things.

Mr. Shukul supporting the motion said the Government ought to be aware of the storm of opposition which the Bill had raised in the country.

Mr. Khaparde said much was to be gained by prolonged discussion of the Bill and strongly supported the motion for republication.

Rai Sita Nath Rai strongly appealed to His Excellency to postpone consideration of the Bill till the next session.

The Council adjourned for lunch.

The Viceroy said the Council would adjourn at the time for the garden party of the landholders and resume at six.

AFTER LUNCH.

The Council re-assembling after lunch Mr. Patel said he thought His Excellency's announcement that the Council would sit again after six in the evening showed that the officials had decided to pass the Bill with their standing majority. He supported Mr. Banerjea's amendment as it would defer the evil day and delay may bring about some change in the attitude of Government.

Mr. Emerson spoke from the standpoint of one who had occasion to cope with crime which the Bill wanted to extinguish in the country. He referred to the Comilla shooting case and read out the English translation of a notice served by revolutionaries on a man calling upon him to pay them seven thousand rupees. In order that the members might arriev at the proper ocnclusion he wished to describe to them the condition of affairs in Bengal in 1915. The Hon Member was giving various instances when His Excellency drew his attention that he should confine himself to the amendment. Mr. Emerson said he was trying to prove how very urgent the matter was. He was citing those instances to show what condition of Bengal was prior to passing of the Defence of India Act and he next proposed to show the present condition of affairs. He said recruiting was still going on. If the measure was now postponed the Hon members would in a way be encouraging the people still working to carry on the movement.

Sir Fazalbhoy Currimbhoy was not convinced by Mr. Emersons arguments and supported Mr. Banerjea's amendment.

Sir Sunder Singh said unfortunately he was not present when the Bill was introduced. He was afraid the measure would create a situation in which there would be the danger of innocent people suffering with the wicked. He urged the acceptance of the amendment.

Mr. Sarma in supporting the amendment asked if the Government would be prepared to allow the Government official to vote as they like.

MR IRONSIDE VERY DISAPPOINTED.

Mr. Ironside referring to Mr. Banerjee's amendment said that he would shortly retire from political life very disappointed and discouraged. He had to-day heard much eloquenco but none of his Indian friends had produced any argument to convince him of the wisdom of Mr. Banerjea's amendment. He thought Government had acted with generosity and justice. The Bill affected a very small section of the community and he could not understand the logic of the larger and saner portion of the community in being afraid of it. He thought the speedy passing of this Bill would advance the Reforms Scheme. Mr. Jinnah said the question was who was right or wrong; Government was determined to carry the Bills though the Indian non-officials were determined to oppose them to the end. Why not once more get the considered opinions of outside bodies as suggested? No Englishman in his own country would defend the passing of such laws. The rejection could not be made wisely delay for it was not at its height and he read a telegram from non-official members of the Bombay Legislative Council supporting Mr. Banerjea's amendment. Did the Government imagine he and other Indians did not desire the welfare of their country?

SIR WILLIAM VINCENT'S SPEECH

Sir William Vincent speaking on behalf of the Govt said it was to his mind a matter of great regret and he spoke with great sincerity that the Govt were unable to accept the amendment. He regretted because of the support it had received from a number of members who were frequently able to co-operate with the Govt. The question of the urgency of the legislation of the measure was debated at a great length when the bill was introduced and referred to the Select Committee and he should like to know what had happened since then to reverse the decision not to postpone the measure. Had the Bill been materially changed and made more drastic? Mr Chanda had said there was a radical amendment of clause 20. He thought it would be time enough to deal with the matter when the specific amendment came up for discussion, but no member could suggest that the bill, taken all in all, was not modified and that in the sense of making it less drastic than before. He submitted there existed no reasons now for republishing the Bill which did not exist at the date of the first hearing.

Sir William then dealt with the various criticisms of the members. The first suggestion he said was that the public feeling was much agitated and there was prospect of passive resistance. He did not wish to deal with this question of passive resistance. but he was glad to see many members of this Council had repudiated the idea and had done their best to discourage the movement. It must be a matter of regret that a man of Mr Gandhi's character had lent his support to it. But he did not think the members of this Council should suggest that the attitude of the Government of India should be affected by a threat of this character. Mr Bannerjee had taken a different line. He said if the measure were postponed the agitation would be less formidable. He wished he could believe that was so. Dr Sapru had taken a different view. The more Government yielded in the matter the greater would be the force of the agitation. He would not take that as a reason against the amendment if there were other reasons for postponing the measure. Another argument was that the Government had consented to republish the other bill and therefore they should take the same course over this Bill. The answer to this was very simple and very short. The other Bill was entirely different. It was a permanent piece of legislation and it stood on an entirely different footing.

Another argument suggested was that the passing of the Bill might prejudice the reforms. He thought he did not need say anything more on the subject. It was frequently said that the Government did not believe this action could prejudice the advent of reforms. They believed on the other hand, that the failure to deal with the revolutionary crime would impair the chance of the political progress in this country.

Continuing Sir William said on the last occasion he had told the Council what the actual position was. For the time being the movement was checked; but if the powers the Government possessed were removed, he ventured to say that there would be such recrudescence of the movement and such discouragement to and disheartening of their officers that the result would be disastrous to peace and good Government of the country. The revolutionary movement was not dead and the measure was one of the greatest urgency. On the last occasion he had read extracts to show what the intentions of the anarchists were. Then it was said they had failed to consult the Local Governments and also to ascertain the public opinion. Now they had really the best opinions on the measure. From one year before the war they had been discussing with the Local Governments the desirability of passing a similar measure. Had the war not intervened they should have had to pass a special legislation to deal with this crime earlier. It was not fair to say they had not consulted the local Governments fully and comprehensively. As a matter of fact the recommendations of the Rowlatt Committee were circulated to the Local Governments and they had received their (Local Government) opinions on it. They had also consultations with the leading officers sent up by the Local Governments.

With regard to the opinions of the public bodies he observed that the Rowlatt Report had been the public property for eight months and every public body had an ample opportunity to express its opinion. There had been no lack of criticisms from public bodies and he had received numerous criticisms. It was true they had not got the opinions of the High Courts. On the other hand they had the opinions of a number of judicial officers and the committee from whose recommendations the Bill was drafted consisted, entirely with one exception, of one professional lawyer and other judicial officers. The Bill was not hatched in the chambers of the secretariat, nor did it emanate from the bureaucratic civilians. It had emanated from a committee of three judges, one Indian lawyer and one official and it could not be said that judicial opinion was not taken on this point. He further observed that judging from the past experience so far as the parts two three and four of the Bill were concerned the Calcutta High Court, if the Bill was referred to them would say they were not concerned with those parts of the Bill. The Government were not pushing this Bill through with light fear. Their reasons were these: Peace might be made at any moment. After that Government wished to be in a position not to make

(Continued on next Page)

Centre for Studies in Social Sciences, Calcutta

Black Cobra Bills and Satyagraha.

Enthusiastic Allahabad Demonstration.

MAHATMA GANDHI'S MESSAGE

An open air mass meeting of the citizens of Allahabad, was held last evening (Tuesday) on the grounds of the Home Rule League Office. There was a record gathering, the audience numbering over 5,000.

MR. SYUD HOSSAIN.

Mr Syud Hossain in opening the proceedings, said that at the very outset, he would like to inform them that Mahatma Gandhi was in weak health. If they desired his presence at the meeting, and to profit there by he would request them to observe complete silence. Mahatma Gandhi had come into their midst at great personal inconvenience, and they should show their gratitude by observing complete silence. (A voice: Let us have his 'darshan.')

Chairman: You will have it after a short while.

TO THE PLANE OF ACTION.

Continuing Mr Syud Hossain said that Allahabad should be proud of the occasion which had brought them together that evening: Mahatma Gandhi who had given the country a new vision of national service and a new hope of national deliverance, had personally brought to them, too, the promise of national resurrection. His presence should help them to realise the problem with which the country was confronted in all its aspects. Mahatma Gandhi had come all the way from Bombay with a definite object in view and the best thanks they could render him was to participate in the great movement that he had inaugurated for the benefit of the Motherland. Before they could do that, they should ponder on its far reaching consequences. The first thing to take note of, said the speaker was the fact that the problem which engrossed their attention and energies at the present hour was utterly unlike the questions that had agitated them in the past. They had all in the past attended numberless meetings and endorsed a multitude of resolutions. But India had now stepped from that academic plane to the plane of action, and if they wanted to play their part well and manfully in the struggle, they would have to realise the gravity of the issue, the heaviness of the sacrifice that was called for, and the need for sober and sustained endurance to the bitter end in a righteous cause. There was no longer any need for public meetings or resolutions or cheers, except in so far as speeches should be delivered to explain the principles of Satyagraha which, undoubtedly, ought to be fully understood by all. Why, asked the speaker, had it been thought necessary to place before the country so momentous a choice? To understand why the Passive Resistance movement had become necessary at last, it was essential to bear in mind the trend of British policy in India—past and present. There had been, of course, the fundamental distinction between the Government and the people. But that was no new phenomenon confined to India.

BRITISH PLEDGES.

History was nothing but a record of communities and nations that had ruled and others that had been ruled. Fluctuation and change rather than eternal fixity governed that phenomenon. India under British rule had lived in hopes of betterment, nourished by a long succession of the most solemn pledges that their rights and liberties would be respected—and extended and that their lot in their own country would be rendered less and not more intolerable. Those promises had not materialised to any sufficient or tangible extent—or India today would not be the outcast among the world's nations. This was the hour for them of complete disillusionment. When the great war began in Europe, they were told that it was a new crusade on behalf of international righteousness, and in defence of the principles of liberty and nationalism. India poured out her life blood, and her treasure—such as there was of it—in order to stand by England and the cause she had espoused. The war was over now, and while all the nations of the earth were putting forward their claims to freedom and to the righting of their national wrongs, at the Peace Conference, and stood to share in the legitimate fruits of a victory won by sacrifice, Indian alone had been singled out by the enlightened bureaucratic Government which presided over her destinies to be rewarded with—the Black Bills. They were the charter for the enslavement of the Indian nation at a time when all the other peoples on God's earth were breaking their fetters—when Great Britain herself was helping many an obscure and long-suffering nation to shed its shackles. By a monstrous irony India was to be the exception. Be that as it may, the people were beginning to realise that life in this country would not be worth living for any self-respecting Indian under the degrading and monstrous shadow of the Black Bills.

NO DOUBT REGARDING FINAL RESULT

No legislative sanction could secure for them the moral acceptance of the people, that was the considered view of their trusted leaders, and if they admitted the principle then they should set about considering what weapon they possessed with which they could combat the infliction. They had no material weapon. But, as Mahatma Gandhi had pointed out to them, they did possess within themselves a supremely effective weapon—the weapon of moral courage scientifically and nationally applied. Satyagraha properly observed and enforced must win, as surely as the sun dispels darkness. As Mr. Gandhi had said there could not be any doubt regarding the final result. They should not, however, forget that, like the military who had to undergo a course of training before they could handle rifles etc., a passive resister also needed to have a thorough knowledge of the handling of his weapon. He must look into his heart with the utmost sincerity to determine if he is fit to wield so powerful a weapon, and once the decision is taken there must be no wavering, and no faltering by the way. If they felt equal to it, then they should take up the weapon; otherwise not.

Proceeding the speaker said that there were some people in the country who although they admitted that Government were wrong yet failed to realize the utility of the passive resistance movement. The speaker would not quarrel with any one who was honestly of that opinion. But such a view was nothing more or less than the gospel of moral suicide for the nation. One could not, one should not submit to national wrongs passively. It was the clear duty of every patriotic Indian either to join the crusade, if he felt equal to the strain or to give his moral support to those in the fighting line. This was the hour for heartening the national army and not depressing it with counsels of despair and discouragement. Satyagraha was no longer a matter for speculation or discussion—but for action. The issue had been joined and must be fought out to the finish.

Concluding, Mr. Syud Hossain said that although indisposed Mahatma Gandhi had taken the trouble of writing out a message for them which would be read out to the audience.

The message of Gandhi was then read out in Hindi by his Secretary and in English by the Chairman.

No Conception of Defeat.

SATYAGRAHI FIGHTS UNTO DEATH

MAHATMA GANDHI'S MESSAGE.

The following message of Mahatma Gandhi was read in English by Mr. Syud Hossain at yesterday's meeting:

I am sorry that I am unable to speak to you myself. It is utterly impossible for my voice to reach the farthest end of this meeting. I have therefore to content myself with writing a few lines to be read for me.

It behoves every one who wishes to take the Satyagraha pledge to seriously consider all its factors before taking it. It is necessary to understand the principles of Satyagraha, to understand the main features of the Bills known as the Rowlatt Bills and to be satisfied that they are so objectionable as to warrant the very powerful remedy of Satyagraha being applied and finally to be convinced of one's ability to undergo every form of bodily suffering so that the soul may be set free and be under no fear from any human being or institution. Once in it there is no looking back. Therefore there is no conception of defeat in Satyagraha. A Satyagrahi fights even unto death. It is thus not an easy thing for everybody to enter upon it.

It therefore behoves a Satyagrahi to be tolerant of those who do not join him. In reading reports of Satyagraha meetings I often notice that ridicule is poured upon those who do not join our movement. This is entirely against the spirit of the pledge. In Satyagraha we expect to win over our opponents by self-suffering i.e., by love. The process whereby we hope to reach our goal is by so conducting ourselves as gradually and in an unperceived manner to disarm all opposition. Opponents as a rule expect irritation even violence from one another when both parties are equally matched. But when Satyagraha comes into play the expectation is transformed into agreeable surprise in the mind of the party towards whom Satyagraha is addressed till at last he relents and recalls the act which necessitated Satyagraha. I venture to promise that if we act up to our pledge day after day, the atmosphere around us will be purified and those who differ from us from honest motives, as I verily believe they do, will perceive that their alarm was unjustified. The violationists wherever they may be, will realize that they have in Satyagraha a far more potent instrument for achieving reform than violence whether secret or open, and that it gives them enough work for their inexhaustible energy. And the Government will have no case left in defence of their measures if as a result of our activity the cult of violence is notably on the wane if it has not entirely died out. I hope therefore that at Satyagraha meetings we shall have no cries of shame, and no language betraying irritation or impatience either against the Government or our countrymen who differ from us and some of whom have for years been devoting themselves to the country's cause according to the best of their ability.

PUNJAB PROVINCIAL CONFERENCE.

LALA HARKISSEN LAL ELECTED PRESIDENT.

(Associated Press of India.)

Lahore, Mar. 13.

Lala Harkishen Lal has been elected president of the Punjab Provincial Conference to be held at Jullundur during the Easter.

IMPERIAL LEGISLATIVE COUNCIL

Continued from page 1.

a use of the measures which were intended merely for the period of the war. The Government had been accused of using the emergency measures of the war unfairly and the force of that accusation would be redoubled if after the conclusion of peace those measure were used. Moreover the Government could not take the risk of there being a gap between the date up to which the Defence of India Act would remain in force and the date on which new legislation would come in force.

Sir William then referred to the argument about the power to promulgate the ordinance and observed when the Defence of India Act was passed Sir Regimald Craddock had given an undertaking that the Act would remain in force during the war only and it was extended by the ordinance. The Government might very well be accused of breach of faith. The members had asked the Government to extend the period of the Defence of India Act. Was that no admission that there was necessity for much legislation, that preventive measures were necessary. The Hon. Members were asking the Govt. to do as executive act what they reprobated as legislative act. The course taken by the Govt. was more open and honest. The Government believed no useful purpose would be served by republishing the Bill. They must now proceed with the Bill and must allow themselves to be prevented from doing so by threats of agitation. He had very nearly done. He could only say they were not pressing this bill out of any desire to flout the opinions of the members but they honestly believed the measure was really needed. He therefore regretted very sincerely that he must oppose the motion.

Pandit Malaviya in supporting the amendment said Sir William Vincent had asked them what had happened since the introduction of the Bill. For all this change of view the speaker referred him to the happenings in connection with the select committee's report. Opinion of all the members were not before the council and such opinion that were before the council radically differed. That was why the select committee's report should be circulated for opinion and be republished. Pandit Malaviya then referred to the Irish Act and said where as that Act required the concurrence of all the 3 judges for conviction the present Bill required the concurrence of only the majority.

H E the President again intervening said the council was dealing with Mr. Banerjee's amendment and that the Pandit could speak on the point he was dealing when it came to that particular clause.

Pandit Malaviya said if it was ruling he had nothing more to add.

The Viceroy asked the speaker to confine himself to the amendment.

Mr. Sastri sarcastically criticised Mr. Ironside's remarks and vigorously combated the idea that any postponement would be regarded as a sign of weakness. This measure was a measure of coercion. It was the principle of the love of liberty for other communities that they were asking for in his measure and as true advisers of Government the non official members said, "Postpone this measure." Where, he asked was the urgency for them? There was no real urgency. There was no question of sympathy being felt with anarchists and he strongly resisted the remarks which had fallen from Mr Ironside.

Mr Ayeingar spoke in support of the amendment but was twice asked to confine his remarks to the point at issue.

MR BANERJEA UNCONVINCED.

Mr. Banerjea thanked the Home Member for his conciliatory speech and said he had listened with interest to the Government arguments but he remained unconvinced. It was one thing to discuss matters with Provincial officers but another to ask for Provincial Government's opinion on the Bills. He maintained that public bodies and High Courts had not been consulted on this matter. Bengal was the province most concerned and no Calcutta Judge had been consulted on the Rowlatt Committee report. The conditions in Bengal had undergone great change for the better. The position he had taken up was, he said, unassailable as they were called on to legislate on a matter of the utmost importance without the necessary materials. The acceptance of this amendment would be received with gratitude but if the Bill were passed this session it would give rise to agitation and probably jeopardise the passing of the Reforms Scheme and he appealed to Government to reconsider the matter in the light of the unanimous opinion of Indian members.

The amendment was put and on a division being called for it was lost by 30 votes to 25 at 5 o'clock.

Sir James Meston then laid the report of the Select Committee on the Excess Profits Tax.

The Council adjourned till 6 o'clock.

THE EXCESS PROFITS TAX.

The Council reassembled at 6 o'clock. Sir James Meston in introducing the Report of the Select Committee on the Excess Profits Tax said the question had been one of great complexity and extensive modifications had been made in the Bill. The Excess Profits Tax and Super tax would not both be levied but the greater tax alone would be taken. The 50 per cent basis remains unaltered. In a note of dissent attached to the report Messrs Hogg and Ironside, Sir Fazulbhoy Currimbhoy and Sir G Chitnavis thought Government should refund anything in excess of 6 million yielded by the tax, but Government could not accept the proposal. They also regretted that Government had not taken the opportunity of abolishing the Super tax.

MORE DIVISIONS.

In connection with the Emergency Bill three amendments were rapidly rejected and then Mr Chanda asked for a division on his amendment that the revised Bill be recommitted to Select Committee with orders to report to the Council during the next Simla session. This was rejected by 37 votes to 15.

Mr Patel next moved that the Report of the Select Committee be considered this day in 1921 by the new Council which would then be sitting. Sir William Vincent opposed and again a division was asked for and the motion was lost by 37 votes to 10.

Mr. Khaparde then asked that the Bill be not considered till the Governor General received an express authority by an Act of Parliament to pass it. Sir George Lowndes opposed the motion and the 11th amendment on the paper was lost by a show of hands by six votes against the rest of the Council.

In adjourning the Council at 7 o'clock the Viceroy said he desired to congratulate it on the admirable temper in which the debate had been conducted. The Council meets again to-morrow at 11.

REPLIES TO QUESTIONS.

Delhi, March 12.

At to-day's Council the Commander in Chief replying to Maharaja Sir Manindra Chandra Nandi's question re employment for wounded European officers and soldiers in India said no special steps have been taken to find employment in India for wounded European officers and soldiers. All officers and soldiers, whether wounded or unwounded, seeking employment in civil life can apply for the same in England to the Ministry of Labour and in India to the Central Employment and Labour Board.

Sir William Vincent replying to Nawab Saiyed Nawab Ali Chaudhuri Khan Bahadur's question re an objectionable article in the Epiphany said (a) the answer is in the affirmative (b) Government trust that the feeling of resentment on the part of the Mahomedan community which the publication of the letter in question provoked has been allayed by the expression of regret published by the editor in the issue of Epiphany dated February 1st (c) in regard to the legal position Government have nothing to add to the statement in the press communique issued by the Bengal Government. No legislation or ordinance is contemplated.

Sir James Meston replying to Sir Dinshaw Wacha's question re purchase of silver by Government during the current year said payment for silver purchases are expected in the current year to aggregate £57 millions. Silver purchased in the market is paid for as usual from the cash balances of the Home treasury. The manner in which silver obtained from America under the Pittman Act is paid for is stated in the concluding portion of Paragraph 28 of the narrative introducing the financial statement.

PUNJAB LEGISLATIVE COUNCIL.

THE FINANCIAL STATEMENT.

(Associated Press of India.)

Lahore, Mar. 13.

The meeting of the Punjab Legislative Council was held this morning, His Honor the Lieutenant Governor presiding. After interpellation Hon Mr Lumsden presented the revised financial statement for the year 1919-20. The revised statement differs from the amended draft of Financial Statement in the following respects.

Revised estimates 1918-19 Provincial share of Land revenue has been raised by Rs. 200,000 on a consideration of February figures. Under transfer head imperial assignment to provincial revenue has been raised by Rs. 150000 on account of unexpectedly large realisation from sales of town sites.

Budget estimates 1919-20.—Receipts under land revenue has been raised by Rs. 300,000 for the same reason as in the revised change of Rs. 430,000 under head income tax as had already been explained at the meeting held on 7th March. Discussion then took place on the amended draft of the financial statement as modified by the revised financial statement.

Several non-official members made speeches and criticised the budget estimates especially calling attention of the Government to the necessity of more expenditure on education, sanitation and industries and urging prohibition of liquor and intoxicants.

Hon Mr. Fazli Hussain then moved a resolution that Rupees five lakhs more be budgeted for sanitation, expenditure and corresponding decrease effected under heads income tax, forest, miscellaneous or civil works.

Several non-official members supported the resolution which being put to vote was lost.

Mr. Fazli Hussain calling for division 8 voted for the resolution and 12 against.

The Council adjourned till to-morrow.

STRIKE OF COOLIES AND MILL HANDS.

LABOUR SITUATION AT MADRAS

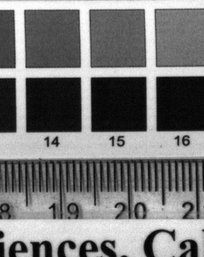
(Associated Press of India.)

Madras, Mar 12.

The general strike of all coolies and mill hands of the Tachanalur Sugar Refinery occurred on Saturday, the cause alleged being that their claim for increased wages has been steadily ignored by the local agent of the proprietor, Mr A R Somasundram Chetty of Deveketta and Madras. Mr. Mahadeva Iver, the Madras Agent of the firm arrived here on Monday and had several conferences with the coolies who unanimously complained of the meagre wages which was paid to them. On behalf of the proprietor Mr Mahadeva Iyer promised them the general increase of one rupee per head. The strikers have, it is understood, returned to the work.

ITCHING SKIN DISEASES.

Complaints that effect the skin are as numerous as they are trouble-some, and they vary from mild forms of irritating rash to the itching, matter-laden blisters of chronic eczema.



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Centre for Studies in Social Sciences, Calcutta

THE
Amrita Bazar Patrika.

Sunday March 16 1919.

SATYAGRAHA AND LEADERSHIP.

It is not difficult to explain why the "Moderates" are so bitterly opposed to the Passive Resistance movement and why the majority of those who call themselves "Nationalists" do not show much enthusiasm for it. The reason is that they have a very low conception of what constitutes that divine thing called "patriotism." Who is a patriot in this country? He who can make eloquent speeches in its defence, either on the platform or in the Legislative Counvils. That is the main qualification of an Indian patriot. Messrs Ganesh and Co. have published the lives of a number of our public men, both dead and living who are dubbed as "great men" or "great patriots" of India. One finds that beyond making some fine speeches these are almost all made up of borrowed Western ideas—they have no other distinguishing features in their public lives. It is however, not eloquence or clever handling of facts and figures in Legislative Councils that makes for patriotism. Self-sacrifice is the principal thing.

How many of our public men have sacrificed *self* in the interests of the mother country? How many of them have suffered imprisonment or faced it for the sake of a principle? We recall the names of only two men among the scores of our "patriots", who have distinguished themselves in this way—Mr. Tilak and Mr. Gandhi. The first idea of an Indian pariot is to save his skin and then to do such little service as he can to the people. The average Indian patriot will not care to offend the powers that be, and if he cannot help it now and then he will do it after making a number of salaams to them. His creed is—co-operate with the officials always and oppose them only on occasions when the country is convulsed by bad measures, and even then you must oppose with moderation. In short, prudence should always be your guide, that is to say, you must not take any such steps as will bring you into collision with the authorities and put you into trouble. This is our notion of patriotism and no wonder that the lofty ideal placed before us by Mr. Gandhi has frightened not only the wholly-officialised or partly-officialised Indian patriots but even the Nationalists out of their wits. The latter, as a rule, are no doubt above official blandishments or threats, but the majority of them are as unwilling to make even paltry sacrifices as their Moderate brethren.

Let us see what is required of one when he has to take the Satyagraha pledge of Mr. Gandhi. He must first be convinced of the absolute unjustifiableness of a Government measure and then resolve to disobey it. There is no doubt that the Rowlatt Bills and some existing Acts are such measures. That being so, it is the duty of every one who wants to live a free, honourable life to disobey them. It is however essential that you must do it in love and not in hatred. You must so conduct yourself as not to show any temper towards your opponents. But more. Think of the penalty that will confront you. You will be absolutely at the mercy of a relentless executive. By disobeying a law, however, black it may be, you render yourself liable to be sent to jail. There you may have to undergo every form of physical suffering. If you are a Barister or a pleader you will be disbarred and your future career will be ruined and if you are a member of Council you will never again be allowed to enter it, when you are once convicted of a criminal offence. In the jail you may be given such hard work as may kill you, or worse still, you may go mad by being consigned to a solitary cell. But once you have taken the vow there is no going back. You must stick to it and fulfil your pledge, even if it cost you your life or reason.

Even the stoutest heart may quail before the terrible penalty which the Satyagraha pledge taker has to face. Nevertheless it is a fact that the path of freedom is not covered with velvet or strewn with flowers It is full of thorns. Unless you are prepared to make gigantic sacrifices don't expect the regeneration of the country. It is a vain hope that your shackles will fall if you go on with the *mamooli* method which you have been trying these three or four decades. You will devote the best part of your life to the earning of money or basking in official smiles, or, at the most, in attending some political meetings and making speeches. This will not bring the millenium. Such a thing has never happened and will never happen. Self-sacrifice is the only sovereign remedy. Be a Gandhi or a Tilak; be ready to go to jail and ruin your future prospects if necessary; take your inspiration from the gigantic sac of the indigo ryots of Bengal; it is then, and then only that God will bless your work, otherwise not.

Picture to yourself the position of the illiterate and down-trodden ryots of Bengal who took a solemn vow not to sow indigo in 1860. Driven from home; their dwelling houses trampled down under the feet of elephants and razed to the ground; their wives and children roaming adrift like beggars without food and shelter; they themselves,—thousands of them,—consigned to jail and rotting there for months,—the victims of planters who committed all these frightful atrocities to strike terror into their hearts. Mr. Lushington, Commissioner of the Presidency Division comes to these imprisoned ryots and proposes that they would get every thing back from the planters if they would sow indigo for one season more. Their reply was,—and it came from hundreds of throats,—that they would rather die a thousand deaths than break their vow and touch indigo. "These hands shall never sow indigo again"—were the memorable words they uttered in chorus. And thus they triumphed and secured their deliverance. They would not sacrifice a principle on any account and thus blessings were showered on their divine work.

If our leaders cannot 'soulify' their bodies and take the Satyagraha vow, for Heaven's sake, let them not discourage the movement set on foot by Mr. Gandhi. Let them try their old, worthless method of regenerating the country by resolutions and speeches but let them at least sow moral sympathy for the passive resistance movement, for there is no doubt that is the last legitimate weapon of the weak and the oppressed. We fancy that there are at least one thousand selfless men in the country ready to sacrifice themselves for securing the freedom of their motherland. Six million illiterate and down-trodden ryots combined and secured their deliverance from the indigo thraldom. Can it be possible that there are not even one thousand men among our educated classes to undergo one-tenth of the sufferings of the patriotic indigo ryots?

SIR W. VINCENT AND MACHIAVELLIANISM.

In the course of his speech when moving the consideration on the Select Committee s Report Sir W. Vincent said "that he wanted members to believe that the Government were perfectly sincere in their conviction that there was absolute need to enact this measure." If sincerity of conviction on the part of government is to be considered as sufficient justification for the introduction of a repressive measure like the Rowlatt Bill, the action of the Czars of Russia in banishing thousands of Russian subjects to Siberia on the ground that they were "sincere in their conviction that there was absolute need" for such measure,—becomes justifiable. In fact, from time immemorial it has been the plea of all autocratic monarchs and governments that measures adopted by them were the result of a sincere conviction in their minds that there was ample need for their action. These Governments always forget that there is another party to be considered in this connection, namely, the people for whose benefit the measures are sought to be introduced. The irony of the matter is that governments seldom say that it is in their own interest,—the perpetuation of their own autocratic authority,—that they find it necessary to introduce repressive measures. They always make the people their cat's paw to serve their own ends. This is particularly so in India where the dumb millions are always ready with their mute support for any action, however subversive it may be to the personal rights and liberties of the subject, that the bureaucracy may choose to take.

Sir W. Vincent assured the members of the Council that "there was no Machiavellian plot to create political agitation in the country ,nor was there any intention to frustrate or defer the advent of reforms." Sir William is very much mistaken if he thinks that this injured air of innocence is capable of diverting the attention of our people from the main issue. The question is not whether there was "any plot to create political agitation in the country or there was any intention to frustrate or defer the advent of reforms"; but whether the reforms were worth anything in view of the measure which is sought to be introduced seriously jeopardising the personal liberty of the subject. The question of there being any plot does not arise at all but the move which aims at introducing paltry reforms with one hand and taking away the fundamental rights of the subject by the other has certainly a significance of its own. It was certainly not a Machiavellian move, when Sir W. Vincent says so; but what was it? We must say however that the Machiavellian element has not been altogether extinct in the policies of the modern governments of the world. Lord Morley when he was simply John Morley delivered a discourse on Machiavelli from which we quote the following passage:—

> "It is true to say that Machiavelli represents certain living forces in our actual world; that Science, with its survival of the fittest, unconsciously lends him illegitimate aid; that he is not a vanishing type, but a constant and contemporary influence. This is because energy, force, will, violence, still keep alive in the world their resistance to the control of justice and conscience, humanity and right."

We hope Sir W. Vincent will find much food for reflection in the above few lines which represent the deliberate opinion of a late Secretary of State for India.

Sir W. Vincent said further that "the Government desired to safeguard India from the results of a movement which had done so much in the past to discredit the loyalty of the great body of the citizens of this country." It is only a man blinded by prejudice who will say that the disloyalty, supposed or real, of a few hundreds of men can any way discredit the loyalty of a population numbering 300 millions. India's loyalty has stood the fiery test of the greatest war that has been ever fought and the demands of which compelled England to denude India of her military forces. Indian troops have shed their blood freely on the battle fields of Europe, Asia and Africa. Indian money was poured out freely to support the great war. So long the war lasted English statesman and Englishmen in India were loud in their praise of what they called "the splendid loyalty of India." Though with the end of the war this voice of praise is becoming feebler and feebler yet it is even now heard in the Council Chamber of India and the Houses of Parliament. The discredit on the loyalty of India has not come from the handful of anarchists but from the Government of India itself which, in the words of Sir Narayan Chandavarkar, has libelled the loyalty of India by introducing the Rowlatt Bills. As we have often remarked, nothing could constitute a graver indictment of British rule in India than the confession that there was an "absolute need" of a measure like this in times of peace. We shall quote the high authority of Lord Morley himself in support of our remark. Let us quote his words in his book "Machiavelli":—

> "Never let a prince complain of the faults of people under his rule, for they are due either to his own negligence, or else to his own example, and if you consider a people given to robbery or outrages against law, you will generally find that they only copy their masters."

Popularity is a great asset with any government. The speeches of some of the official members, in the course of the debate on the Rowlatt Bill, disclosed a defiant attitude of mind and cynical contempt for public opinion. Our warnings and admonitions, we know, count for nothing but let us quote again from the discourse on Machiavelli by Lord Morley:—

> ". . . . . the ruler, whether hereditary or surper. can have no safty unless he founds himself on popular favour and good will. This he repeats a hundred times.—'better far than any number of fortresses, is, not to be hated by your people!"

We would only substitute for the word "fortresses" in the last line the words "repressive laws" and ask the promoters of the Black Cobra Bills to repeat the aphorism the last line a "hundred times."

HOW SIR B. FULLER WAS JOCKEYED OUT OF HIS OFFICE.

Lord Curzon divided Bengal into two and Lord Crewe rejoined them. Naturally Sir Bampfylde Fuller, who was appointed as the first Lieutenant-Governor of Eastern Bengal, has nothing but curses for the latter. Referring to Lord Crewe's appointment to the India Office Committee Sir Bampfylde thus vents his bitter feeling on Lord Crewe in the "Times" of February 4th:—

> "It is interesting to learn," he writes, "that Lord Crewe has been appointed chairman of the important committee that is to consider the relations of the India Office (and of Parliament) with the Indian Government. For he is identified with one of the greatest political mistakes of recent years—the dismemberment of the province of Eastern Bengal and Assam. The creation of this province by Lord Curzon was a recognition of the claims of the larger Mahomedan population of India, for it established a unit of government in which the Mahomedans held a majority. After the Durbar of 1911, in which this reversal of policy was announced, I was called to a meeting of their representatives, and heard expressions of anger and contempt for the Government, to which there could be no reply. When I left India, five years previously, the Mahomedans were, to a man, with the Government: their leaders are now as much estranged as the leaders of the Hindus. Nor has Hindu discontent been appeased by the concession. Lord Crewe identified himself so closely with this change that he wrote with his own hand the long dispatch communicating the decision to the Government of India. In politics, it seems ,failure is the secret of success."

The "Indian Daily News", after quoting the above from the "Times," remarks, "How he (Sir B. Fuller) was jockeyed out of his office!" The story of Sir Bampfylde's expulsion from the service is not generally known. He was playing the part of Shaista Khan at Dacca, ruling East Bengal with a rod of scorpion like that Mahomedan Governor under the Moghuls. Whereever he went during his tour after his appointment as Lieutenant-Governor, he turned the place upside down. The district officers under his circulars vied with each other in converting their respective districts into hot-beds of seething discontent. The Mussalmans were his "favourite wife" and they took advantage of their position to oppress the Hindus to their hearts' content. Gurkha soldiers were employed to teach terrible lessons to the people of Backerganj and Dacca, while the late Nawab of Dacca was given a *carte blanche* to deal with the Hindus in any way he liked, with the result that the town of Jamalpur was looted by the Mussalmans who also outraged several helpless Hindu women and desecrated the temple of the Goddess Durga and dismantled her image.

Lord Minto had just then succeeded Lord Curzon as Viceroy, but he was quite new and did not know what to do. He was thoroughly disgusted with the conduct of Sir Bampfylde Fuller but not prepared to interfere with his work. By an accident his Lordship came in contact with an Indian gentleman in whom he had considerable confidence and who took the liberty of suggesting a way out of the difficulty. Sir Bampfylde had about that time quartered a band of Gurkhas at Barisal and a police force at Banaripara, an important village in Backerganj, and their oppressions had created a great sensation in the province. The first request of the Indian gentleman was to remove these dread oppressions from Backerganj and Lord Minto agreed. His other request was that the Viceroy, instead of having an open fight with Sir Bampfylde, might write him a private letter, giving him friendly advice and urging him to adopt a more liberal policy. The suggestion was highly approved of by the Viceroy and His Excellency acted up to it. The reply of Sir Bampfylde, however, simply took Lord Minto's breath away. Sir B. Fuller wrote to say that if His Excellency were to meddle with him in that way it would be impossible for him to carry on his administration, and he would have no other course but to tender his resignation!

This impertinent and ungracious reply of a subordinate to his superior, who gave him the advice as a friend and with the best of motives, sealed the fate of Sir Bampfylde —His Lordship not only took it as a personal affront but felt convinced that a perverse-minded man like Sir Bampfylde was unfit to govern a province. He was thus on the look out for a plea to teach the Lieutenant-Governor a severe lesson and he found it soon in a small incident. Sir B. Fuller had disaffiliated a school but the University of Calcutta would not uphold his action. Thereupon not only did he pick up a quarrel with the University but placed the whole matter before the Viceroy with the ultimatum that either His Excellency should support him or accept his resignation. On the receipt of this angry representation from Sir Bampfylde Lord Minto at once wired him to say that his resignation had been accepted!

The unkindest part of Lord Minto's action was that his telegram reached Sir Bampfylde at a time when he was in the midst of a big entertainment got up in his honour by the Nawab of Dacca. The news gave him such a rude shock that if he did not faint away, he actually ran to his steamer and took to his bed and ate nothing on that memorabel night in spite of the earnest entreaty of Nawab Salimulla.

The Legislative Farce.

A regular farce is being enacted in the Imperial Legislative Council relating to the Rowlatt Bill. The Viceroy was graciously pleased to announce on March 13 that the Bill would be considered clause by clause. Apparently the non-official members were very pleased, for they gave notice of moving a number of amendments. But they soon came to realise the huge joke played on them. The official members were at least 36, and their non-official colleagues were not more that 25, and among the latter again, there were several who, except on certain occasions, would not go against the Government. The fight was thus a sight for the gods to see. It was so ridiculously unequal that all the amendments proposed by the non official members were defeated by the solid phalanx of official votes. This farce went on not only throughout the day but continued till 1-30 o'clock in the following morning. Babu Surendra Nath complained that he was used to go to bed at 9 o'clock but the Viceroy was determined to finish the whole business by depriving himself and the whole Council of one night's sleep if necessary! And the result? Well, as expected, it was a big "horse's egg", for not a single amendment was carried! All this trouble might have been avoided and the legislative business speedily finished if the Viceroy had ruled that all the amendments should be put to the vote, not separately but in a lump. In that case it would have taken not more than 15 minutes to dispose of the whole business.

Amendments.

Here are some of the amendments of the non-official members. Babu Kamini Kumar Chandra proposed that sub.clause (2) of clause 1 of the Bill should not come into force before six months have passed after the formation of the reformed council. Sir William Vincent was unable to accept it. It was put to the vote and lost. Mr. Chanda next moved that the duration of the Act be for one year only. Put to the vote and lost. Mr. Patel also proposed a similar amendment and the Home Member rejected it on the ground that "the measure was of the greatest urgency." Mr. Sarma moved that "the words 'revolutionary movement' be defined." The amendment was put to the Council and negotived by 33 votes to 18. Mr. Patel moved that the whole of part 1 of the Blil relating to a speedy trial be deleted. The amendment was negatived. Mr. Khaparde moved that the notification to be made to apply to part 1 of the Bill should be made by the Governor-General in the Legislative Council instead of the Governor-General in Council. It was put to the vote and lost. Mr. Chanda moved for the addition of a proviso to clause 4 to the effect that the Chief Justice on information being filed before him should call upon an accused to show cause why his trial should not be held under the Act. The amendment was lost. Mr. Chanda next moved that the Chief Justice may order the production of the accused before him and may grant bail. He had to withdraw it. Mr. Sarma moved that the Special Tribunal should consist of three permanent and not officiating judges. The amendment was lost. Mr. Khaparde moved for appeals and the constitution of a court of appeal. It has yet to be disposed of, though its fate can easily be surmised. In this way all the attempts of the non-official members to soften the pitiless character of the measure were frustrated. The telegram from our Delhi correspondent, published elsewhere, shows that all veil of decency has been thrown away and the Black Cobra Bill emerges out of the Council with all its fangs intact.

Passive Resistance.

The Allahabad "Leader" thus condemns passive resistance:

> "The Rowlatt Bills are no less inopportune than the passive resistance movement. The Government is committing a mistake. But must the people also do so? . . . We cannot look upon passive resistance as philosophically as Mr. Gandhi does. Very few are spiritually evolved enough to undergo suffering cheerfully, and not to feel hatred and bitterness on its account. Mr. Gandhi is a saint and he can pass through the greatest of trials and come out as cheerful, as loving, and as noble as ever, but who else can approach him in these respects? . . . To our young men who are enthusiastic about following Mahatma Gandhi, we would say: Pause and consider whether you are pure enough and self-disciplined enough to tread the thorny path of passive resistance. If you are actuated by passion or prejudice, then you cannot faithfully follow Mr. Gandhi. You will be serving neither yourself nor Mr. Gandhi's ideals, nor the country if you throw yourself blindfold into the movement. Remember that Mr. Gandhi himself does not want any such person to join it and pose as a Satyagrahi."

The above is one way of putting the case and there is another. If you admit that Mr. Gandhi is a saint, do you not libel him when you prevent others from following his example? On the other hand, if he bears a saintly character and is not quite a fool, is it not our duty, old and young, to listen to his counsel? And what does he propose? He asks us to give up brute propensities, spiritualise ourselves, make gigantic sacrifices and use our soul force for the regeneration of the country. Is there anything wicked in this advice? On the other hand, does he not place one of the noblest ideals before us?

It may not be possible for you, for me or far a number of other people to do what he asks of us and them. But that does not prove that the model he sets before us is defective mischievous or impracticable. It only shows this that you and I are utterly selfish and worthless: that we may call ourselves patriots, but really we are only their sorry apologies, because we lack the courage, manliness and self-sacrificing spirit of a true and selfless patriot. This is why some of us look down upon Mr. Gandhi as a visionary and treat the movement inaugurated by him with scant courtesy. But, if we cannot appreciate Mr. Gandhi and his proposals, on account of our selfishness and incapacity of making any sacrifice, are we justified in discouraging others from following his advice? You and I may not be as spiritualized as Mr. Gandhi, but there may be thousands who are quite willing and competent to make the sacrifices demanded of them in the service of their motherland, ungrudgingly, uncomplainingly, nay cheerfully. You and I may have lost our souls, but others may have theirs in full vigour. What right have we to put obstacles in their way to spiritualise themselves and earn the choicest blessings of God by surrendering their souls to the service of their countrymen?

Mr. Banerjea's Motion.

If there was a doubt in anybody's mind that the bureaucracy in India was determined to convert this peaceful country into a cauldron of seething and sullen discontent it was dispelled by the fate of Mr. Surendra Nath Banerjea's motion "that the Select Committee's report on the Rowlatt Bill and connected papers be referred to the Local Governments, High Court and public bodies for criticism." This colourless proposal which was not calculated in any way to prejudice the arbitrary power now vested in the Government of India by the Defence of India Act, was opposed by the solid phalanx of officials, supported though it was by the whole body of the non-official Indian members of the Council. In vain did the great Moderate leader reason, argue, warn, appeal and solicit to moderate the attitude of the Government. In vain did he call up the vision of the days of the anti-partition agitation of which he was the arch-leader. In vain did he plead for a calmer atmosphere. It was also to no purpose that Mr. Banerjea pointed out that the Government had already possessed emergency powers which would be available when the criticism of the local Governments, High Court and public bodies would be obtained and in the meanwhile the agitation might subside.

The concession solicited was practically nothing for the Government has the power of ignoring the opinion of these bodies. All the same Mr. Banerjea appealed earnestly to the heart as well as to the head of the members of the Government. But the latter did not exhibit any sign that they possessed either.

The refusal of the Government to republish the Bill, in itself, is a small matter. But it involves a great issue. It indicates that not only in matters of importance to the Government but also in all other matters, however insignificant they may be, the Government is prepared to carry out its wishes against those of the people. We leave it to constitutional lawyers to say what the foundation of such a Government is, whether, constitution which implies ultimate dependence on the wishes of the people or a negation of constitution, in other words, physical force. The Partition of Bengal was no doubt carried out against the wishes of the people, but there were still an influential, though small body of Mahomedans who supported it. In this country where public spirit is generally at a low ebb, supporters have been found among Indians for even the most unpopular measures of Government. These furnish at least the semblance of moral support which even the most arbitrary measure in a constitutionally governed country would require. But the Rowlatt Bill has not found a single Indian supporter. The proposal to republish it has probably the support of many who are not Indians. But the Government thought fit to disregard this voluminous opinion even in so unimportant a matter. We are appalled to think what the consequences of such wanton disregard of public opinion may be.

Mr. Emerson.

Why was Mr. Emerson at all translated to the Imperial Council ,if he should keep his lips closed during the debate on Babu S. N. Bannerjee's amendment on the Rowlatt Bill? So he not only spoke but spoke as an authority on the subject, for had he not had occasions to deal with seditious crimes in East Bengal during the Swadeshi agitation? We notice him referring to the Comilla shooting case. Did he however disclose the sequel of the case—how the two innocent Hindus sentenced to be hanged by the then District Judge as perpetrators of the outrage were saved from the gallows through the intervention of the High Court Judges, who severely criticized the finding of the lower Court? In the fulness of his heart, he went on describing the condition of things prevailing at that time, when he was asked by the Viceroy to confine himself to the amendment. By the bye, did Mr. Emerson also describe the various feats he performed to put down the Swadeshi movement in Backergunj and suppress the Provincial Conference at Barisal? It is in connection with this Conference that he got Babu Surendra Nath Banerjee arrested, dragged him in his court, convicted and fined him for contempt of court. Mr. Banerjee should not have lost a fine opportunity of describing Mr. Emerson in his true colour in his closing speech on his amendment.

Hon'ble Mr. Clayton Promoted.

The Government of Behar must have found itself in a most awkward position because of Hon. Mr. Clayton's extraordinary feat which has resulted in his making an unqualified apology to the aggrieved party. We now learn from the "Behar Herald" that Mr. Clayton has been promoted to a chief Engineership of the first class. One wonders if this promotion has anything to do with the Clayton-Imam affair. If it has, the Behar Government has done nothing more than following the usual practice of dealing with erring members of the heaven-born service.

Sad Story of a Detenu.

A correspondent writes from Jhargram (Midnapore):—

> "I have been staying here on some business since February last. I have come to know that some gentlemen are interned in the village under the Defence of India Act. One of them Babu Kiran Chandra Mukherjee is interned at his home. He is suffering from paralysis. Lately he made an application to the Government of Bengal to the effect, that owing to his illness, he requires the services to a servant and a cook to nurse and prepare his food and so prayed for an increment of his allowance. He got the following reply:—
>
> "13th Feb. 1919. With reference to his petition No. 14 dated 20.1.19 praying that his allowance may be increased to Rs. 40 a month, detenu Kiran Chandra Mukherji is informed that Government are not prepared to accede to his prayer."

We are told Babu Kiran Chandra has been interned from May last and within these 10 months, he has had to borrow no less than Rs 100 to meet his necessary wants. As he has been deprived of his liberty and is suffering from a serious illness it is only humane on the part of the Government to see that he is supplied with necessary money to keep his body and soul together.

The Proposed Quarter for Nurses

As our readers are aware the recent Influenza epidemic has carried away 60 lacs of our people. We need scarcely point out that the poverty of the people and the deplorable sanitary conditions of the country are the root causes of this and such other disasters. It was hoped that the bureaucracy—which, we note, are composed of the finest type of public servants,—would, after all, take a lesson and at least to keep up appearances as the champions of the dumb millions they would make some moderate but suitable provision for the improvement of the sanitary conditions of the people.

On going through the draft financial statement of the province one sees however that the heaviest item of expenditure is regarding a proposed quarter for Nurses of

Centre for Studies in Social Sciences, Calcutta

the Medical College as much as Rs 6 lacs and thirty thousand being budgetted for it. Perhaps the reader is aware that there are already quarters for Nurses in the Medical College. On the other hand there is no hostel for the civil students of the college though they are required to attend the Hospital at all times of the day and the night. One would thus think that if the Government has any surplus money to spend after providing the necessary sums for opening up a few more Medical Institutions which are not very numerous, they would of course provide some for a civil students' hostel. But we forget that the Bureaucracy is "Subjanta" and that the Nurses have a *white skin*. Does any one wonder that the cry has gone forth from one end of the country to the other that the present state of bureaucratic Government must end in order that India may work out her own salvation?

Rift in the lute.

To judge from the meagre telegrams supplied by Reuter it is doubtful if the Peace Conference at Paris is having a plain sailing. Already there is an acrimonious difference over the military terms of the Preliminary Peace Treaty. It appears that Allied experts are not altogether agreed regarding the naval conditions, particularly the fate of the German fleet. The English experts have suggested the total destruction of the German fleet. It seems that none of the other Allied representatives, not even those of France, the country which next to Belgium has suffered most is prepared to take this extreme course. The League of Nations has been another sore point. President Wilson is addressing big meetings in America and assuring his countrymen that "the Peace Conference were meeting as the masters of nobody but the servants of seven hundred millions." The seven hundred millions probably represent the populations in the belligerent countries. But did President Wilson really believe that the Allied governments who were represented at the Peace Conference were there not as masters of their respective people but their servants? President Wilson might speak so with reference to the country he represented. But could the representatives of the other Powers who had non-white populations under their rule honestly say the same thing? Or, are we to understand that President Wilson's seven hundred millions included only the white populations?

There is a feeling of weariness all over the world over the proceedings of the Peace Conference. This feeling is not only shared by the "militarily unorganised" nations of the world, but also by those who have strong army and navy for defensive and offensive purposes. The purpose of the Conference has stood revealed and there is no man outside the bedlam who really believes that anything abidingly good can come out of it. The scramble for territories has already begun and in vain has Mr. Lloyd "warned the little nations of the real danger of the emulating the faults of the big nations and the futility of the idea that they would strengthen their power by merely increasing their territory." It may be dangerous for the small nations to acquire large territories which they have not the means to keep under subjection. But avarice does not always follow the dictates of prudence and the example set by the great nations can not but have a demoralising effect. In the meanwhile Senator Lodge has prepared a resolution in the American Senate proposing that the Senate should "declare that the League of Nations draft be not approved and that the American Commissioners be urged to proceed immediately with the work of concluding peace with Germany." The feeling of disgust underlying this resolution is probably shared by the great majority of the people of the world.

MUNICIPAL REFORM IN MADRAS.
BILL OPPOSED IN PROVINCIAL COUNCIL.

Madras, Mar. 12.—The Madras Legislative Council resumed its sitting to-day. The City Municipal Bill was taken for discussion. The Hon. M V. Narasingha Iyer began to read his speech in Tamil which was ruled out of order by the President on the ground that it was not the official language in the Council, and M Narasingha Iyer refused to speak in any other language than Tamil. In the course of the discussion of the City Municipal Bill. The Hon. T Rangachari moved an amendment to the effect that the Bill be passed into law two years hence. He said that he did so animated by a strong sense of duty. He regretted that His Excellency's Government were apparently determined to make this parting gift to the city. Non-Official opinion was against the passing of the bill into law. The Corporation had condemned all that was fundamentally opposed to the recent declaration of the Government of India and the Montagu-Chelmsford report The Hon Mr. Verkatapathi Raju who seconded the motion asked the Government to withdraw the Bill and leave it to the Reformed Councils to reintroduce it.

Madras, Mar. 13.

At to-day's meeting of the Madras Legislative Council the motion that the Madras city Municipal Bill be passed into law was carried by an overwhelming majority.

LORD JELLICOE AT BOMBAY.

Bombay, Mar. 14

Admiral John Rubnorth Viscount Jellicoe of Scapa G C R O. M B G V O arrived in harbour this morning at seven on H. M S "New Zealand" accompanied by Lady Jellicoe. The public landing will take place at five in the evening.

BENGAL PROVINCIAL CONFERENCE

The Secretary to the Reception Committee wires to us:—

As time is very short, I beg to draw the attention of all recognized Associations to send in their recommendation for the presidentship without delay.

SATISFACTORY PROGRESS.

(From Our Own Correspondent.)

Mymensingh, Mar 13.

The work of the Bengal Provincial Conference is in rapid progress. A big pandal to accommodate 4000 people is being erected. The election of the President is the talk of the town. Names of Messrs Kamini Kumar Chanda, Aswini Kumar Datta, Fazlal Huq, Jatramohan Sen are now in the air

BENGAL LEGISLATIVE COUNCIL

DISCUSSION ON RESOLUTIONS.

The main item of business at the meeting of the Bengal Legislative Council held in the Council Chamber, Government House, on Thursday was the consideration of the resolutions on the Revised Financial Statement. His Excellency Lord Ronaldshay presided. The visitors' gallary contained about eighteen gentlemen, all Indians. Colonel J. K. Close and Mr R V Mansell having declared their allgence to the Crown the questions which comprised two starred and eighteen unstarred ones were answered.

VILLAGE SELF-GOVERNMENT BILL.

The Hon Sir Henry Wheeler presented the further report of the Select Committee on the Bengal Village Self-Government Bill, 9119

REVISED FINANCIAL STATEMENT.

The Hon Sir Henry Wheeler presented the revised Financial Statement for Bengal for 1919-20. He said that since the draft amended Financial Statement was laid before the Council certain changes had been made in the figures. Under the instructions of the Government of India they had in the revised estimate for 1919-20 raised their receipts from Excise by three lakhs all of which would come to them and their receipts under Stamps by a like sum of which they should get half so that under those two heads they gained to the extent of four and a half lakhs. In the Budget for the ensuing year there was a corresponding addition of three lakhs under Excise and a sum in respect of Income Tax arising rivising contingent on the Excess Profits Tax and small incomes had now been inserted. On the expenditure side they had some important changes. It would be noticed that a communique issued recently improved the pay of officers of the Imperial Police and the Indian Medical Service, the estimate under the former head being raised by two and a half lakhs and under the latter head by one and a half lakhs. With a view to give immediate effect, as far as possible to the recommndations of the Indian Industrial Commission, the provision for the development of industries had been raised by two lakhs. As regards famine relief, 2 lakhs had been provided for relief measures half of which would be debitable to Provincial, and the balance to Imperial revenues. The closing balance for 1919-20 was now raised from Rs. 3,22,23,000 to Rs. 3,23,23,000.

The resolutions in regards to the Revised Financial Statement were then taken up.

FAMINE IN BANKURA.

The Hon Maulavi Fazlul Huq moved that a lump provision of rupees three lakhs be made for famine relief operations in Bankura.

The Hon. Mr. Cumming explained it was not a fact that only half a lakh had been provided. With the Imperial grant of one and a half lakhs the total came to two lakhs. If they had a good monsoon then by October next there would be no further necessity for any substantial expenditure.

The Hon. Mr. P C Mitter in opposing the resolution referred to the mover's unrelenting antagonisim to government.

Sir Rajendra Nath Mokherjee was amazed that a political leader like Mr. Huq who was outside always crying for the improvement of the condition of the masses and for the development of industries, should now be asking them to cut down the grant of sanitation.

The Hon Maulvi Fazlul replied that he had always given the Government the best of intentions for fighting famine. It had been said that he was an unrelenting antagonist of Government. Just as many people in this Council might be classified as being always in favour of Government so there were also people who it was thought were always against Government.

The resolution was lost.

MISCELLANEOUS EXPENDITURE.

Babu Bhabendra Chandra Roy withdrew the resolution that stood in his name for raising the provision for gratuitous relief under the expenditure head 'Miscellaneous' from seventy-five thousand rupees to two lakhs of rupees by deducting Rs. 125,000 from the provision for police buildings.

PRIMARY EDUCATION.

Babu Kisori Mohan Chaudhuri moved that no expenditure be incurred next year for the Dacca University pending the action taken on the recommendations of the Calcutta University Commission, and that the sum of Rupees three lakhs be set free for the spread of primary education.

Maharaja of Burdwan in opening the motion said that in the matter of the Dacca University the Government was bound to fulfill its pledge.

The motion was negatived five voting for and thirty-six against it.

PRIMARY SCHOLARSHIPS

Moulvi Abul Kaseem moved that a sum of Rs. 1,620 allotted for the grant of personal allowance of clerks in the office of the Commissioner of Police, Calcutta, be added to the grant for the provision of primary scholarships.

Mr. O'Malley opposed the resolution which was withdrawn.

GOVERNMENT COLLEGES.

Babu Kishori Mohun Chaudhuri moved that the increase in the free receipt and the savings, if any, for each of the Government colleges be spent for the improvement and development of that institution by bettering the prospects of the teaching staff and meeting other requirements of the College.

Mr. O'Malley opposed the resolution which was withdrawn.

MEDICAL SCHOOLS.

Babu Kishori Mohun Chaudhuri next moved that provision be made for addition al medical schools either in Calcutta or in Muffasil districts other than Burdwan as may be recommended by a special Committee appointed for the purpose. The money might be met from the allotment of Rs. 1,25,000 provided for the appointment of circle officers. The object of the resolution he said ,was to give better medical help in the muffasil.

Mr. P C Mitter was in favour of additional medical schools but he could not support the proposal that the sum for this purpose be met from the allotment made for the appointment of circle officers. He asked the mover to withdraw the resolution and appealed to Government to consider the question of medical education.

Babu Surendra Nath Roy said that in the muffasil medical schools would be of no use without hospitals. As to ways and means he did not agree with the mover.

Sir Henry Wheeler admitted the need of increasing medical schools and this year they had made a beginning by opening a school at Burdwan but he warned against the indiscriminate policy of having a medical school at every district headquarters. They must exercise caution before starting medical schools in muffasil.

The resolution was withdrawn.

MEDICAL COLLEGE AT DACCA

Mr. P C Mitter moved a resolution which stood in the name of Sir Deva Prosad Sarbadhikari asking for a non.recurring expenditure of two lakhs and a recurring expenditure of Rs. 74,540 for the purpose of raising the Dacca Medical school to the status of a medical college. If the Government agreed to this, the speaker said, the money might be found from the grant made in connection with the Dacca University.

Sir Nilratan Sircar in supporting the motion said that the Dacca University Scheme would not be complete with the faculty of medicine.

Sir Henry Wheeler said the chief objection to accepting the resolution was that the scheme was somewhat premature. He advised to wait till the recommendations made by the Calcutta University Commission were out which would be carefully considered but beyond that he could not give any assurance on behalf of the Government at present.

The resolution was put and declared lost 14 voting for and 26 voting against it.

HIGH PRICES OF CLOTH.

Moulvi A K Fazlul Haq moved that a lump provision of four lakhs be made for the relief of distress in the country consequent on the high prices of cloth and the requisite money be found by curtailing expenditure under agricultural education experimental farms, agricultural experiments divisional seed stores and sericulture.

Kumar Sivasekhareswar Roy while admitting that there was acute distress on account of high prices of cloth said he could not support the mover in his proposal to curtail the expenditure on agriculture

Sir Henry Wheeler said if supply of cheap cloth in areas where distress prevailed would alleviate the distress the Government would consider it. The Government however did not think it desirable to distribute standarised cloth at cost price in areas where distress did not prevail. He could not advice the Government to accept the resolution.

The resolution was lost.

PRICES OF FOOD GRAINS.

Babu Bhabendra Chandra Roy moved that two lakhs of rupees be provided as subvention to the district Boards and the muffasil municipalities for enabling them to make arrangements for the retail sale of food grains and other necessaries of life at cost price in selected areas.

Mr. Cumming said that the proposal would interfere with existing trade. As for the prices of articles he said that of salt had come down appreciably. In affected areas Government had already given special grants. The suggestion of two lakhs for the whole of the province would be quite in effectual.

The resolution was withdrawn.

Babu Kishori Mohun Chaudhuri moved that three model dairies be started at suitable centres in the moffusil with special arrangements for the improvement of the cattle breeding and the sum required be met from a portion of the sum provided for agricultural education.

Mr. Cumming opposed the motion which was withdrawn.

MAHOMEDAN HOSTELS

Moulvi A. K. Faz-lul.Haq moved that a lump provision of rupees three lakhs be made for hostels for Mahomedan students in Calcutta and the moffasil and that the money be provided from grant for Calcutta and muffasil hostels and messes and also from Departments of Fisheries and Director of Industries. He said there were some 1,200 Mahomedan students who could not find accommodation in Calcutta and Muffusil hostels.

Mr. Wordsworth opposed the motion which was lost, 9 voting for and 24 voting against it.

ALLOWANCE TO CLERKS.

Rai Mahendra Chandra Mitra Bahadur asked for grant of Rs. 5 lakhs for allowance to clerks drawing monthly salary of Rs. 100 and less employed under the Government of Bengal and that the money be met out of the grant provided under the head civil works in charge of Public Works Department.

Sir Henry Wheeler said that the Government had made provision for low paid clerks in Registration Department and had given allowance to servants employed in hospitals and following the Government of India to the employes in the press. He could not however accept, the resolution.

Rai Radha Churn Pal supporting the resolution said poorer middle class people were most affected by the rise of prices of food-stuffs and cloth and other necessaries of life. He suggested to raise the minimum from Rs. 30 to Rs. 60.

The resolution was put and lost, 7 voting for and 25 against it.

The Council adjourned at about 6 o'clock till to-day.

FRIDAY'S SITTING.

REVISED FINANCIAL STATEMENT DISCUSSION ON RESOLUTIONS

At their meeting on Friday the Bengal Legislative Council resumed the discussion on the resolutions with regard to the Revised Financial Statement. His Excellency Lord Ronaldshay presided.

BURDWAN FLOODS

The Hon. Maulvi Abul Kaseem moved that Rs. 40,000 allotted for the construction of a steam launch, be allotted to mitigate the effects of the Ajai floods in the Burdwan District.

The Hon. Mr. Cumming pointed out that one lakh had been set aside for this very purpose.

The resolution was withdrawn.

PRIMARY SCHOOL TEACHERS

The Hon. Maulvi Abul Kasem moved that Rs. 32,207 allotted to raise the strength of the Dacca Military Police Battalion, be allotted to increase the pay of primary school teachers in rural areas.

The Hon Mr. Wordsworth said that the resolution had very little influence upon the welfare of the people whom it was saught to benefit.

The resolution was withdrawn.

SPECIAL SCHOLARSHIPS FOR MAHOMEDANS

The Hon. Maulvi Abul Kasem moved that Rs. 10,000 be allotted for the grant of special scholarships for Mahomedan boys in rural areas.

The Hon Mr. Wordsworth pointed out that out of 798 scholarships 280 were reserved for the Mahomedans. Government were considering the question of increasing the number of scholarships reserved for Mahomedans.

The resolution was withdrawn.

EXTENSION OF PRIMARY EDUCATION.

The Hon Rai Radha Charan Pal Bahadur moved that five lakhs be provided for the extension of primary education within the Municipal limits of Calcutta, the amount to be met by corresponding reductions in the provisions made for building Nurses' quarters at the Medical College Hospital and the grant.in-aid for education.

The Hon Mr. Frank Carter said that although the position as regards the housing accommodation of nurses at the medical College Hospital had already been fully explained by Sir Henry Wheeler, he noticed that Mr. Pal still wanted to cut down the sum allotted for that purpose. No less than five resolutions at this meeting aimed at reducing that grant. He did not know that he was very much surprised at this as for some time now the influential Indians of this city had not taken any great interest in that most deserving institution, the Calcuta Hospital Nurses' Institution. The subscriptions to that fund by his Indian friends were virtually nil and yet practically all the nurses at the Medical College Hospital were for the relief of the poor and the suffering Indians. There were now in the Nursing quarters, exclusive of Dhais, 124 nurses and the quarters were so crowded that many of the small rooms even contained two beds. It was not possible to find accommodation for a single extra nurse in the Nurses' Quarters. Yet it was proposed shortly to construct a new Eye Hospital to contain 175 beds as also to extend the Eden Hospital which was very much overcrowded. In addition there were the two tuberculosis wards which were shortly to be constructed and for which there were no nurses. The extension to the Eden Hospital could not be brought into use if there were no nurses. In a tropical climate like this where there was so much danger of infection from disease, he was surprised that nurses were got to perform their duties on the small pay they received. Perhaps Mr. Pal had never visited the Medical College Hospital and seen the misery and suffering in the Wards. If Mr Pal had done so no attempt would have been made on his part to reduce the expenditure allotted for Nurses' quarters. He hoped that in the next Budget the Government would see their way to set aside a sum to improve the Nurses' Quarters at the General Hospital as those quarters also required to be reconstructed.

The Hon. Sir Rajendra Nath Mookherjee opposed the motion. He said that he was not opposed to the introduction of primary education but he objected to the source from which Mr. Pal wished to find money for his scheme. It was universally admitted by the medical profession as well as by the outside public that since the introduction of the nursing system human suffering and mortality had been reduced to a minimum. He was surprised that Mr. Pal should have brought forward such a motion. Calcutta had hitherto been very meagre in its supply of nurses to all the hospitals. Government was alive to this but owing to the war was unable to provide earlier for the erection of these buildings. It was beyond his comprehension that Mr. Pal should ask for a postponement of the construction of Nurses' Quarters. As regards the extension of primary education they must nationalise the primary education system and Calcutta should set the lead.

The Hon Rai Debendra Chundra Ghose Bahadur was not wanting in appreciation of the benefits derived from the Hospital Nurses' Institution but the Indian community had not similar views as they did not avail themselves of Hospitals and therefore could not imagine the benefits patients derived from the attendance of nurses. Such nurses were not sent out to attend members of the Indian community As the price of building materials this year was very high he suggested that it would be better economy this year to spend only half the Budgeted amount.

The Hon the Maharaja of Burdwan explained why no departmental action had yet been taken on Mr. Dunne's Report on primary education and said that Government must first have the opinion of the Corporation on those proposals. At present they were not prepared to make any Budget provision for primary education in the city.

Sir Henry Wheeler corrected the misapprehension under which Rai Debendra Chundra Ghose seemed to have been labouring when he said that nurses were not sent out to attend members of the Indian community. The facts were quite different and the Hon. Member referred to the last report of the Nursing Institution for 1917 to show that the Hon Rai Bahadur was not quite correct in making that statement.

The resolution was lost.

WATER SUPPLY TO RIPARIAN MUNICIPALITIES.

The Hon. Rai Radha Charan Pal Bahadur moved that a provision of rupees one lakh be made. out of the allotment of Rs. 33,80,000 for works in progress, for water supply and for the general sanitary improvement of the riparian municipalities in the vicinity of Calcutta. He said that Calcutta was inadequately supplied with filtered water and heavy expenses would have to be undertaken to improve the city's water supply.

The Hon Rai Mohendra Chundra Mitter Bahadur, the Hon Rai D C. Ghose Bahadur and Babu Surendra Nath Roy supported the resolution.

The Hon the Maharaja of Burdwan said that the motion for a lakh of rupees without any scheme being put forward was absurd.

The motion was negatived.

The Council was then adjourned till the 27th instant.

BOMBAY LEGISLATIVE COUNCIL.

NEW YEAR'S BUDGET

Bombay, Mar. 13.

A to-day's meeting of the Bombay Legislative Council Sir George Lloyd presiding, Hon Mr. Carmichael presented the revised financial statement for year 1919-20. Budget opens with balance of Rs. 45,526 (thousands), revenue is estimated at 103827 bringing total of revenue to 169353. Total expenditure is estimated at 105200 thus leaving the closing balance of 44153. Out of above total expenditure towards education is alloted 13206 as compared with 11191 for last year, 2300 is allotted to sanitation and 1500 to famine relief. On the revenue side the income tax is estimated at the same figure as for last year in spite of anticipated decrease in the provincial share of receipts.

SERIOUS FAMINE IN JHALAWAD.

PUBLIC SUBSCRIPTIONS URGENTLY REQUIRED.

(From a Correspondent.

Karachi, Mar. 13.

Serious famine has broken out in Jhalawad The district deputation is awaiting you Please give best help in raising substantial funds. (By wire.)

BOMBAY COUNCIL MEETING

SIR GEORGE LLOYD'S OPENING SPEECH.

Bombay, March 12.—The meeting of the Bombay Legislative Council was held at the Secretariat, H E Sir George Lloyd presiding. In opening the first session under his presidency Sir George delivered a speech in the course of which, after assuring members of a full and fair opportunity for debate and after referring to the services rendered by the Bombay Presidency for bringing about the war to a successful conclusion His Excellency alluded to the prevalent famine in the presidency and assured the Council that the Government were making every possible effort to alleviate distress. In that connection hon. members should realise how great the strain of work had been on all Government officials who with their ranks deplted and health impaired had carried on their work with courage and ability. Referring to the financial statement to be presented to the Council His Excellency spoke of the largely increased provision made for education, sanitation and increased pay for the lower grades of Government servants. They were all awaiting the report of the Franchise Committee and he emphasised his Government would do all in its power sympathetically to put into practice any scheme of reforms the Imperial Government might pass. Continuing Sir George referred to social reforms such as education, sanitation and housing and said the Government alone could not solve these problems unless the public bodies showed zeal and enthusiasm. In conclusion Sir George appealed to the generosity and public spirit of the public of Bombay for bringing about those reforms and looked forward to the co operation of the public bodies the press and the public to encourage and support the Government in attempts towards the improvement of the lot of the people.

After the conclusion of the Governor's speech the Council granted leave to the introduction of the Bill to prohibit juvenile smoking brought forward by Major Fernandes.

The Council then disposed of three resolutions: One expressing sympathy and condolence at Their Maffiesties' bereavement was unanimously carried, the whole Council standing, another regarding the teaching of the Quran in Mahomedan schools, and a third regarding fooder supply in Gujarat were negatived.

QUEEN OF ITALY.

VISIT TO PARIS.

Madras, Mar. 13.

A Havas cable from Paris dated 18th February says the Queen of Italy will visit Paris at the same time and will stay at the same (?) as the Prince of Wales in connection with the marriage arranged of the English crown heir to Princess Yolande. Princess Yolanda is the eldest daughter of King Victor Emmanuel and was born of June 1901.

KHARAGPUR RIOT CASE.

JUDGMENT DELIVERED.

Midnapore, Mar. 12.

Mr J N Ray the Sudder Subdivisional Magistrate of Midnapore has delivered judgment in the Kharagpur Strikers' case in which the last batch of the nineteen accused including Sarkata Prosad, Nathaum and Kamaluddin stood charged with having been the members of an unlawful assembly knowing that it had been commended to disperse. The Magistrate found all the accused guilty under Section 145, I P C. and sentenced them to pay a fine six of Rs. 80 each and thirteen of Rs. 20 each.

THE TILAK LIBEL CASE

APPEAL FOR FUND.

Bombay, March 12.

An appeal has appeared in the 'Kesari' over the signatures of several Maharashtra leaders, viz Messrs Khaparde, Belvi, Mahajani, Kelkar, Doctors Deshmukh and Sathaje requesting those who sympathise with Mr Tilak in bringing the defamation suit against Sir Valentine Chirol to subscribe their mite to a fund just started and named the Tilak Fund, 1919 to meet heavy cost of the suit. The signatories of the appeal have estimated that Rs three lakhs at least will be required to meet the expenses incurred and to be incurred for further appeals to higher courts to be made shortly.

STRIKE AT LEATHER TANNERIES

ALLEGED LAWLESSNESS OF STRIKERS

Bombay, March 12.

The employees of the leather tanneries at Dharavi went on strike on the 4th inst. The men of the Government tanneries were granted increase in wages from eight annas to ten annas and they resumed work. The next day on the seventh instant some three hundred men of other tanneries who were on strike rushed into the compound of the tannery belonging to Mr Appa Haji Mohamed and intimadated the men working here. The police arrived on the scene and arrested fourteen men who are being charged before the Magistrate for being members of an unlawful assembly.

REFORM SCHEME.

Delhi, March 11.—It is understood that the Government of India's first despatch to the Secretary of State dealing with the general principles of the scheme of reforms was issued from Delhi last week.

Delhi, March 11.—Mr L C Adami has been placed on special duty under the Government of India in connection with the Reforms Scheme.

LEAGUE OF NATIONS—A PART OF PEACE TREATY.

Paris, Mar. 7.

The Havas Agency states that at the weekly Conference of journalists Tardieu said that the French Government hoped that the League of Nations would be made a part of the preliminary Peace Treaty. Connection between the League of Nations and the Peace Treaty must be maintained. It was highly desirable that German delegates should admit the principle of the League with the understanding that Germany should be made a member after giving proof of her intention to carry out the terms of the Peace agreement as the Allies were in complete agreement that the German navy should not be handed back to Germans. The French favoured the German Navy being given over in part to the French Government regarding military terms. Tardieu said the Allies unanimously thought that terms should be made more severe than suggested by the Allied military advisers

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REUTER,S TELEGRAMS.

DANISH AND POLISH PROBLEMS

PROSPECTS OF SETTLEMENT.
DISPOSAL OF SCHLESWIG.

Paris, March 4.

The Havas Agency states that good progress has been made with the Danish and Polish problems. It is understood that the Poles, provided that they are assured of a corridor to the sea might be willing not to insist on the incorporation of the town of Dantzig contenting themselves with Eckenwerde instead. With regard to the Danish claims the procedure contemplated is that the Duchy of Schleswig will be divided for the purpose of settlement into four zones. In the first zone adjacent to the Danish frontier the population will shortly be consulted by a plebiscite on the question of returning to Denmark. In the next zone the plebiscite will be postponed for six months. In the third zone the Allies contemplate the military occupation. The fourth zone including the Kiel Canal will remain German.

WILSON'S VISIT TO AMERICA
FRENCH INTEREST IN THE MATTER

Paris, March 4.

The progress of President Wilson's visit to America is followed with close interest in France and in significant of improved feelings of the French towards the idea of the League of Nations.

GERMAN WARSHIPS.
NOT TO BE SUNK OR BROKEN.

Paris, May 7.

The League reiterates the previously expressed opinion that warships should neither be sunk nor broken up as they constitute the common capture of the Allies. They should be divided in the best way for France to make up the losses she sustained.

MILITARY TERMS AT PEACE CONFERENCE.

Paris, March 4.

The Havas Agency states that the French newspapers make no concealment of their disappointment at the delay in settling the military terms of the preliminary peace treaty. They say Marshal Foch was asked to take back the report and make a clear distinction between the measures of the control of the provisional character and those of permanent description. It also appears that the Allied experts are not altogether agreed regarding the naval conditions, particularly the fate of the German fleet owing to a good deal of criticism in the French political circles of the English suggestion for the total destruction of the German fleet.

EMPLOYERS AND EMPLOYEES

GOOD FEELINGS URGED UPON PREMIER'S SPEECH.

London, March 4.

The Premier to-day addressed the first session of the Industrial Joint Committee of the employers and the employed which was constituted at the Industrial Conference on Febraury 27th and which was held privately this morning in the Central Hall at Westminster Sir Thomas Munro presiding. The Premier said he was returning to Paris to the Peace Conference that afternoon but thought it important to come there and say a few words to them who were also setting at a Peace Conference which was more important for the future than they perhaps realised. Russia had come to pieces and he was sorry to say that the symptoms were that Germany was also going to pieces. There was in Germany a lack of cohesion of ideas regarding the way the country was going to march and he would not be surprised if Britain had again to have civilisation in more ways than one. The committee's task was to settle the peace of the country. But they were doing more. They were setting up a model of civilisation for the rest of the world. Let them approach their labours in that spirit. Civilisation might be shattered to atoms. It could only be saved by the triumph of justice and fairplay to all classes. The Premier urged them not to try and get the advantages over each other. They were not advocates but Judges for the whole nation which looked to them to save the State.

He advised the employers not to seek temporary advantages which might finally ruin them but to take a long view and see that the functions which in some places were rotten and underpinned were made secure. He pointed out to the workers that what was happening in Russia might happen in Germany and showed that they were a class which anarchy suited the least and that when they seemed to be triumphing most they were really except perhaps a favoured few, suffering dreadful horrors. They must see that the stream of prosperity irriated the whole land. It was a mistake to keep the men working longer than was absolutely necessary but at the same time two things must be borne in mind, namely, the foreign competition and the need of the productivity for the community of forty-five millions. Therefore it was necessary to find the legitimate boundary just as the Paris Conference was trying to fix the boundaries of Europe. They must use commonsense and get a line that would meet justice of the case.

Referring to the unemployment the Premier emphasised that while to the employer the unemployment meant only loss of profits and mental worry, to the worker it meant the personal suffering and still greater sorrow of seeing his family starving. Only those had lived in working classes could appreciate these horrors which must be vanished. They must devise some scheme by which when unemployment came it would be impossible for the distress and famine to haunt the homes of the honest people who were only seeking work. Even a criminal sentenced to hard labour was fed. It was unjust and unfair that a man seeking work should be deprived of food.

The Premier emphasised that the prosperity of the country depended upon increasing its productivity and heavy charges upon the state owing to the war by which the national debt had reached eight trousand millions sterling must be met by increased productivity. He urged employers and the employed to exchange views freely, to have a quiet talk and devise an understanding. It was hard to get suspicions against the employers out of minds of workers but they must make the worker understand that the greater the productivity of country the greater would be his and employers prosperity. Let them see that sunshine entered workmen's cottage as well as the employers' mansion (cheers)

League of Nations Draft.

SENATOR LODGE'S OPPOSITION

SENATORS' DETERMINATION.

TO EMBARRAS GOVERNMENT.

TO EMBARAS GOVERNMENT.

London, Mar. 4

Washington. Senator Lodge to-day introduced in the senate a resolution favouring the establishment of a satisfactory peace with Germany prior to the serious consideration of the League of Nations scheme. The Democrates objected to the immediate consideration of the resolution which was therefore placed on the table. Mr. Lodge then read the names of thirty seven Senators of the next Senate who had asserted that they favoured the resolution. The number exceeds one third of the membership of the Senate or sufficient to defeat ratification of the peace treaty for which two thirds vote is required. Senator Lodge's resolution definitely proposes the rejection of the League of Nations draft in the present form by the United States. The Congress subsequently adjourned amidst the obstructionist tactics of some Senate Republicans which prevented the passage of a number of imporant bills. It is pointed that th eadjournment definitely marks the passing of the democratic control and the failure of the army and the navy appropriations. President Wilson made statement declaring that a group of Senators had deliberately chosen to embarrass the Govt

PRESIDENT WILSON'S DEPARTURE FOR FRANCE.

HIS CONVICTION ABOUT LEAGUE OF NATIONS.

London, Mar. 5.

Newyork. President Wilson has sailed for France. A large crowd greeted his arrival. Strict police precautions were taken. The President addressed the meeting in the Metropolitan Opera House in which he declared that he was convinced by the unmistakeable evidences from all parts of the country that the United States favoured the League of Nations.

SELF-DETERMINATION OF IRELAND.

FAVOURABLE CONSIDERATION BY PEACE CONFERENCE

RESOLUTION IN AMERICAN HOUSE

London, Mar 5

Washington. The House of Representatives by 216 votes to 41 adopted the resolution by Mr. Gallagher expressing the hope that the Peace Conference would favourably consider the claims of Ireland to the right of self determination after a turbulent all night sitting. A number of members emphasised that the internal affairs of Britain did not concern the American people. The senate ignored the question.

FORMATION OF SOLDIERS COUNCIL.

PENALISED BY FEDERAL COUNCIL.

London, Mar 5.

Berne. The Federal Council has prohibited the formation of the Soldiers Councils under the penalty of imprisonment not exceeding two years. It also severely penalises the dissemination of false news likely to prejudice the discipline of the army, or alarm the population.

BOLSHEVIK ACTION AT KIEFF.

HEAVY WAR CONTRIBUTION ON CITY

London, March 5.

Warsaw. When the Bolsheviks entered Kieff they transferred the population of the Ghetto and the slum quarters to the houses of wealthy and vice versa. It is reported that they levied a two hundred million rouble contribution on the city. The French troops hold Odessa and the small surrounding belt.

STRIKE OF MARINE WORKERS.
SHIPPING AT STANDSTILL.

London, Mar 5

Newyork. Sixteen thousand marine workers have struck demanding eight hour day and thirty per cent increase in wages. Ship

SITUATION AT BERLIN.

GENERAL STRIKE RECOMMENDED.

London, Mar 4.

Copenhagen. A telegram from Berlin dated 3rd says: The stormy meeting of the Berlin Soviet Communists and the Indepen ent Socialists by bare majority over the majority Socialists passed resolution in favour of the general strike to enforce the demand for the political recognition of the Soviets and the overthrow of the Scheidehmann Ministry. It is anticipated, however, that the majority Socialists workers will not participate in the strike.

LALA LAJPAT RAI.

PASSPORT DENIED TO ENGLAND.

London, March 3.

In the House of Commons Col Yate urged that in view of his record it was not advisable to allow Mr Lajpat Rai to return to England or India from America. Mr. Fisher replied that Mr Montagu had refused the passports hitherto.

CHINA'S FREEDOM FOR DEVELOPMENT.

Paris, Mar. 7.

The Member of the Chinese delegation states that China wants freedom for the independent development within her borders not having outside claims. It hurts the feelings of the younger generation in China to see a foreign garrison in Pekin. Saigonji, Chief of Japanese delegation, says he hopes that in future there will be the best understanding between China and Japan owing to proper comprehension of legitimate Japanese claims for ensuring peace and progress of the civilisation in the Far East.

NO REVOLUTION IN RUMANIA.

Paris, Mar. 7.

Queen Marie of Rumania has issued a plea on behalf of the people of Rumania who are suffering miserably from underfeeding. The stories of revolution in Rumania are untrue.

Black Cobra Bills.

Imperial Legislative Council.

MR. JINNAH.

Delhi, March 12.

Speaking on Mr Bannerjee's amendment Mr Jinnah said that in answer to Mr. Ironside he would say the reason why they wanted the postponment and the reference to outside bodies was the peculiar constitution of their legislature. He did not believe that the members of the type of their Law Member Sir Sankaran Nair and Sir George Barnes could possibly have in their heart of hearts liked the measure. He did not doubt the sincerity of Govt; but Mr Ironside forgot that the Govt as at present constituted, had no check whatsoever. They found that the Governor General in Council with the official majority at their back had decided that the Bill should go through. They found that the non officials had decided to oppose it. Were the Govt wrong or were the non officials wrong? Had the non officials gone mad that not a single member supported the measure? Were they wrong in asking the Govt to stay their hands. The atmosphere in the Council Chamber was charged with this spirit that the Govt were determined to carry the measure through and the non-official members were determined to oppose it. Was that not the situation that needed to be solved? The best thing was to get outside help. If Mr Ironside was right in saying that Indian gentlemen told him they wanted the bill in Bengal for the sake of sober people they would bear that opinion. If they got such an opinion would not the Govt's hands be strengthened. Mr Jinnah said the Law Member shook his head. He had the greatest regard for the Law Member and he did not like to say anything against him. But he would say this he (the Law Member) was still an advocate and once he took up a cause he was an advocate and nothing but an advocate. He was surprised to hear Mr Ironside, a Britisher say that the Bill was admittedly meant to apply to a small and wicked section of the community and why should the bigger and saner section take up this attitude. He would ask Mr Ironside to study the history of his own country. Mr Ironside's countrymen had fought and shed their blood since the time of King John for the principle that no man's liberty should be taken away without trial. It was not the wicked they wanted to protect, it was the innocent for whom they were pleading. If the Govt were determined to carry the measure though, all he would say was that he for one believed the consequences would be most unfortunate. It was said that if time were given the agitation would grow worse. How could it be worse when at the present moment the agitation was at its height? The Law Member had said that the agitation would be what the politicans chose to make it. If the Law Member had any experience of the public life in this country the speaker was sure he would not have said this. In this connection he said he had received a telegram from the non official members of the Bombay Legislative Council signed by Mr G K Parakh, the mildest of mild men he had come across, saying their association had unanimously resolved to request the speakers to express an emphatic protest against the bill. Referring to Mr Ironside's remark that concession to public opinion on this point would at once be taken as a sign of weakeness he said it was a monstrous suggestion to make. He thought this argument was brought in to stiffen the back of the Govt. In conclusion he begged the Government to consider this that they were opposing the measures for the sake of the opposition. Did the Govt think they (Govt.) had the welfare of his country and they had not? Did they think he wanted the revolution and they did not? He had got up purely for the sake of convincing Mr. Ironside and he would now say if he (Mr. Ironside) were standing in the speaker's position and if he understood the Bill and if he had been brought up in traditions of Great Britain he would do the same.

MR. SHASTRI.

Mr. Sastri said Mr. Ironside had suggested if the Govt. yielded on this occasion it would be a sign of weakness. He thought that if the Govt. yielded in this matter it would not be weakening but strengthening their position. The instances in point were Govt's decision regarding indentured emigration and the publication of reforms report which had gone a great way to calm the situation. The vital issue was how were they to deal with the anarchist and in this connection he would point out to Mr. Ironside that the principal feature of the love of liberty was love of liberty for others. With regard to extending the Defence Act by ordiance he said these measures carried on their character of being emergent. He thought by postponing the measure there would be great moral gain to all. He would consider it a great blessing if the Govt. were induced even at this last moment on political grounds, to agree to the postponement. With regard to argument about the reforms he said it was ominous that the Govt. of India showed so much anxiety to conciliate the English opinion that was so unjust and so uncharitable. He submitted there was no urgency in the matter. The emergency had already been coped with and the Govt. were well armed to meet any difficulty of this kind. He supported the amendments.

AFTER GARDEN PARTY

Delhi Mar 12

The Imperial Council reassembled at six after the Garden Party. The Viceroy continued to preside.

Mr. Chanda withdrew his amendment which was to the effect that the Bill as amended by the Select Commitee be republished and circulated for opinion of, among others, High Courts and Chief Courts.

Mr. Khaparde's amendment for the republication of the Bill and Mr. Ayyangar's amendment for referring the Bill including the minutes of dissent by Pandit Malavila and Messrs Kharparde and Patel to the local Governments for opinion were rejected.

Mr. Chanda's next amendment. that the revised bill be recommitted to the Select Committee with instructions to report to the Council during the next Simla Session was rejected by 37 to 15. The loss of the amendment automatically put out Mr. Chanda's next amendment which was to the effect that Sir Claude Hill, Sir Sankaran Nair, Messrs Jinnah, Sarma and M. Haque be added to the Select Committee.

Mr. Patel next moved that the Select Committee's report be taken into consideration this day 1921. This was, he said, a very reasonable demand in view of the Government determination to pass the Bill and not to abandon it.

Sir William Vincent said that this measure was one of great emergency and he could not accept the amendment. The amendment was rejected by 37 to 10.

Mr. Khaparde next moved that the Bill be not taken into consideration until the Governor General in Council receives from Parliament an express authority by an Act of Parliament to pass it. He said the Indian Legislature was a subordinate legislature. He referred to the Government of India Act of 1916 Sections 32 and 65 and held that the Government of India had not the power to enact a law like the one before the Council unless especially empowered to do so by the Parliament as it affected the allegiance of the British subjects in India.

Sir George Lowndes dwelt at length on the point whether the Government of India had power to legislate which was questioned by Mr Khaparde. He maintained the Government of India had full powers and said Mr Jinnah had only referred to minority judgment of Lord Shaw.

The amendment was rejected. The motion that the Select Committees report be taken into consideration was adopted.

The Viceroy congratulated the Council on admirable temper throughout the debate on this very controversial subject.

The Council adjourned till to-morrow at ten minutes past seven.

Delhi, March 13.

The meeting of the Imperial Council was held this morning. The Viceroy presiding said before they proceeded with further discussion of the Bill he would inform the Council of the procedure he intended to adopt. The Bill would be considered clause by clause and when an amendment to a particular clause was moved the question would be put whether the clause or the clauses as amended formed the part of the Bills. He said there was no amendment relating to the preamble and he, therefore put the question to the Council whether the preamble do from the part of the Bill. The motion was agreed to. Mr. Patel's voice only was heard against it.

Mr Chanda moved the following amendment that after Sub Clause 2 of Clause 1 the following Sub clause be inserted: 2 A. This Act shall not come into force till six months will have elapsed after the formation of the new legislative councils in accordance with the Reform Scheme, provided however that if anarchical and revolutionary crimes become prevalent in any part of the British India before that the Governor General may with the consent of the Legislative Council make a declaration to that effect in the Gazette of India and introduce any provisions of the Act or if necessary the whole Act in such part. He called the law extraordinary as it tended to empower the executive with judicial powers and held that in the case of such an extraordinary law it would be only proper to consult the Council to make a declaration.

Sir William Vincent was unable to accept the amendment which he said was opposed to the spirit and provision of the Bill. The details of the administration need not be referred to the Council.

The amendment was lost.

Mr. Chanda next moved that the duration of the Act be for one year and that from the date of its commencement he said one year was quite sufficient.

Sir William Vincent said the Government could not agree to the amendment. There were many who thought the period of three years was inadequate.

Pandit Malavia thought three years were too long a period. If the evil existed after the expiration of one year the Government would still be in a position with its official majority to extend the operation of the act. The amendment was negatived.

Mr. Patel moved that the duration of the Act be for one year and it should work into operation from the date of the passing of the Reform Bill in the Parliament. He said if necessity arose the operation of the act could be extended. As His Excellency knew there was no real urgency and he therefore suggested that the Act might he passed now but its operation be withheld till the Reform Bill was passed.

Sir William Vincent in opposing the motion said he had endeavoured to make it clear that the measure was of the greatest urgency. The present argument was inconsistent with previous argument that there would be no necessity for this measure after reforms were introduced. With regard to the period of the duration the Government were satisfied that three years were the minimum period. The amendment was negative and the clause one was passed.

On the consideration of the clause two Mr Sarma moved that the following definition be inserted in the Clause. The revolutionary movement means the movement directed to the overthrow by force of His Majesty's established Government in India. He said the matter was not so simple as some imagined and it was necessary that the legislature should definite the movement they wished to suppress. He was apprehending the danger that some official might think the particular movement visionary. Ideals might be accompanied by wrong methods and might take action. Dr Sapru in supporting the amendment said it seemed to him the amendment was consistent with the avowed object of the Bill and the declared policy of the Govt it would assure the public mind for no one would say that that the Bill might be abused was impossibility. Mr. Sarma's definition brought out very well the meaning of the movement.

Mr Chanda in supporting the amendment said though he had seen the necessity of this amendment he had not given the notice to move it as he was afraid his list of amendment was too long.

Pandit Malaviya also supported the amendment. He said unless the definition was given the language was liable to be misconstructed and it might lead some petulant Governor to take action which might not commend itself to sensible men.

Mr. Chanda moved for addition of a proviso to clause (four) to the effect that the Chief Justice on information being filed before him should call upon the accused to show cause why his trial should not be held under this Act.

Sir William Vincent said this step would not contribute to speedy trials. Accused would be placed before very impartial and strong tribunal and besides the Chief Justice would not be in a position to know grounds of the State which made it expedient to hold trial under this Act.

The amendment was lost.

Mr. Chanda next moved for the addition of a sub clause to the effect that the Chief Justice may order production of the accused before him and may grant bail.

Sir William Vincent said if this amendment was withdrawn he would move another to clause 19 which gave powers to the Chief Justice to make rules the effect of which would empower the Chief Justice to grant bail.

Mr. Chanda withdrew his amendment and by vote of the Council clause (four) stood part of the Bill to clause (five).

Mr. Sarma moved an amendment that the tribunal should consist of three permanent Judges of High Court instead of three Judges of High Court. Mr. Sarma said to inspire confidence of public they should have permanent judges and no officiating judge. If officiating judges were put on tribunal suspicion might arise that the judge was appointed to try this particular case.

Dr. Sapru in supporting said the charm about permanent Judge of the High Court was not he was abler but because he was thoroughly independent. The permanent Judge had no favour to expect and no frowns to fear. It was unfair to the accused to be tried by officiating Judges who were yet to be confirmed.

Mr. Banerjee further supported the amendment.

Sir Verney Lovatt said the Rowlatt Committee never for a single moment intended to convey that officiating Judges should not be appointed.

Sir William Vincent said they had followed the recommendation of the Rowlatt Committee. The Government were not chosing Judges but the Chief Justice and by passing this amendment they would be casting reflection on officiating Judges to which he for one would not be party.

The amendment was lost.

Mr. Khaparde moved a long amendment providing for appeal and constitution of the court of appeal which was to be five Judges other than those consisting Special Tribunal. Mr. Khaparde said this provision existed in Irish Coercion Act and there was no reason why this provision should not be inserted here and the question of speedy trial would not arise in this case.

Mr Shafi here pointed out that the proper clases to which this amendment could be moved was clause 17.

His Excellency asked Mr. Khaparde to first establish his court of appeal and in that case there would be no difficulty in constituting the court. Mr Khaparde obtained leave to move his amendment to clause 17. Clause five then stood part of the Bill.

AFTER LUNCH.

When the Council reassembled after Lunch Mr. Khaparde moved that notification, to be made to apply to part I of the Bill, should be made by Governor General in Legislative Council instead of Governor General in Council. Mr. Khaparde said his amendment aimed at a formality which was calculated to reassure people. It would give opportunity for a public explanation as to why the Government was taking action.

Mr. Patel said the next amendment withstood in his name was somewhat similar and he would like to support Mr. Khaparde. He asked the Government to share responsibility with the representatives of the people.

Sir William Vincent said this amendment and some others, which followed, raised constitutional questions of importance. This was an attempt to control the executive in matters of details by the Legislature. The Parliament did not interfere in details of administration. Deliberative body could not deal with details of administration and was concerned only with principles. The responsibility for carrying out the details should always remain with the executive. What was true of the Parliament was much more true of the Indian Legislative Council Apart from this constitutional objection there were practical objections also. Necessity for bringing into operation part of the act might arise when council was not sitting. It might be argued this Council might be summoned when required. What Home the member said is difficult to work in practice. He opposed the amendment which was put to vote and lost. Similar amendment moved by Mr. Patel was also lost. Mr. Sarma then moved the amendment that act should not be applied before opportunity was given to the Imperial Council or to the Council of province to which the act was to be applied and that notification of applying the act should be withdrawn after one year of the recommendation made by three-fifths majority of either council. Mr. Sarma said there was no question of interfering in matters of detail What it really meant was they were vesting the executive with extraordinary powers subject to certain limitations. By passing this amendment the council would be giving opportunity to the public at the end of one year of stating their case. The execution would still have to issue another notification in respect of same area should necessity arise

Sir William Vincent opposed the motion for the same reasons The only difference, he said, between the last amendment and this was that there the Hon member wished the action of the Governor General in Council should be controlled by provincial legislature. The effect of the second part of the amendment was to give mandatory effect to the resolution which was opposed to rules on the statute. He added that the Government of India were at present responsible to His Majesty's Government and not to Indian legislature. The amendment was negatived and clause three stood as part of the Bill.

The Council is proceeding.

At the meeting of the Legislative Council on the 19th inst., on the motion of Sir George Loundes the date of the termination of the present war bill will be considered and passed. Among other bills which will be considered and passed are the Indian Oaths Act Amendment Bill, the Indian Defence Force Bill, the Negotiable Instruments Act Amendment Bill and the Excess Profits Duties Bill Sir George Loundes will introduce a bill to supplement the Punjab Courts Act 1918 This will be taken into consideration after the suspension of the rule of ordinary business is passed.

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The Council having agreed to the retention of clause 13 as part of Bill Mr Shukul moved the amendment 15 of the clause 14 to provide for the acquittal of the accused unless all judges concurred in convicting him and Mr. Shukul said the amendment was not based on sentimental grounds but it was based on fundamental principles of British justice, namely, that benefit of doubt should be given to the accused person and the difference of opinion amongst judges constituted doubt. Similar amendments stood in the names of Mr. Bannerjee, Mr. Chanda and Mr. Patel. Mr. Banerjee said that the mere fact that there was a difference of opinion among judges indicated that there was at least some element of doubt regarding the guilt of the accused and if there was that element of doubt the accused should get benefit of it. He gave an instance where respectable young men were tried before a tribunal and pleaded alibi. The defence was believed by non-official judge but the accused was convicted by the other two and this led to a great controversy in newspapers and outside and he urged the Govt to avoid cases of such kind.

Mr. Patel said this safeguard was more necessary as they were not giving the right of appeal. In the Irish Act the accused had the right of appeal and yet there it was laid down that accused shall be convicted by the unanimous opinion of judges.

Pandit Malaviya strongly support ed the amendment.

Sir William Vincent said he regretted he could not accept the amendment. In this country they always accepted the majority decision of the judges That was so in the Act of 1908 and he did not remember of any case of injustice under that Act. He did not see why the verdict of one judge should prevail over that of two more particularly, if it was on the point of law. In Criminal appeals the verdict of majority prevailed even up to the death sentence. Then all those with judicial experience would bear him out that where one of the members of a tribunal was in favour of acquittal his opinion would necessarily carry the greatest weight with the other judges sitting with him. The tendency of the court always was to go with the judge in favour of acquittal and it was only in the strongest case that difference arose. This clause was in consonance with the practice prevailing in India and with the provisions of the previous law.

The amendment was on division negatived by 15 votes against 36.

The Council then adjourned for dinner.

On the council ressembling after dinner Mr. Patel moved his amendment that in the case of the difference of opinion about the guilt of the accused the sentence of death shall not be passed. Before speaking on the amendment he said coming events cast their shadows. Very shortly reforms would be introduced and he hoped a substantial instalment of self-Govt. and they must copy some practices of the House of Commons. They were now having the late sittings and he believed they would have late sittings when the full self Govt was confered on them. He said this was a most urgent demand and he hoped the Govt. would accept it.

Sir William Vincent said he would accept the spirit of the amendment but he would move his draft amendment to Section 16. He read the amendment which provided the sentence of death shall not be passed in any case in which there is a difference of opinion among the members of the court as to the guilt of the accused. This having satisfied the Hon'ble Members the Clause 14 was allowed to stand as a part of the Bill.

Mr. Shafi moved that for Clause 17 the following clause be substituted. (1) An appeal shall lie from the judgment of the Court to a Full Bench of the High Court consisting of at least five Judges. (2) The High Court shall not have any authority to transfer any case from the court or to make any order under Section 491 of the Code or save as provided in sub clause (1) have any jurisdiction in respect of any proceedings on this part . Mr. Shaffi said the amend ment asked for the cherished right of ap peal and said that ought not to be taken away without an adequate reason. The departure of taking away right of appeal was calculated to make the Government unpopu lar with the people and the Council ought not to be a party to it. It might be argued there was no right of appeal from the ordi nary High Court criminal trial. But that was the trial by jury and the trial by a Spe cial Tribunal was quite different. Mr. Kha parde who had another amendment agree ing in principle with Mr. Shaffi's and dif fering in details then spoke dwelling at length on the necessity of right of appeal.

Pundit Malaviya speaking in support of amendments said the right of appeal was an important safeguard against injustice and ought not be taken away. The Defence of India Act is an emergency measure to meet the special emergencies of the war and the absence of provision for the appeal in that Act should not be taken advantage of for the present legislation.

Sir William vincent quoted the Rowlatt Report against the right of appeal on this matter and said he did not see any reason for reconsideration now.

Sir William denied that the right of ap peal was a fundamental right and said ap peals generally rose from some suspicion of the judgment of the original court. He was to avoid that suspicion. They had set up three judges of the High Court to con stitute the tribunal. Sir William drew at tention that the right of appeal for mercy to the Local Government and the Governor General had not been taken away.

Mr. Shaffis amendment was put to vote and declared lost. The division resulted in 16 voting for and 36 against. Mr. Kha parde's amendment was then put to vote and lost. Mr. Sarma next moved for the addition of a proviso for the right of ap peal in case of the difference of opinion among the members of the Tribunal. The amendment was negatived.

Mr. Chanda moved for the addition of a provision to provide for appeal in the cases where death sentences were inflicted and al so to decide the points of law reserved at the instance of the defence or on the cer tificate granted by the Advocate General. This amendment was also negatived.

It was at 12.30 a.m. that Mr. Chanda concluded his argument and Mr. Jinnah rose to support the amendment. Before he did so he observed it would be better in the interests of the public time that the Gov ernment should declare that such and such were minor points they were prepared to accept and for the rest they had made up their minds and they would carry it with their official majority. That would save ample time and put an end to agony. It must be agony to the Government, it was certainly agony to him to sit here and see this mockery of amendment after amend ment being moved and rejected. He asked if as the last straw they would not agree to the creation of a high tribunal. as the revisional court. It was said the Rowlatt Committee had said this but were the Government of India going to render their judgment to the Rowlatt Committee? Was the Council going to surrender its judgment to the Rowlatt Committee? Was the Rowlatt Committee infallible? He ask ed the Government to give over the revolu tionary a fair chance.

Dr. Sapru further supported the amend ment. He said by depriving the accused of this right they were taking away much of the professions with which this Bill was introduced.

Sir William Vincent said before death sentence was passed three judges would have to be unanimous. The Government thought they had done all that was necessary in the abnormal circumstances with which the bill was intended to deal. Mr. Jinnah's remarks, he said were hardly fair after considerable modification made in the Bill just before the dinner. The amendment was negatived and Clause 17 stood as a part of the Bill. After amendments to Clause 18 had been considered and rejected the clause stood as a part of the Bill.

To Clause 17 besides the two formal amend ments which were accepted Mr. Chanda moved for the addition of a proviso for the payment of expenses of trial of for the persons charged and for empowering the courts to grant compensation to the accused when it finds there was no reasonable or probable cause for prosecuting him.

The amendment was negatived and Clause amended stood as a part of the bill. This concluded the first part of the Bill and the Council adjourned at 1-30 a. m. till eleven in the morning.

The Council re-assembling after lunch at 2-15 a. m. animated debate took place over Clause 12 relating to the examination of accused on oath which Messers Banerjee, Khaparde and Patel moved to delete from the Bill. Pandit Mallaviyia and Sir George Lowndes had a brisk duel on the subject of early Irish legislation. Mr. Sastri said that after the speeches he had heard he was converted and should vote for its retention. The Council was divided on Mr. Bannerji's amendment for deleting the Clause 12 and it was rejected by 37 votes to 14. The Viceroy announced his intention of adjourn ing at 7-45 p. m. and sitting again at 9-15 till amendment No. 77 was reached. The council rose at 1-25 a. m. after disposing of 65 amendments and adopting 19 clauses cons tituting the first part of the Bill. This is the first night sitting on the record. The Council adjourned till 11 a. m. when the discussion on the second part will begin. Several changes were made in the Bill to night but the most important was the addition of the provision to Clause 16 providing that the sentence of death shall not be passed in any case in which there is difference of opinion among the members of court as to the guilt of the accused.

MR. BANERJEA'S AMENDMENT.

Delhi, March. 13.

Clauses 6 to 11 were passed after amendments to them had been considered and disposed of.

Mr. Banerjea then moved that Clause 12 be deleted. The Clause relates to the examination of the accused on oath. He said this was a dangerous innovation and no competent legal opinion was obtained in the matter. He understood there was a proposal to engraft this in the substantive law of the land and he felt it his duty to warn the Govt. that the effect of introducing it in this Bill would be to create mass of prejudices against that proposal. The Bill was unpopular and this clause would make it more unpopular Mr. Patel and Mr. Khaparde had similar amendments and they associated themselves with the remarks of Mr. Bannerjea.

Dr. Sapru did not like the experiment of this kind to be tried in the measure of this character.

Pandit Malaviya was of opinion it was unwise, inexpedient and dangerous to introduce this clause. He said what was true of Ireland in this connection was true of India and he, therefore, begged the Govt. to reconsider the matter.

Mr. Kinaid who opposed the amendment quoted the observation of Sir Edward Clarke that innocence was one sure shield, no matter, how stiff the cross-examiner was. He informed the Council that the Govt. of Bombay on the advice of some senior judges had recommeded to the Govt. of India to introduce this change in the Criminal Procedure Code.

Mr. Shafi wanted to know whether the Govt. were prepared to accept the amendment that the court would not draw inference adverse to the accused to enable the members to make up their minds on this amendment.

Sir William Vincent said the Govt. proposed to follow the English rule throughout. At this stage Mr. Banerjea proposed to adjourn. His Excellency said he proposed to sit until the amendment 77 was disposed of. He would adjourn and sit again at 9 p. m. Mr. Banerjea said they all went to bed at 9 p. m. (laughter). This arrangement meant the disposal of the whole of the first part.

Mr. Shafi supported the amendment.

Sir George Lowndes said Mr. Jinnah had said this measure must have been distasteful to the speaker. He said so at the first reading of the Bill but so far as this clause was concerned it had his most earnest and sympathetic support throughout. He regretted greatly that India should lag behind other civilised parts of the world. Would supporter of the amendment be surprised to know that every self-governing Dominion had this law? It was the law of most of the Crown Colonies and of almost every state of America. Speaking of Ireland he said in those days the Irish Nationalists would not take anything from the Govt. With regard to obtaining competent legal opinion he said they had long debates in the Parliament, they had the fact that they had it in every other part of the empire and they had the fact that a strong committee had recommenced it. Instead of this being the inopportune moment he thought this was the best opportunity of trying an experiment if it was still an experiment before a tribunal of the highest character. He believed they distrusted this gift from the Govt. because it came in the Rowlatt Bill. Before this bill was thought of many Hon'ble Members had asked him to introduce this provision in the law of the land. He therefore, could not understand this attitude. He asked them to look at it from the point of view of common sense and reason When a man was charged everybody would go and swear away the man's life but he was the one man whose mouth was shut. Were then not many cases in which only one man could tell what actually happened and that was the man in the dock. It seemed that all of them sitting in the council. The Indians and lawyers should deny the right to accused to go to the box and declare his innocence. He asked them to pause before they rejected this boon. He asked would they make it necessary for them by official majority to carry this law. He could only say with earnestness it was his command that the council would pause before they refused this boon to the accused men. He had practised for many years in India and very few times had he prosecuted men. A number of years he had spent in defending men and he believed that this was the provision of the law they ought to have had here. The object was to get at truth and this law would enable them to get at truth. Mr. Sastri said he had originally opposed this clause but he had heard sufficient to make him think that he should support the Bill.

Mr. Banerjea in reply said he was too old to be converted to new ways.

The amendment was lost on division by 14 votes against 37 The Govt. then accepted the spirit of the amendment moved by Mr. Chanda that the Court would not draw the inference adverse to the accused on his failure to give evidence on both. Clause 12 thus amended stood as a part of the Bill.

THE SEDITION BILLS.

PART TWO OF THE BILL ADOPTED.

Delhi, Mar. 14.

The council resumed its sitting this morning, H E the Viceroy presiding. His Excellency at the outset said it would be for the convenience of the Hon'ble members if he informed them that he proposed to sit until the amendments on the Agenda were disposed of. There would be one flour's interval for lunch at 1-15, at five for tea and he would adjourn again for an hour and a quarter at 7-45 for dinner. He regretted this pressure on the Hon'ble members but the session was rapidly coming to a close and considerable business had to be gone through They would have another day for the passing of the Bill after drafting had been care fully examined and he trusted the members would see the necessity of sitting continuously.

The consideration of the second part of the Bill which dealt with the preventive mea sures was then proceeded with. Mr. V. G. Patel moved for the delation of the whole part. He said these provisions had substituted the rule of the executive for a rule of law. They would strike a death blow to all constitutional agitation in the country and to all their political aspirations. These provisions would defeat their own purpose as they would drive all agitation in hidden channels and disastrous consequences would follow as night followed day.

Mr. Patel continuing said it was true safeguards were provided but in his opinion they were illusory. Hhe criticised the method to be followed by the investigating authority. It would condemn the persons unheard—a principle not heard of in any civilised country. He drew the attention to the fact that the investigating authority had no power to summon or examine witnesses and the local Governments might or might not produce witnesses. Further investigating authority was not bound to examine any witness porduced by accused under the Act. Mr. Patel further criticised the rule laying down that the accused should not appear through pleader and concluded that the investing authority would only have an enquiry which would not be in any way a proper enquiry.

Mr. Chanda said he had a similar motion on the paper and instead of moving it separately he would speak on Mr. Patel's motion There was one place he could think—Jadbagh in Scotland where execution used to take place before trial. The Bill was opposed to all canons of civilised administration. No one who has the welfare of this county at heart could give his support to this portion of the Bill.

Mr. Sarma who had similar amendment said it was most objectionable, most indisponsible and most anti.British Bill. The Government of India had nothing to go up except their own opinion and the opinions of local Governments. Government of India had enough powers to deal with the revolutionary movement what they wanted was to prevent scrutiny of the judicial Authority. They were attempting to save Government from a crisis.

Speaking on the motion part II be deleted Sir Verney Lovett said he supposed it was hopeless endeavour but he should like to make one last attempt to induce non-official members to see broad facts in the matter as they were and not as they saw in strange light. He had heard it frequently reiterated and some point of view with considerable exaggerations had been put for ward in the press that the object of the Bill was to prosecute people. That Government in introduoing this measure was trying to erect a monstrous engine of tyranny and oppression. Their friends here were not so hard on Government but they had managed to persuade themselves that Government was very hard on them. Yet the truth was the Government was not only not hard on them but was simply performing plain and obvious duty to society. There was an idea in the minds of some members that the British Government was doing in India or trying to do in India what it would not do or try to do in Great Britian. What were the facts? Certain clever conspirators discovered that in this vast continent in particular provinces, where communications were extraordinarily difficult, where educated classes were poor and impressionable it was possible to organise revolutionary associations over the wide area. First they conducted their operations with caution and trepidation but later they succeeded in extending their operations to other provinces and causing considerable trouble there In February 1915 they nearly brought about widespread bloodshed and travelq. Now he would remind the members that Great Britain was a small country endowed with excellent communications with homogenous community and there it would be impossible for any gangs to organise and keep going the system of robberies, murders and terro rism so successfully as it was in India. They might be certain that if anything of the kind received the smallest measure of success, if witnesses were extensively terrorised and police officers constantly shot, if the ordinary law was found inefficacious to cope with the evil his countrymen would certainly devise remedies much more drastic than the Bill before the Council. Past history of the Government of India showed that they had always been most reluctant to undertake the legislation of preventive kind of type of this measure. Now the Defence of India Act was what had helped the mob which even their fathers could not, not their teachers for they were ignorant not their association, not themselves for they were blind to danger. In deference to the views of the Hon members the Government had agreed to make this temporary measure. Still they were asked either to abandon it or to make it entirely ineffective. He could not gather how such action was in consonance with the feasible obligation of Government to protect the lives and property of their servants and subjects from revolutionary members which Mr Banerjee himself had admitted had not expired.

Mr. Fagan said the Hon. mover and his supporters were behind the point. What part II of the Bill intended was to set up an executive and preventive machinery to be rarely used and under exceptional circumstances of peril to law and order. The mover and its supporters had lost sight of the fact that the Act would not come into operation without special sanction in any part of India .The necessity of such measure could not be over estimated.

To Clause 15 Mr. Patel moved an amendment that the Court shall not convict the accused of the offence minor to that with which he is charged unless it was proved that the minor offence was connect with a revolutionary movement.

Mr. Jinnah, Pandit Malaviya, Mr Sarma Mr. Sastri and Dr Sapru supported the amendment. Mr Sastri said there was suspicion abroad that this Bill might be utilised against offences other than revolu tionary and therefore it was essential to clear up the language of this clause.

Sir William Vincent replying to the criti cism said the matter was fully considered in the Select Committee and regretted his inability to accept the amendment.

Sir George Lowndes said in what cir cumstances the offences were to be tried by the Special Tribunal were to be determined by Local Governments. It was the offence that was going to be tried by the Tribunal which was to have come into existence only. If the Local Government thought the revo lutionary crime was rife the Government pro posed that opinion of the Local Govern ment must be final.

Dr Sapru enquired whether the Tribunal would have the right to go into the ques tion whether the offence was conducted with revolutionary movement or not Pandit Malaviya also put a similar question where upon His Excellency said that the Honourable Pandit was a very old member of this Council. The Hon'ble Member had been interrupting very often and in fringing the rules though he knew full well that he could not rise again after having made a speech except to offer personal explanation.

Pandit Malaviya said as a member of ten years standing and a student of Parlimentary procedure he thought he was right in asking to be enlightened on certain matters as he assured His Excellency that he did not infringe the rules as far as he could.

Mr. Patel asked a similar question before replying to the debate but Sir George Lowndes said he declined to be cross-examined by any lawyer in this country. The amendment was negatived by 35 to 15.

Mr. Chanda moved for the addition of proviso to the effect that before convicting the accused of the offence other than he is charged with the court shall give him the opportunity of recalling all witnesses for cross-examination to prove his innocence.

Sir James DuBoulay said the Government was prepared to meet the Honourable Member by substituting another Clause which would bring in the procedure laid down under Section 231 of the Criminal Procedure Code. Mr. Chanda accepted the suggestion and the clause as amended was adopted.

Sir William Vincent formally moved that the proviso about death sentence to Clause 16 be added.

Council having passed his motion the Clause as amended was adopted.

Speaking on the motion of deleting part two Mr. Jinnah said he could not possibly express in words his feelings in regard to the part of the Bill under discussion. After quoting English constitutional authorities to show that extraordinary powers might be taken when there was danger to Government he said but who was going to determine danger to Government in India. It was the executive Government and that was wrong. Proceeding Mr. Jinnah asked why had not Government taken such coersive measures in Ireland. Were there no revolutionaries in Ireland was not Ireland seething with sedition? During the war in India the large body of people were absolutely loyal. There were possibly a few hundreds of revolutionary tendencies. Government asked that under this Act innocent should suffer with guilty. That was opposed to teachings of history and fundamental principles of constitution He asked the Government to consider how many innocent people they would be netting in at the same time. Sir Verney Lovett had given the Council a harrowing account of suffering of innocent people. The speaker assured the council he was as anxious as Sir Verney to protect them. Proceeding Mr. Jinnah said that if he was convinced that British rule in India was in danger and there was clear indication of that he would have no hesitation although he personally loathed the principle in agreeing to a Bill of the kind proposed. He really could not understand especially in view of the statement made by Sir William Vincent that revolutionary troubles were being brought to an end why Government wanted to pass this Bill. Government said the situation might any moment go worse and therefore please pass the Bill. That again was opposed in principle. Such powers could only be granted if there was a real need. The people were entirely opposed to the Bill. If Government in England had introduced such a measure and people were opposed to it and supposing Sir Verney Lovett was the Premier and he cared to bring forward the legislation his premiership would not last 24 hours The Hon. Law Member had told them the Government was not going to surrender its considered judgment. The speaker had not that power. The Government had but they had considered the matter and were not going to surrender their considered judgment.

Sir James Dubuley opposed the amendment

Mr. Banerjee said reference had been made by more than one speakers to condi tions inessential in justification of the measure. He made bold to say that whatever might have been the conditions in the past the position to-day in Bengal had distinctly improved. About this time last year there were about one thousand detenus and now was about four hundred. The two main factors in tranquilising the situation were the policy of Government and the reforms. There was absolutely no justification at any rate of the part of the Bill (part 2) which was most objectionable. Laws based on Rawlatt Committee's recom

(Continued on next column.)

Black Bills

Imperial Council.

GOVT'S STUBBORN ATTITUDE

"WHOLETHING A MOCKERY"

(From Our Own Correspondent.)

Delhi, March 14.

The council met at eleven last morning and adjourned for eleven this morning a half past one in the morning. The Governmnet is determined to pass the Bill at once in the teeth of public opposition outside and un animous opposition of the non-official members in the council. The attitude of the officials is determined and diplorable. Mr. Jinah in exasperation said that the whole thing was a mockery to which the president had no reply. The Hon Law Member was bitter and when asked to explain a point im pudently said that he was not going to be cross-examined. The fight is stubborn. The officials—whose business is to support Gov ernment measures and opposing amend ments and the non-officials who are doing their duty by opposing the bill.

Mr. Shastri's change of attitude towards Mr. Banerjee's amendment to delete sec 12 has caused disappointment among his friends and colleagues. Most of them are of opinion that inview of the solid official opposition supported by the house member even at the sacrifice of his personal convic tion Mr. Shastri could have spared himself the trouble of proclaiming and parading his sudden conversion and quietly he lays himself open to the charge of breaking the solidarity of the non-official Indian opposition, thus detracting from its moral effect on public opinion. As a signatory to the minute of dissent he had said that he was not satisfied that it was desirable to introduce the principle of giving on the accused person the option of offering himself to be examined as a witness. And people naturally expect that his decision at that time had been arrived at after careful consideration and had not been built on the quicksand of basty judgment.(By wire.)

A SCENE IN MADRAS COUNCIL.

MR. NARASIMHIER SPEAKS IN TAMIL.

OBJECTS TO PRESIDENT'S RULING AS ILLEGAL.

The Hon. Mr. Narasimha Aiyar proceeded to read, in the discussion over the City Municipal Bill, a speech in Tamil and after some lively discussion in which H E the President pointed out that it was not the official language of the Council and His Excellency over-ruled the Hon. Member's right to read a speech in Tamil, the Hon. Mr. Narasimha Aiyar refused to speak in any language other than Tamil, which was a language understood by more than three-fourths of the members of the Council and said that His Excellency's ruling was illegal.—"New India."

(Continued from previous column.)

mendations must not be proceeded with. It was bound to create an atmosphere of discontent, mistrust and excitement. Was it desirable? Was it expedient? If the State was in real danger they would unanimously have supported Government in passing any suitable measure. He strongly maintained that was not the case. He recalled the extraordinary circumstances under which the Bill was being rushed through Was there ever a measure which had 187 amendments? Was there ever an all day and night sitting? He appealed to Government still to reconsider their position.

Sardar Sunder Singh speaking on the position of the Sikhs pointed out that their complicity in conspiracy was due to their grievances in the colonies but the Sikhs had done their duty splendidly in the war. The Sikh conspirators had totally estranged themselves from their society. The Sikhs community had come to the help of Government. The motion was rejected by 35 to 21. The discussion of this motion lasted two hours and 10 minutes. On the motion of Sir William Vincent part II was adopted.

The Council adjourned for lunch.

AFTER TEA.

The Council reassembling after tea Government accepted two minor amendments moved by Mr. Patel and Mr. Khaparde and clause 25 as amended was passed. The Government also accepted some amendments to clauses 26 which provides for disposal of the report of investigating authority. The clause thus aemnded was passed to clause 27 which provides the epnalty for disobedience to order made by Government.

Mr. Chanda moved that imprisonment shall be simple.

Sir William Vincent said that the person disobeying order under these circumstances do not deserve more consideration. The amendment was negatived.

Mr. Patel moved the amendment that the maximum penalty be three months instead of six and fine of Rs. 500 instead of Rs. 1000.

Sir William Vincent agreed to the second part of the amendment relating to fine. The amendment was passed.

Clause 28 was passed. Clause 29 was then considered. It provided for appoint ment that men under this clause should be appointed by the Chief Justice instead of local Government. Sir William Vincent opposed it and said it was the duty of the executive Government. Besides it would be taking up the time of the Chief Justices with affairs of this character.

Mr. Banerpea moved the amendment that of the three members of the body two instead of one shall be persons having held judicial office not inferior to that of the District Judge and one shall be Indian. He said investigating boards of the type in Bengal of which he gave instances had given satisfaction to them and he wanted that action to be embodied in the statute.

Sir William Vincent in accepting the first of the amendment said he was pleased to hear from Mr. Banerjea that these committees had given satisfaction more so when they heard in this council that these committees were a sham. He was prepared to accept the first part of the amendment. With regard to the second part he said it was most inadvisable to make racial distinctions in the statute.

The amendment was negatived and the clause was passed. Clause 31 giving power to Local Government to make rules was next passed. This concluded part II of the bill which was adopted.

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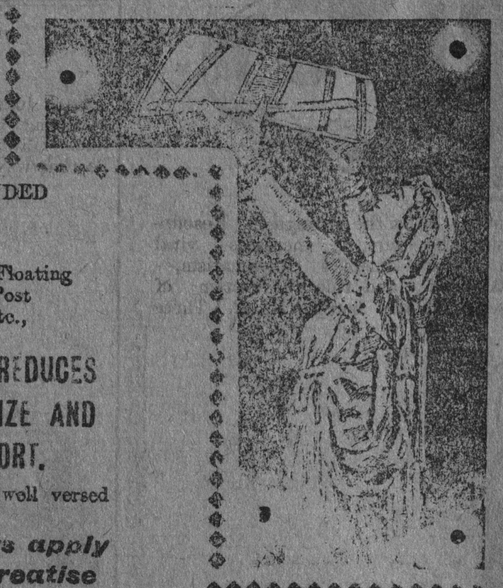

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Mar 12.

JUDICIAL DEPARTMENT.

Babu Priyabrata Sen, M A, B L, pleader, Judge's Court, 24-Parganas, is appointed to act until further orders, as a Munsif of Barisal.

Babu Dwarka Nath De, sub pro tempore Munsif of Manikganj, is appointed to be a sub pro tempore Addl Munsif of Dacca Sadar.

Babu Haripada Mazumdar, Munsif, is appointed to act as Sub Judge of Faridpur.

Babu Pratul Ch Ray B.L. Vakil, High Court, Calcutta, is appointed to act as a Munsif of South Raojan.

Babu Parada Kinkar Mukharji, Addl Sub Judge of Dacca and Tippera is allowed leave for forty six days. Babu Nitai Charan Ghosh, Munsif of Jalpaiguri is appointed to act for him.

Babu Jyotirindra Narayan Bagchi B. L. Vakil High Court, Calcutta is appointed to act as a Munsif Jalpaiguri.

Babu Baman Das Mukharji, Munsif of Madaripur is appointed to act as Sub Judge of Faridpur.

Babu Naresh Ch Chakrabarti, B. L. Pleader, Judge's Court 24 Parganas is appointed to act as a Munsif of Madaripur.

Babu Nogendra Ch Ganguli, M. A. B.L pleader, Judge's Court, Pabna is appointed to act as an Addl Munsif of Rampur-Boalia.

Babu Indu Bhusan Biswas B.L. Vakil High Court, Calcutta is appointed to act until further orders as an Addl Munsif of Naugaon.

Babu Kedar Nath Chaudhuri, Sub Judge and Asst Sessions Judge on leave, is appointed to act as Addl Sub Judge and Asst Sessions Judge of Dinajpur.

Babu Anukul Ch Sanyal M.A. B.L. Pleader Judge's Court, Pabna is appointed to act as a Munsif of Suri.

Babu Debabrata Mukharji, Munsif of Suri is appointed to act, as Sub Judge, Burdwan

Babu Nagendra Nath Ghosh, Sub Judge of Burdwan is appointed to be Sub Judge of Bakarganj.

LEAVE.

Babu Jyoti Prosad Banarji, Addl Munsif of Faridpur, is allowed leave for twelve days.

Babu Panna Lal Basu, Munsif of South Raojan is allowed leave for nineteen days.

Babu Probodh Ch Basu Munsif is allowed leave for forty days.

POLICE DEPARTMENT.

Mr A H Ray, sub pro tem pore 2nd grade Inspector of Police, Murshidabad confirmed in the 2nd grade of Inspectors, from the 18th Feb. He will continue to act as Dy Supdt of Police.

Babu Nalini Kanta Chattarji 3rd grade Inspector, Howrah is promoted sub pro tempore to the 2nd grade of Inspectors from the 18th February.

PUBLIC WORKS DEPARTMENT.

Mr A F L H Harrison, Exe Engr is granted combined leave for one year.

Babu Probodh Chandra Basu, Supervisor Cossve Divn is granted privilege leave for twelve days in extension of the leave previously granted.

The Settlement Kanungos, named below, are appointed to be Pro. Sub-Dy Collr. They will continue to be employed on Settlement duty until further orders:—

Babus Prakriti Nath Basu, Anath Bandhu Ray, Suresh Chandra Ghosh Maulvi Shaikh Abdullah Babus Sarada Prasanna Chaudhuri, Harendra Nath Mukherjee Maulvi Nazimuddin Ahmad, Babus Ashutosh Chaudhuri, Shib Charan Mitra Pramoda K. Basu Maulvi Kazi Fazlul Karim, Babus Makhan Lal Banerji, Bir Chandra Mukherji Maulvi Nazir Husain.

The gentlemen, named below are appointed to be pro. Sub Dy Collrs:—

Babu Gadadhar Singh Ray M. A., B. L., Maulvi Abul Khair Muhammad Abdul Latif M A. Maulvi Abdur Rahim, M A., Babu Gourendra Krishna Deb, M Sc. Babu Surendra Nath Sen Gupta, M A. Maulvi Muhammad Abul Bashar, M A., Babu Jatindra Mohan Das M A B L. Babu Nutbihari Chatarjee M Sc. Babu Dhirendra Nath Banerji M A, Babu Deb Narayan Mukherjee M A., Maulvi Saiyid Abbas Ali B A., Babu Nirmal Kumar Sen, B Sc. B A. B L., Babu Sati Kumar Maitra B A., Babu Upendra Nath Das Gupta B A., Maulvi S M Siddique Ahmad B A., Maulvi Salamatulla Chaudhuri, B A., Babu Nripendra Kumar Sen, B Sc. Babu Jyotirindra Nath Nandi, B A., Maulvi Abdul Gaffur, B A., Babu Lalit Kumar Dutta B A. Babu Sharat Chandra Das Gupta B A., Babu Suresh Chandra Das Gupta B A Maulvi Khundkar Muazzam Husain B A., Babu Jitendriya Mukherji, B A., Babu Amar Nath Mukherjee, B A., Chaudhuri Abid Ali B A.

Babu Manindra Lal Banerji, Sub Deputy Collr, is posted to the Presidency Division.

Maulvi Mir Hafizuddin, Sub Dy Collr. Gopalganj, is posted to the Burdwan Division.

REGISTRATION DEPARTMENT.

Maulvi Ahmad, Sub Registrar of Gauripur, is allowed an extension of leave on medical certificate for four months.

Babu Bankim Chandra Mukherji Sub-Reg. of Basudebpur, is allowed an extension of leave for one month.

Maulvi Ghulam Maqsud Khan Sub-Reg. of Bella, is appointed to act as Sub-Registrar of Chatmohar.

Kamalini Kanta Singha Ray Sub-Registrar of Chatmohar, is appointed to act as Sub-Reg. of Gunabati.

Babu Dinesh Chandra Guha, Sub-Reg. of Narainganj, is allowed an extension of leave for 14 days.

Maulvi Sakawaat Ali, Pro. of Darjeeling is appointed to act as Sub-Registrar of Alipur Duars.

Maulvi Fazul Karim, Sub-Regr of Lakhipur, is appointed to act as Sadar Jt Sub-Regr of Comilla.

(Continued on next column)

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(Continued from previous column.)

Mr. V. G. Andrews, Sub-Regr of Sandip, is appointed to act as Sub-Regr of Lakhipur.

Babu Sudhir Ch Mitra, Sub-Regr of Suri, is allowed leave on medical certificate, for two months.

Babu Bijoy Ch Dhar, Sub-Regr of Mathurapur, is allowed privilege leave for six days in extension of the leave granted to him already.

Babu Sachindra Nath Ghosh, Sub-Regr of Calcutta, is allowed leave for one month and seven days.

Maulvi Abdul Bari, Sub-Regr, of Bankura, is appointed to act as Sub-Regr of Mainaguri.

CIVIL MEDICAL DEPARTMENT.

Temp Asst Surgeon Manada Kanta Roy is posted to the Presidency General Hospital, Calcutta.

Temp Asst Surgeon Manmatha Nath Chatarji is placed on supernumerary duty at the Medical Colle Hospital, Calcutta.

Temp Asst Surgeon Saktidhar Mitra is placed on supernumerary duty at the Medical Colle Hospitals, Calcutta.

Temp Asst Surgeon Saktidhar Mitra is appointed temporarily to be Instructor in First-aid and Ambulance work, Police Force, Calcutta.

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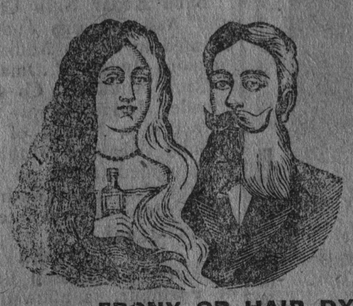

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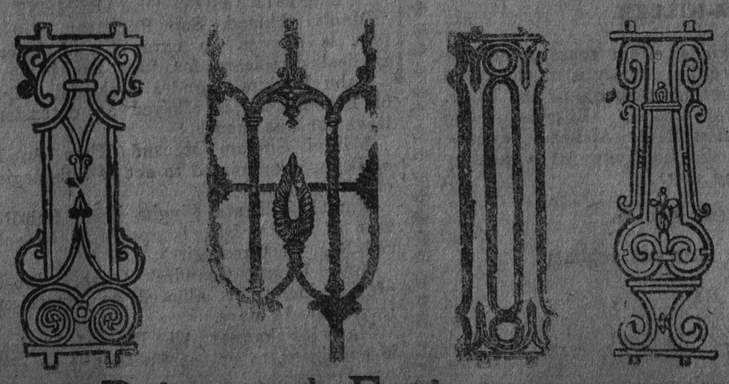

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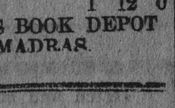

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