

THE DHARMA VILAS

PUBLISHED WEEKLY IN ENGLISH AND HINDI.

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No. 36

THE NEW REFORM BILL.

Power to make rules.

30. Where any matter is required to be prescribed or regulated by rules under the principal Act, different rules may be made for different provinces, and where no special provision is made as to the authority by whom the rules are to be made, the rules shall be made by the Governor-General-in-Council, with the sanction of the Secretary of State in Council, and shall not be subject to repeal or alteration by the Indian legislature or by any local legislature. Any rules to which this section applies shall be laid before both Houses of Parliament as soon as may be after they are made and if an address is presented to His Majesty by either House of Parliament within the next thirty days on which that House has sat after the rules are laid before it praying that the rules or any of them may be annulled His Majesty in Council may annul the rules of any of them and those rules shall henceforth be void but without prejudice to the validity of anything previously done thereunder.

Amendments of principal Act to carry Act into effect, etc.

31. The amendments set out in the Third Schedule to this Act, being amendments to carry out the provisions of this Act, and further amendments consequential on or arising out of those provisions, shall be made in the principal Act, and any question of interpretation shall be settled by reference to the principal Act as so amended.

Definition of official.

32. In this Act the expressions "official" and "non-official," where used in relation to any person, mean respectively a person who is or is not in the civil or military service of the Crown in India. Provided that rules under the principal Act may provide for the holders of such offices as may be specified in the rules not being treated for the purposes of the principal Act or this Act, or any of them, as officials.

Short title, commencement, and in-

terpretation.

33. (1) This Act may be cited as the Government of India Act, 1919, and the principal Act, as amended, by any Act for the time being in force, may be cited as the Government of India Act.

(2) This Act shall come into operation on such date or dates as the Governor-General in Council, with the approval of the Secretary of State in Council, may appoint, and different dates may be appointed for different provisions of this Act, and for different parts of India.

On the dates appointed for the coming into operation of the provision of this Act as respects any executive or legislative council all the members of the council then in office shall go out of office, but may, if otherwise qualified, be re-appointed, re-nominated or re-elected, as the case may be, in accordance with the provisions of the principal Act as amended by this Act.

(3) Any reference in any enactment in force in India (whether an Act of Parliament or made by any authority in British India) or in any rules, regulations or orders made under any such enactment, or in any letters patent or other document to any enactment repealed by the principal Act, shall for all purposes be construed as references to the principal Act as amended by this Act, or to the corresponding provision thereof.

(4) Any reference in any enactment in force in India (whether an Act of Parliament or made by any authority in British India), or in any rules, regulations or orders made under any such enactment or in any letters patent or other document, to any Indian legislative authority, shall for all purposes be construed as reference to the corresponding authority constituted by the principal Act as amended by this Act.

(5) If any difficulty arise as to the first establishment of the Indian legislature or any legislative council after the commencement of this Act or otherwise,

in first giving effect to the provisions of this Act the Secretary of State in Council or the Governor-General in Council as occasion may require, may by order do any matter of thing which appears to them necessary for the purpose of removing any such difficulty.

(The Mahratta)

Concluded

Asiatic Question.

Mr. Kemp said that Col. Fawcus had indicated that he was in favour of the segregation of Asiatics to areas to be specially set apart for such people. But he had heard nothing from Col. Fawcus as to whether he was in favour of the Government purchasing lock, stock, and barrel, all the interests held by Asiatics in land in Natal, and legislating against Asiatics acquiring land in future, either in freehold or on leasehold. Segregation with or without the compulsory acquisition of the land held by Indians, and with or without restricting them from purchasing land, except in areas set apart for their occupation was a will-of-the-wisp. For the steady increase in the Asiatic population would inevitably sweep away all such barriers within a few years. No legislation could withstand it, any more than the legislation regarding the £3 tax could withstand the Asiatic pressure. Personally, he held that the Union Parliament should honour the pledge given by the Natal Parliament in 1895; when it passed the Indian Immigration Law Amendment Bill. That pledge was given by the late Mr. Harry Escombe (the then Attorney-General), who said in the House "Of course, these minor matters are of little moment, as compared with the underlying principle of the Bill, which I have already indicated as follows. Indians who are to come in the future will be expected to sign in India a contract to the effect that they are to remain under

indenture, or if they do not remain under indenture they are returned to India. . . . That, I understand, is in pursuance of an agreement come to in India between the gentlemen who formed the Commission in the early part of last year and the Indian Government. . . . And if those persons (the Indians) are encouraged to come here for the purpose of working, and with an understanding that this is not to be their home, but that they are to return to India at the expiry of their indentured term of service, then I think the wish of the Colony generally will be met, namely, that, the Indians are to come here appreciated as labourers, but not welcomed as settlers and competitors." As one who strongly opposed the introduction of the Chinese into the Transvaal after the Boer War, and as one who assisted in having them expatriated from South Africa, he had no fear as to the result. We were told in the Transvaal that the expatriation of the Chinese meant the closing down of the mines, that it would spell ruin and bankruptcy. But none of those dreadful things happened; indeed, the output of gold after the expatriation increased by leaps and bounds. We could not allow the policy of "laissez faire" to continue unless we were prepared to ruin this fair Province and to require our children in the future to sell out and emigrate to other Dominions. It was purely a question as to whether we would expropriate the interests of the Asiatics in Natal at the present time, lock, stock, and barrel, and expatriate or otherwise accept the position that in at least two generations' time.

THE EUROPEAN POPULATION HERE

would themselves require to sell out their interests to the Asiatics and to emigrate overseas. That was the position in a nutshell, and he, for one, would at all times use his best endeavours in the direction of expatriating the whole of the Asiatic community from the Province on terms equitable and even generous.

The Katarpur Judgment.

LEADERS NOT TAKEN BY SURPRISE.

(Continued from 22nd October 1919)

The argument that the leaders had to reason to believe that any disturbance was likely to take place futile. Even defence witnesses have admitted that the Hindus went with the intention of preventing 'kurbani' by the use of force if necessary. The accused Sheodial Singh has stated that the crowd was in an ugly mood. This is exceedingly probable for the feelings of Hindus on the subject of cow-killing are intense. To quote the words of one of the learned counsel who argued the case for the defence "Hindus go mad over cow-killing." The incidents of the 17th September also prove this, and the cry of the crowd that they had come prepared to die if necessary and that it would be the year 1857 again pointed conclusively to the great probability of a serious disturbance breaking out, if the Hindus did not have their own way about the 'kurbani'. A leader who did not support the general Hindu view in the subject would lose his position and influence as a leader. The Mussalmans too matters of their religion are given to owing obstinate even to the point of death.

The evidence further shows that the feelings of the people of Kankhal were stirred on the morning of the 18th September by the false rumour that 1,000 Mussalmans with butchers and 10 cows had gone to Katarpur. When therefore the leaders Baram Das, Gulab Gir, Harnam Singh and others started from Kankhal that day they all knew the seriousness of affairs; and the fact that arrangements were made for the provision of food and gathering at Katarpur was an organised drink for the crowd goes to show that the gathering arranged with the object of forcing the authorities there to submit to the demands of the Hindus. To contend under these circumstances that the riotous proceedings that occurred at Katarpur on the 18th took the leaders by surprise is to argue against all reason. They were the natural and probable result

of everything that had preceded them, on the 16th and the 17th and the morning of the 18th.

There can be no doubt that on the evening of the 17th September the Hindus who had assembled at Katarpur were invited to come again next day as the matter had not been definitely settled. Accordingly Hindus from outside villages as well as from Kankhal again assembled on the 18th though the crowd on that date was not as large as on the previous day. The fact that the shivala was made a sort of headquarters is not without its significance; as is also the fact that the crowd came armed with lathis. Hence the statement of some of the defence witnesses that on the 18th September most of the crowd carried umbrellas not lathis. It is thus clear that there was organisation and plan in the proceedings. The remark of Gulab Gir at the Secretary's house overheard by S. I. Musibullah on the evening of the 16th; the evidence of the approver and the Kankhal constables and head constable and of Hamid-ud-din; the fact that on the 17th September the Katarpur Hindus placed their case in the hands of the Kankhal leaders; the provision of food and drink; the return of the leaders to the village on the 18th without being summoned, and the arrival of crowds of armed men that day all prove in our opinion that the Hindus determined to assemble at Katarpur on the 18th to prevent the "kurbani" sacrifice by force. The riot that resulted and the terrible scenes that occurred were the direct consequences of this determination.

A TECHNICAL PLEA.

It was urged at the very end of the arguments for the defence that the facts proved do not constitute a riot within the meaning of the law. The argument is that assuming that the assembly was unlawful in its conception and that its original intent was to prevent the sacrifice by force or show of force, yet as the Magistrate had passed an order prohibiting the sacrifice and the Hindus had gained their object, the unlawful character of the assembly ceased, the object having been

attained; and whatever subsequently occurred must be regarded as the acts of individuals who alone are responsible. With this contention we cannot agree. When the Magistrate informed a few of the Katarpur Hindus that the 'kurbani' was forbidden the reply they made was that there were many outsiders who would not listen to them or believe them. When Baram Das and his companions were told that the sacrifice had been prohibited and they replied that it was well no information of this reached the mob for the riot immediately broke out. Moreover the leaders remained in the village for about three hours during which time the rioting continued. "They made no attempt to stop it." They did not accompany the Magistrate (as they allege they did) when he went round the village, nor did they give him any assistance in quelling the riot. Though the words addressed by Baram Das at the chaupal to his followers are not certain, we have no doubt that he did say something of an inciting character to the assembled Hindus. His action under the muli tree when the four men were murdered (with which we shall deal later on) and the expression that he uttered when the mob paid its last visit to the western grove "Ab to kurbani nabin hogi," which is fully proved, furnish clear and distinct proof that the leaders were determined to definitely settle the matter by force and that the people were at one with them. This being so, the violence which followed took place in the prosecution of the common object of the unlawful assembly. The expression "Ab to kurbani nabin hogi," which even the Magistrate had to admit was used, can be regarded as nothing but a final expression of triumph. The Magistrate having told the leaders on their arrival that he had prohibited the sacrifice, the question was clearly not asked for information. The village had been burnt and some thirty-two Mussalmans had been done to death. Baram Das, in denying that he used this expression, proves its fatal significance. If further corroboration of the complicity of the leaders in the guilt of the Hindus is required it is to be found in their subsequent action.

The false telegrams that they sent; the fabricated story about the attempted sacrifice of cow, the conference held at Kankhal; the false complaint prepared by some unknown hand and fathered upon three Katarpur Hindus all go to show that the responsibility of the leaders and the danger they were in was fully realised by them. It is too late for them to assume the role of horrified spectators of excesses which they deeply regret but were unable to prevent. Having regard to all these matters it is futile to argue that the com-came to an end the moment the Deputy Magistrate said that the 'kurbani' had been mon object of the unlawful assembly prohibited. The Hindus were ready to use force and the cry that a Hindu had been beaten gave them their opportunity.

NOT "INNOCENT SIGHTSEERS."

It is urged on behalf of the leaders that they had tried to settle the matter amicably and had offered to guarantee the payment of Rs. 1,000; that the coming together of the crowds of people was spontaneous and not organised. It is also said that some were merely sightseers and that the innocent members of the crowd should not be held responsible for the acts of those who committed the excesses. These pleadings put aside all the evidence for the prosecution and the facts it establishes. It is again said that the police had themselves stopped the "Kurbani" on the 17th and had made over the cows to the Hindus, there was no need for the use of force on the 18th September. But cows are easily obtained and there was the story that butchers had taken cows to Katarpur to sacrifice. As we have said the sacrifice was not in fact finally prohibited on the 17th but only postponed until a superior officer could pass orders. I could be performed on either the 18th September or the 19th September.

It is further urged that the riot broke out by reason of events over which the leaders had no control; that they did not instigate it and that the police had invented the inflammatory words alleged to have been used by Baram Das to the crowd at the chaupal. Stress is laid on the different version given by the prosecution witnesses as to what was actually said and on the fact that neither the S. D. O. nor the Tahsildar corroborate the police officers, the constables and the approver in this matter. We do not agree that this incident is a concoction of the police. Had it been so the very discrepancies pointed out by the defence would not have existed. A simple phrase like "Tum bhi apna kam karo" would not have been mangled so much by the witnesses if it had been a concoction. Even in Ex. 18, which was written by S I Masibullah on the night of

the 18th September, at the dictation of Md. Yusuf Khan, it was recorded that Baram Das called out "Hindu pit gaye, chalo, chalo."

It is said that the story of the cow at the mosque and its attempted sacrifice must have some substance because of the cry that was raised "Hindu maro gaye" and that this was the real cause of the riot. Now the story of the sadhus rescuing cows finds a place in the approver's account of speech made by Purnam Pershad at the shivala when he incited the people to further efforts, though the defence do not admit this speech. If the approver's story be true it was an inflammatory speech based on a lie, made in order to urge the mob to greater efforts; and it was followed by the murder under the muli tree. It is possible that it was this speech, which the approver had no reason to invent, that suggested the sacrifice story which as it first appeared made no reference to the mosque. We have dealt with this story in considering the defence case.

With the criticisms on the approver and his evidence we have already dealt. With regard to B. Ganga Pershad, the counsel for the defence, while accepting what he had said in favour of the accused, denounced as falsehood that which goes against them. His identification of the Swami is denounced as purely and intentionally false. Though there is a good deal that is suspicious in many of the alleged recognitions of rioters by some of Musalman witness (both constables and villagers), we cannot accept the suggestion that we should throw over the identification proceedings entirely as being valueless.

To be Continued

Notes and News

London, Oct. 31.—Indian trade returns for September are of unusual interest.

The exports were 21 millions, which is a record, while the imports are announced at 11 millions.—(Reuter's Special Service.)

Maritzburg, Nov. 1 (Special).—When Amad' Bayat's window was smashed during last night's anti-profiteering demonstration a railway employee was struck on the head with some missile and slightly injured.

The window was broken by a large steel nut, which was found inside. No arrest has been made.

The Dharmma Vire

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No. 37

JAPAN AND THE FUTURE.

A few years ago an arm-chair politician was discussing the advisability of "our" renewing the Anglo-Japanese treaty when it expires in 1921. To-day, it is very much an open question whether we shall be given the chance. There can be no doubt that the Peace Treaty is not satisfactory to Japan in so far as it gives her less than her demand for the absolute cession of Shantung and the North Pacific Islands, while she remains profoundly irritated by the denial to her of racial equality. In this connection, an article on "Japan, Past, Present—and Future?" contributed by Professor Joseph Longford to the *Nineteenth Century* for July, is worthy of serious attention. From a historical survey of the country during the past sixty years, Professor Longford passes to a very suggestive summary of her present political and economic position.

"She has now attained a financial status which enables her to lend money to Great Britain. Her national revenue is 74 millions sterling, and it entirely covers her expenditure. Her national debt is 250 millions, about 65s. per head of the population. She conducts a foreign trade, the value of which, in the first eight months of 1918, exceeded 229 millions sterling. In 1871 its value per head of the population was yen 1. 20. In 1917 it was yen 46. 67. In 1871 there were 18 miles of railway in operation; in 1917 there were 7,690 miles. In 1871 her total steamship tonnage was 20,934 tons. In 1917 it was, reckoning only steamers of over 1,000 tons, 1,716, 104 tons. In 1900 her production of coal was 7½ million tons. In 1917 it was 17½ million tons. Her manufactures have a large sale, not only in the Far and Mid East, but in Europe, Africa and Australia. Her people and officials, who were easily cheated by the frauds of 1859-1869, are now the most exigent of buyers and appraisers. Her own native-born population was, in 1871, 33 millions; in 1917 it was over 56½ millions, and it is steadily increasing at the rate of 800,000 each

year. The acquisition of Korea has given her, according to her own returns, another 17 million subjects, and that of Formosa 3½ million more, so that the total population of the Empire now exceeds 77 millions. Her Navy, whether estimated by the strength of her ships or the efficiency of the personnel, is the third in the world. Her Army ranks as an equal with those of the greatest military Powers. She, who in the infancy of her intercourse with foreigners had to seek the protection of the British Navy against Russian aggression, now holds in her own hands the hegemony of the Western Pacific. No Power on earth, scarcely any combination of Powers, could touch her in her own islands, within whose shores she can be as self-contained and as self-supporting as she was in the days of her seclusion."

The Japanese hold on China is fully discussed; also her colonising capacities in Korea and Formosa. As to her methods, they have always been frankly based on the Prussian model, and have equalled if not surpassed the Prussian prototype in their degree of efficiency. This method will not, according to our notions, succeed in assimilating a vast polyglot nation like the Chinese; but on the other hand it points to a possibility, should Germany dream of *revanche*, of Japan's ranging herself on that side where her political and national sympathies lie, provided that these are in accord with her material interests at the time.

"Where will her material interests lead her? *Antebellum* Germany was always an object of admiration to her, and it was on Germany that she modelled her own military system, which she has carried to such perfection that the pupil has surpassed the teacher. During the war, when it had only run its mid-course, there was a violent outburst of pro-German sympathy in the whole Japanese Press, almost without exception; it was claimed that Japanese spirit had far more in common with that of Germany than with that of the Allies, and that the material

interests of Japan and Germany might harmoniously march together, Germany in her European sphere and Japan in her Asiatic, in a way in which it could not be hoped those of Japan and Allies would ever do. Professors, pressmen and politicians all joined in the outburst, and Cabinet Ministers and military men sympathised. It is silent now, but has its spirit ceased to exist?"

(To be Continued.)

The "C. and M. Gazette" and Arya Samajists.

Has the so-called apology of the "C. and M. Gazette" for traducing the Arya Samajists satisfied the latter? We have yet to know it. In the meantime, the Arya Samajists continue to hold meetings all over the country and pass resolutions, bitterly complaining against the slander of the Punjab paper and asking the Government to take action in the matter. We publish below the text of the resolutions passed at the meeting of the members and sympathizers of both sections of the Arya Samaj, Simla, held on the 27th August last under the presidency of Rai Babadur Lala Jai Lal Sahib, Wakil, High Court, Punjab:—

"(1) That the members and sympathizers of the Arya Samaj at Simla assembled at a combined meeting of both sections place on record their most emphatic protest against the unjustifiable, uncalled for and insulting insinuations and remarks based on gross misrepresentations made by the "Civil and Military Gazette" in the issue of the 21st August 1919 against the Arya Samaj and its sacred book 'Satyarthi Prakash'. They view with contempt the attempt of the 'Civil and Military Gazette' to rouse feelings of racial animosity and hatred between the several section

of His Majesty's loyal subjects especially at this time.

"They pray that His Excellency the Viceroy and His Honour the Lieutenant-Governor of the Punjab be pleased to take steps to effectively put a stop to those mischievous activities of the 'Civil and Military Gazette.'

THE DHARMA VIR

Friday, 14 November 1919

THE COLOUR QUESTION

Day by day, the position of Indians is becoming serious in this land. While the Europeans are in all earnestness keeping the colour question alive, Indians are content to rest sapinely in their armchairs. From every corner of South Africa evidence is forthcoming of the determination of our Indians and herculean efforts are being made to attain that object. If this anti-Indian agitation continues in its present vehemence, we are afraid, it will prove to be the source of a great deal of irritation and unrest. The speeches made recently by the Minister of Justice are considerably ominous in that they accept the existence of danger from the Indian community. It is insane for the Minister to plead for moderation in agitation after admitting the existence of a supposed danger. The Government of this country is a farce, and the European population of this land ought to be deprived of their ruling power, because of the repeated exhibition of their undoubted incompetency to govern unrepresented classes. Had an Eastern nation been similarly situated, this reason would have given ample pretext for annexing that nation's land. Such is European civilisation for which some of our semi-educated friends display their unlimited adoration. One needs only one qualification in these days of satanic injustice to move about freely without let or hindrance of an iniquitous kind, i. e. pale skin. 'Pale Skin' stands nowadays as an indication of the brutal force that lies behind it. In modern civilisation brutal force alone counts and by it alone, are we being trampled and subjected to humiliation and tyranny. It is left for us to show that brutal force is of no avail where we are concerned. In our own interest and in the interest of our posterity we will make up our minds to show this?

The Katarpur Judgment.

LEADERS NOT TAKEN BY SURPRISE.

ASSISTANCE GIVEN TO DEFENCE COUNSEL

Omitting the special cases of the Secretary and S. I. Sheodial Singh and the imli tree incident, both of which will be discussed separately, we have now discussed, even at the risk of being tedious, the arguments that were submitted on behalf of the defence. We have but to add that it was due to no fault of ours that we were unable to have the benefit of hearing argument on behalf of the defence by the learned counsel who cross-examined the witnesses for the prosecution in the first instance. There was much in this cross-examination that we should have liked to have had explained. We expressed our readiness to hear Mr. Norton on any day that he might be able to appear while the case was still proceeding. He was, however, unable to come to Sabaranpur. It is only fair to Mr. Hari Mohan Roy who ultimately argued the case for the principal accused to say that he discharged a difficult task with ability and discretion.

We are fully aware of the great responsibility that rests upon us in deciding this case in that no appeal lies from our decision. To enable the accused and their counsel to know what the case was that they had to meet, as well as to understand it ourselves, we recorded continuously the examinations in chief of more than 20 witnesses including the six principal witnesses. We then framed charges. The Court then adjourned for the Christmas vacation. To consider this evidence the defence had ten clear days during the Christmas holidays when the Court was closed. The list of the prosecution witnesses was on the record from the very first and was examined by the defence. It was not until the reopening of the Court that cross-examination began in several instances we gave copies of the statements, made by the witnesses before the police to the defence. We did this in every case in which there was any material discrepancy in their statements to the police and in Court. Throughout the trial we gave the accused's counsel the dates of all such statements, and informed the counsel whether or not a witness had named to the police the person whom he identified in court. We daily supplied the defence counsel with a copy of the evidence recorded on the previous day and they were supplied with several copies of the evidence as it was printed.

We allowed the defence to examine the original confession as written by the approver. We made every effort to secure the attendance of all the defence witnesses; some of whom had to come from the Punjab. Mr. Wallach, who appeared on behalf of the prosecution, also supplied the defence with much information that was of use to them and produced whatever papers on police files or otherwise, that was required by them.

A SEVEN MONTH'S HEARING.

We have given the case a long hearing, lasting exactly seven months. The case for the prosecution was not concluded until the 10th April, 1919, having commenced on the 9th December, 1918. The accused's statements and the defence evidence took over six weeks to record. We have weighed and discussed the evidence carefully. The approver, we believe, so far as he has gone, has told us the truth. His tendency was rather to minimise the case against the chief accused than to exaggerate it. His evidence has been corroborated on all material points. The Circle Inspector and the Tashildar were two most excellent witnesses. Mistakes apart, they gave their evidence all and we consider them trustworthy witnesses. Sub-Inspectors Darbara Singh and Shushulal were also good and reliable witnesses. Hamid-uddin's evidence was brought so quickly before the authorities that this fact coupled with the way in which he testified in Court, forces conviction of its truth upon our mind. We have commented already on the evidence of the S. D. O. Babu Ganga Pershad and we need say no more.

RESPONSIBILITY OF THE ACCUSED.

After careful consideration of all the evidence we have no hesitation in holding that the general charge, under sections 147, 149, 302 and 325 of the Penal Code has been brought home against the accused generally. The case of each individual will receive separate consideration.

There is no doubt that the Muslims customarily performed cow sacrifice in Katarpur and we think that if the matter had not been publicly discussed in the presence of both parties, as was done by S. I. Darbara Singh at Panjankh, there would have been no trouble. It was his action that raised the storm. The compromise of the 13th September, 1918, was a fair and just one obtained without the use of improper pressure or undue influence. Unfortunately the body of Hindus of Katarpur refused to accept it and appealed to the Kaikhil leaders for help. Janki Das and others first tried to win over the Muslims to surrender their rights but failed. This was followed by a meeting and discussion among the lead-

ing Mahant-Sardars and others on the right of the 16th September and the decision was "come to that, the Hindus should go in a body and do their best to prevent the sacrifice."

It is unnecessary to set out the events of the 17th September again. We have no doubt that on that evening there was a clear understanding that the Kan-khal leaders as well as the men of Kan-khal and surrounding villages should again attend in force on the 18th September with the object of preventing the sacrifice by force or show of force. The people were stirred up and roused to excitement by the false rumour of cows, butchers and 1,000 Mussalmans having assembled at Katarpur. The Mahants and leaders went to Katarpur actuated by the same motive. All were ready to use force if necessary. An officer of determination and resource in the place of B. Ganga Pershad might possibly have averted a riot. He certainly could have minimised the damage that the outbreak was certain to produce. The crowd was ripe and ready for violence and probably some small matter led to the outburst of violence. The Mahants and Sardars remained in the village for three hours making no attempt to stop the riot and in some instances urging on the rioters to acts of violence. These acts of violence were done in the prosecution of the common object. The burning of the bodies of the injured Mussalmans was clearly done with the object of destroying evidence as well as killing the men. The crowd was not over-particular before their bodies were burnt, e. g., the witness Allah Baksh. The burning was done deliberately and methodically. When all was over the crowd scattered, the Mahant and Sardars first going to the Magistrate on which occasion Mahant Baram Das said "(I suppose) the kurbani will not take place." All the members of the unlawful assembly are in the circumstances responsible for the probable and likely results of their action. The crowd came to Katarpur, armed and excited and the use of their weapons was bound to result in death or grievous hurt, for the "lathi" as used in these provinces is a lethal weapon. Every member of the assembly is guilty at least under sections 147, 149, 302 and 325 of the Penal Code.

The point was not raised in argument but we think it might well be contended that the arson committed in the burning of the village was not a likely and probable result of the object of the illegal assembly; and that only those who actually took part in acts of burning can be convicted of this offence. An act of arson committed by one member of an unlawful assembly does not make the other members guilty of that offence unless it is

shown that arson was contemplated by the conspirators, or that it was committed with their consent and connivance. Many members in the present case were no doubt guilty of this offence and there is evidence that cries of "beat and burn" were uttered by members of the mob at different places. We think, however, that it would be safer to acquit on the charge of arson and to convict the accused on the general charge only under sections 147, 149, 302 and 325 of the Penal Code. The convictions recorded under "the general charge" are therefore convictions under sections 147, 149, 302 and 325 of the Penal Code.

Concluded

The Asiatic Problem

TRADING AND REPATRIATION.

Ministers of Justice's Warning.

Country Must Proceed Cautiously

Potchefstroom, Nov. 8. (Reuter).—The Hon. N. J. De Wet, Minister of Justice, who is commencing a political tour of his constituency, last night met a large number of delegates from the local bodies with reference to the Asiatic question. In the course of a statement made to the meeting the Minister traversed much of the ground already covered by discussion in Parliament, and went on to say that while the Government agreed that the menace had to be dealt with in view of its increasing strength, they had to proceed along definite lines, and not indulge either in haphazard legislation or in action that would not carry the matter to some real conclusion. They could not, for instance, deport Indians born in this country any more than they could deport any white South African, even under the criminal law. "All this nonsense," continued Mr. De Wet, "about the British Government interfering with us is all moonshine. The British Government do not interfere in this matter at all. They naturally watch the question from the point of view of the Indian dominion, and they might make friendly recommendations to us as any other Government would do. The Indian Government is watching it, and this Government could not refuse the request of the Indian Government to send a representative, Sir

William Robertson, to look after the interests of their subjects. It would be a very churlish and an unfriendly act to refuse a reasonable request of that sort." The Indians in the country, he continued, had to be treated fairly. On the question of the menace, the Government was entirely at one with them, and also on the question of restricting trading, but as far as repatriation was concerned, he did not know that it was possible. The Government was not championing the cause of the Asiatics, but the question had to be dealt with with a cool head, and with regard to justice and right. They wanted to know, for instance, what it was going to cost to repatriate and compensate the Indians? Then the commission, having reported on all points the country would have to decide, not the Government alone, and to say whether it would agree to pay the necessary taxation to achieve the object in view. It was a question for the whole of South Africa. Neither he nor the Government were afraid of the Indian question. Political capital was being made out of the matter, he did not say by any particular party, and he wanted to deny with all his might that the Government here was doing the bidding of the British Government. (Applause.)

The Minister was unanimously thanked by the meeting.

Menace Stronger Year by Year.

GOVERNMENT ALIVE TO THE DANGER.

The Immigration Question.

Potchefstroom, Nov. 8 (Reuter).—In the course of his speech at the meeting here, the Minister of Justice said that the Government realised that the Asiatic menace was growing stronger year by year. There was a lot of vague talk, but the Government had to proceed on definite lines. The Government wanted evidence first, but was not prepared to reopen the whole Indian question as, for instance, that of immigration, which the Indians wished to reopen. If anyone would give him evidence in regard to Indians entering the country illegally, giving names and places, he would see that steps were taken to test the matter, and have them put on. As for as legislation was concerned the door was closed against Asiatics, but as far as administration was concerned he could not say that every one had been kept out. The Government, however, would act promptly in carrying out the Law.

The Dharma Viree

PUBLISHED WEEKLY IN ENGLISH AND HINDI

VOL. 4.

P. O. Box 1180, Durban. Friday 21 November 1919.

No. 38

JAPAN AND THE FUTURE.

There is a school of thought, largely recruited from the Services, in this country which takes the extreme view that Japan is not merely a potential peril to ourselves, but a certain one. To this school apparently belongs Mr. Frank H. Shaw, who in the July number of *The Nautical Magazine* deals with the Japanese question in an article entitled "The Peril of the Future." Eight months ago this article would not have been allowed to pass the Censor. Here is Japan during and since the war, as Mr. Shaw sees her.

"Japan is a country peculiarly similar to Great Britain in not a few details. It is a small country with a big population, and is surrounded by the sea. The Japanese are the best seamen in the whole world, next to our own; and sea power is the determining factor in all great wars. Japan is in a position to become a mighty sea power. She may not be possessed of sea traditions ranging back a thousand years through history, but traditions of obsolete victories do not necessarily make for modern efficiency; and there can be far too much reliance placed on ancient feats of arms. The Japanese Navy during the past war has been so extraordinarily efficient as to arouse the wonder of experts and the alarm of those who can see ahead of the immediate present. And it is nowadays no secret that during the course of the war Japan seriously meditated breaking her alliance with the Entente Powers and throwing in her lot with the apparently victorious Central Powers. This fact is very well known in certain quarters; the danger was averted, but it existed. Japan

saw, in the succession of enemy victories and the apparently countless blunders committed by the allies—blunders that will in all likelihood never come to light, but which in their happening almost rivetted the Prussian yoke about all our necks—proof that she had backed the wrong horse. Had Japan swung around and allied herself with the Central Powers—had she thrown her Navy, with its experience gained of real war and the enormous naval problems of the war, into the scale against us, we should have lost everything. What the inducement offered to Japan to remain loyal to her obligations was we shall never know, because such matters are never made public; but it may safely be assumed that it was gigantic. Our leaders recognised the peril and made some attempt to escape with it. As the event has proved, Japan did right to remain loyal; she has scored enormously; but she knows as well as the rest of the world that it was her remaining loyal that brought ultimate victory to the Allied arms. And this fact Japan is going to remember in after years."

Phrases like "nowadays no secret," "this fact is very well known in certain quarters," etc., require some documentation to be really effective, but the article reflects in the main that blend of bias, rumour, and suspicion identified as the opinion of the man in the street.

Concluded

London, Nov. 4.—The "Times" announces that Afghan troops still occupy

the Wana position in the Massud-Wazir country, which constitutes a breach of the armistice preceding peace.

The British expedition is, therefore, about to advance into Waziristan, and the matter may assume a more serious aspect.—(Reuter's Special Service.)

The Indian Commission

BOMBAY PAPER'S COMMENT.

Postponement a Breach of Faith

London, Nov. 4.—The "Bombay Chronicle" describes the postponement of the South African Commission of inquiry with regard to Indians as a breach of faith.

The paper says the people of India regard the whole story of the promise and its non-fulfilment with deep feelings of grief and consternation, and urges the Imperial Government to press General Smuts to keep General Botha's promise, which he had repeated.—(Reuter's Special Service.)

Sir James Meston.

King Confers Baronetcy.

London, Nov. 10.—The King conferred a barony on Sir James Meston, for some years Lieut. Governor of the united provinces of Agra and Oudh, on the occasion of his resigning. Sir J. Meston was adviser to the Governments of the Cape Colony and Transvaal from 1904-1906 and represented India at the Imperial War Conference in 1917.—(Reuter's Special Service.)

THE DHARMA VIR.

Friday, 21 November 1919

RAILWAY ZULUM.

Day after day the tyranny of railway officials is on the increase. Indian and coloured passengers are being wantonly humiliated by ticket-examiners and others, and yet, in spite of repeated protests there appears to be no improvement. Indians of position and status form no exception to the general treatment that is meted out to all Non-Europeans. The promises repeatedly made by the local divisional superintendent of effectively preventing such humiliating treatment of passengers has never been faithfully fulfilled. The new railway regulations have only served, as was expected, to make matters worse by strengthening the hands of the railway bullies to advance their bullying a step further. The ticket examiners forget that they are the servants of the public, Indian as well as European, and not their masters, and the superior officials forget that they are bound to look after and provide for the convenience and comfort of passengers generally instead of meting out preferential treatment to one class of passengers only. In some stations the first and second class waiting rooms are labelled "Europeans Only", as are practically all the seats. We doubt whether the railway regulations authorise such preferential treatment. Cases of shameful conduct by the ticket-examiners have been brought to the notice of the administration frequently and passengers received no redress beyond the usual stereotyped official sympathetic replies. The railway tyranny has become unbearable and, we hope, Indians will devise ways and means to secure their freedom from the railway zulum, in a more effective manner than that of lodging protests with Mr. Carr, the divisional superintendent, who throws such protests in the waste paper basket.

Sydenham Hindu Young Mens Society Sports.

The annual Deepavali children sports under the auspices of the above Society was held on Sunday the 26th, ultimo at Sydenham in the presence of large and enthusiastic gathering.

A procession of about 200 children with flags and banners left Mr. G. D. Lalla's store (Society's Hall) Overport, at 9.30. A.M. for the sports ground.

Among those present were Messrs. R. Rajcoomar, P. Pather, S. Maharajh, R. S. G. Pather, Anand, Rai, L. Gabriel, J. Ramsuroop, B. L. E. Sigamoney, G. Maris, L. Panday, A. D. Shaik, Florence, Lalbhqdur Nanoo, S. D. Shanker, and M. B. Maharajh.

The luvah ceremony was ably performed by Pandit Beharee Maharajh who was assisted by Messrs. S. Ramthal, and G. D. Lalla. Immediately after the Havan ceremony Mr. N. Sullaphen, handicapper and starter of the Society, commenced the sports which were well arranged by the Society. During the lunch hour light refreshments were supplied to over thousand children and adults. Mr. S. Maharajh addressed the gathering in Hindi on Dipawali, its origin, practice, and observation, which was ably interpreted by Mr. R. S. G. Pather in Tamil.

At about 2.15 P.M. the sports recommenced and all the events were well contested by both girls and boys.

The following are the winners in the following competition.

100 Yards Junior Boys, 1 Essur Munpath 2 Thakadheen Ramanthur, 3 Sootharan Mahabeer.

120 Yards Junior girls, 1 Kailas pthee Lalla, 2 Luckputh Telloo, 3 Baby Billy, 4 Baignin Moonsamy Pillay.

S 200 Yards senior boys, 1 Ramdass Jokun, 2 Gajaraj Pooraye, 3 Soobramoney Singaram.

S 200 Yards senior girls, 1 N. N. Naicker, 2 Achie Veerappen, 3 V. K. Pillay, 4 K. K. Pillay.

50 yards Junior under 8 years, Soobramoney Alfred, 2 Mahabeer Brijnath, 3 Ghanas Beharie.

Three Legged Senior boys, 1 Lutchman, Soobrial, and Rajagoopal Colantha, 2 Essur Nunpath and Bhajmath Seepersad.

Potato race senior girls, 1 K. K. Pillay, 2 Achie Veerappen.

120 Open race for boys, 1 Rajagopal Colundans, 2 M. Govindasamy Naidoo.

Rabbit race Junior Boys, 1 Nandason Moonsamy, 2 Somusunkal Mutchel 31 Ghans Abbaya.

* Junior Girls Biscuits race. 1 Luckputh Telloo, 2 Baichum Moonsamy Pillay, 3 Anamah Moonsamy Moodley.

Senior boys wheel barrow race. 1 Ramrathen Jitoo and Soobramoney Seethambarum, 2 M. G. Naidoo and Doorasamy Seethambarum, 3 B. D. Lalla, and Soobramoney Singaram.

50 yards Infant race. 1 Soobramoney Alfred, 2 Gopani Moonsamy, 3 Thangavelu Alfred.

Senior girls Egg & Spoon, 1 Kailasputhee Lalla, 2 Luckputh Telloo, 3 Veetamali, N. N. Pillay, 4 Baby Subban.

Junior girls Skipping, 1 Luckputh Telloo, 2 Kailasbuthee Lalla, 3 Soopmah Muthu Naidoo.

Junior Boys 120 yards. 1 Kumnah Ramena, 2 S. Mutchak, 3 Coopsamy Poonamy.

Thread & Needle Senior Girls. 1 V. K. Pillay and D. Veerappen, 2 Achie Veerappen and M. N. Naiker.

Senior Boys boot race. 1 Jugthane Ramanthur, 2 M. G. Naidoo, 3 Raguath Rambraun.

Infant girls race 1 Coopamah James, 2 Muncie Billy Subban, 3 Lutchamoe Lalla.

Senior boys rabbit race. 1 M. G. Naidoo, 2 G. Pooraye, 3 Colantha Rajogopal, 4 S. Baboo.

Senior girls Skipping. Achie Veerappen (31 minutes) 2 V. A. Naiker (30 minutes) 3 K. K. Pillay (25 minutes) 4 M. N. Naiker.

Senior Boys Cake & Lemonade Race, 1 Baichum Jathan, 2 Pambhursadh Soorajbaly, 3 Rajagopal Naidoo.

Half mile senior boys. 1 Mohan Beharie, 2 Dhabeesingh Mansingh, 3 Puckrie Singaram.

Stewards race. 1 S. Ramthal, 2 N. K. Naidoo, 3 Budree Wooduth.

After the completion of all events Mr. R. S. G. Pather presented the prizes to the winners.

At the conclusion the Society held an auction sale of all the surplus articles which realised the sum of £3:10:1 which will be placed to the credit of the building fund of the Society. Among the buyers were Messrs. R. G. S. Pather, G. D. Lalla, J. S. Roopurain, L. Panday. Mr. Mahabeer Soodayal a member of the Society acted as an Auctioneer.

Official Lawlessness in the Punjab.

The Hon. Pandit Madan Mohan Malaviya, the president of the Congress of 1918, deserves the warmest thanks of his countrymen for doing a woman's service to our afflicted and distressed fellow-

countrymen in the Punjab. He has fired against the Government of India a regular volley of no less than ninety-two searching questions in connection with the Punjab disturbances, based on facts ascertained in many cases by himself, and has also moved a resolution for the appointment of a Commission of Inquiry quite independent of the Government of India. The Hon. Pandit with his colleague, the Hon. Pandit Motilal Nehru, have spent many days in travelling far and wide through the disturbed areas, suffering much inconvenience and discomfort, and have collected a vast amount of information, which they have checked, wherever possible, by personal inspection. Besides this, they visited many gentlemen who were arrested, detained, and convicted or subsequently released without trial, and have thus tapped every source of information available. The information of the Pandit therefore is incontestable in a majority of cases. And even if one were to disregard the suspicious ones, one can very well see from the cases which appear to be proved that the Martial Law authorities, and in few cases, even the civil authorities, have committed not one, not two, but a series of horrible blunders which any civilised man will simply shudder to hear and fear to contemplate.

IN NON-MARTIAL LAW AREAS.

It is true that most of them were committed in areas where Martial Law or official lawlessness was rampant. But a few of them, as appears from the Hon. Pandit's question No. XLI, were perpetrated at Gurdaspur where Martial Law was *never* proclaimed! This, on the face of it, is utterly indefensible; and we want to know what the Government has to say about these brutalities for which, as there was no Martial Law, no justification can be found. At Gurdaspur it appears from the Pandit's question, "a number of barristers, pleaders and other respectable persons" were arrested, "on or about the 2nd May, brought in handcuffs to Lahore, confined in the Central Jail there for over three months, and were released without trial after having been kept in solitary cells for most of the period." To add insult to this injury, an I. C. S. Magistrate regretfully said in open court that Government had taken no action against them, and told the members of the Bar that he would take steps to move the High Court of Lahore to proceed against them. The prologue of this was enacted in a Durbar where, one General by name Dyer addressed an audience of "lawyers, honorary magistrates, Government servants, bankers, traders" and others as *Budhishas*! And it must be remembered that all this has *actually* happened in an area where Martial Law was *never* proclaimed!

IN MARTIAL LAW AREAS-AMRITSAR.

If such was the condition of the non-Martial Law areas, one can very well imagine what a tragic fate must have overtaken the unfortunate persons who were living in the Martial Law areas. But not to lose the balance of our judgment, we must, at the outset, remember that they were areas where grave disturbances of public peace had occurred, and Martial Law was, though wrongly, proclaimed. To a certain extent therefore illegalities were bound to occur as the actions of the military authorities were "necessarily" prompt, and probably hasty. "But even then there is some limit to the illegalities under the Martial Law also. Necessity is the usual standard applied to measure the steps taken to enforce order, and when measures taken under the Martial Law overstep this limit, then they become excessive, and therefore thoroughly unjustifiable. It is true that in times of grave disturbances every Government is required to sacrifice a few lives to preserve many lives. But this necessity to kill a few must not be strained to mean a licence to kill many and to commit other cruelties. Fortunately for us, this standard of necessity can be seen to be applied with commendable discretion by the authorities in the Bombay Presidency, where, in Ahmedabad as in Amritsar outrages were committed on Europeans and buildings were burnt or damaged. But at Ahmedabad crowds were not fired upon many times and innocent citizens were not molested with a burning desire for revenge. At Amritsar, however, the mob was dealt with in a different manner. Unfortunately the people were located in the Jhallianwala Bagh from where there were very few exits. They were assembled in a meeting, which, the authorities say were prohibited. This prohibition order, it is alleged, was not proclaimed throughout the city in a proper manner, and many were innocent of it. And it is quite possible that those who had come to Amritsar for the Baisakhi festival from distant places might not have known of this prohibition. Anyhow a crowd was assembled in the Jhallianwala Bagh in contravention of the official orders, and the military was called in to disperse it. It may be that they must have warned the people to disperse, but it is not the warning, but the *time* allowed for the men to disperse that is in question. As the exits were few, a sufficiently long time ought to have been allowed, and the contention of the people is that this was not done. The few exits were disgorging what they could contain but many were left behind, and they were fired upon. It is said that over 1000 persons have died! Govern-

ment admit that they could get information for 300 only, but the Hon. Pandit and Swami Shradhdhanand say that the number of the killed was over 1000! Now we plainly ask the Government whether necessity justified this heavy toll of human life in one town? Does it not plainly show that excessive firing was resorted to? And not only the firing was excessive, but Panditji's question no. XXII leads us to infer that it was even indiscriminate. It seems that there are marks to show, and casualties to prove, that firing was even aimed at persons who were in the houses and not in the streets! But even if we disregard this, the number of 1000 killed is simply staggering. Compare with this the few that were killed at Ahmedabad, and you at once come to know whether excesses were committed at Amritsar or not. We are sure one who runs may read from the very simple number that heinous enormities were committed. To prove vindictiveness in the attitude of the authorities, the simple fact that where Miss Sherwood was assaulted, every Indian was made to crawl on his belly through the whole length of the lane and British soldiers were posted from morning to 8 P. M. to enforce observance of this order is quite sufficient. There are ways & ways of terrorisation, but this, in our opinion, must have beaten even the fertile ingenuity of the barbarous aborigines. The woes of the Amritsar people however were not ended with this. Nearly 100 legal practitioners were enrolled compulsorily as special constables and were detained as waiters upon the Europeans! Electric and water supply was cut off for about four days, and people were put to utmost inconvenience. Those who were deemed as culprits fared worst. They were hand-cuffed in pairs, confined for several days in an open market court when it was hot during the day and cold during the night. And they remained in such a pitiable condition for several days! We ask the Government of India in all humbleness, whether the Ahmedabad people were so brutally treated? and if they were not, as really they were not, whether the Amritsar authorities are or are not responsible for pertrating these revolting excesses upon the people given in their charge?

(To be Continued.)

THE DHARMA DICE

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No. 39

THE VICEROY'S SPEECH.

The Viceroy's speech at the time of opening the proceedings of the Imperial Legislative Council cannot satisfy the public on many of the graver issues with which the country is faced. Of course we quite realise that the all powerful Government of India are quite helpless before other powers, and they therefore cannot be solely blamed for the unsatisfactory solution of some questions arrived at by those powers in spite of the Government of India's strong protests. Such questions are the Turkish Peace Terms, the South African muddle, and the brutal treatment of Indians in Fiji. The Viceroy says that the Government of India have done, and are doing, all that could be done in these matters. We are sorry we can accept this only with regard to the Turkish Peace Terms. The Viceroy says he has done all in his power to ensure full representation of the Indian Moslem's feelings on the Turkish Peace Problem before the Supreme Council, and Moslem India, even though smarting under the Supreme Council's method of dealing with the question of Khalifat, will surely not lay the blame for the outrage on their feelings at the doors of the Government of India. On the South African question however we cannot say the same thing. The Viceroy says that "the Government of India have not failed to press the Indian point of view before His Majesty's Government," and he has further affirmed that they had "the full support of the Secretary of State." The State Secretary's reply to the deputation, that had recently wait-

ed upon him in connection with this matter, does *not* however confirm the Viceroy's words that the former has fully supported the "Indian point of view." To say the least, the view which he has upheld is exactly the opposite of the Indian view, and if the Government of India have agreed with the State Secretary's opinion on the point, then we must say that they too have failed "to press the Indian point of view." India was demanding that the Crown should veto the outrageous Bill passed by the Union Parliament, and that view was *truly* Indian. The State Secretary has said that he is quite unable to accept that, and therefore one cannot say that the Indian point of view has been pressed before His Majesty's Government. India has no faith in commissions and deputations to South Africa. The prevalent Indian opinion in South Africa has on the contrary expressed apprehensions about the Commission, and Indians there are quite justified in doing that by the decision of the recent Committee, which though appointed to remove the disabilities of Indians, proposed to impose fresh disabilities upon them! We are therefore constrained to say that the Government of India have absolutely failed to appreciate the depth of the acute feeling in India on the matter. Indians cannot be satisfied with such tinkering with the question by the appointment of commissions. The South African Government must be clearly informed that their action in passing the Bill is a breach of faith inasmuch as, to use the Viceroy's words, "it is not con-

sonant with the undertaking given by the South African Representative at the Imperial War Conference that Lord Sinha's memorandum relating to the rights of Indians in the Transvaal would receive the sympathetic consideration of the Union Government." And the Imperial Government also must be persuaded to think that it ought not to uphold, and should not uphold, any laws based upon such a "breach of faith." Commissions and deputations may come or not, these Indian points of view must be clearly represented before the Imperial and the Union Governments.

With regard to the brutal treatment of Indian men and women in Fiji, the Government of India have, we admit, done much to secure the cancellation of all indentures in Fiji. Nevertheless we must say that they have not been as vigilant and exacting as they ought to have been. The Viceroy said the Colonial office had "decided that the improvements demanded by the Government of India *must* be carried out and the indentures cancelled." But in the next sentence he confessed that "how far these improvements have been carried out we have no very clear information." On this we simply ask whether the Government of India and even the Colonial office would have remained so much indifferent if English, instead of Indian, women had been such outrageously treated? We know for certain that in such a case the whole might of the British Empire would have been concentrated on this one moral and vital ques-

tion, and the Fiji Government, if unbending, would have been blown up to atoms. That the Colonial office is not willing to put all possible pressure upon the Fiji Government with regard to this problem, constantly stinging the souls of Indians, is too transparent to be ignored. But what we deplore more is the admitted apathy of the Government of India, and we therefore urge upon them with all the emphasis we can command that their indifference should yield place to a constant and vigorous action for securing the cancellation of all indentures by the end of the present year.

To be Continued

THE DHARMA VIR.

Friday, 28 November 1919

MR. ANDREWS VISIT.

The forthcoming visit of Reverend O. F. Andrews to this country is very opportune. The country is rife with racial animosity against Indians and the lessons learnt during the progress of the late war have been entirely consigned into oblivion. The atmosphere is now surcharged with the one desire of extinguishing the existence of Indians as a community. Reverend Andrews will learn first hand the intensity and extent of colour bitterness and will be able to convey this impressions to the Imperial and Indian Governments and to the world at large. He will also learn how grossly Mr. Gandhi erred when he based his settlement of 1914 upon the flimsy expectation of the local European population being educated to realise the enormity of their injustices. It is rumoured that in all probability the Honourable Srinivasa Sastri, a member of the Vice-Regal Council and the leading member of the Servants of India Society founded by the late Mr. Gokhale, will follow. The visit of the Honourable Sastri, if it comes to pass, will be unique in that that this will be the first time a Tamilian of distinction and fame will be visiting this country. We have our own opinions as to any material gain accruing to Indians here from the point of view of political or citizen rights but undoubtedly the moral benefit would be considerable. We hope both gentlemen will also endeavour in addition to the object of their visit to unify the consistently warring elements in our midst. We hope, further, that their activity in this direction will end in solving the Natal Indian Congress question on a satisfactory basis. Needless to mention both the distinguished visitors will be the recipients of a right and welcome from Indians.

Official Lawlessness in the Punjab.

GUJARANWALA.

Gujaranwala has perhaps a more shocking tale to tell. The town was bombed and machine gunned from aeroplanes, and one need not therefore describe the piteous condition of the inhabitants there. Mr. Montagu even seems to justify this cruel method of terrorising. But one has to know how he and his henchmen in India can justify the bombing of a boarding-house containing 150 students situated "at a distance of over a mile from the places where any mob had collected". What is this but a clear proof of the excess? Then came the arrests of loyal and respectable in people, 22 in number, and they were hand-cuffed and chained and marched two by two headed by Hindu and a Mahomedan to ridicule Hindu Mahomedan unity, with two Municipal Commissioners in front, shouting to the people to make way for the prisoners on pain of being bombed or shot down! The chained and the handcuffed pairs were put in a coal-truck and were not allowed to leave their places even for the nature's calls! And among them were barristers and pleaders. Does not this treatment signify sheer cruelty?

At Sheikhupura also respectable people shared the same fate, and we need not repeat the ghastly tale.

KASUR AND LAHORE.

At Kasur Lala Dhanpatrai, a pleader of 70, was arrested on the 5th April. He was handcuffed and taken to Lahore, was detained there for two months, and was released without any trial. Three gallows were erected in a public place to frighten the people; and school boys were flogged for offences unknown! On the 1st of May practically the whole population of the town was called to the station, and was exposed to the sun for 6 hours, and, in the absence of the male members, the zenana apartments were searched. We want to know what necessity justified this wanton aggression against the whole population?

The record of Lahore also reminds us of the Spanish Inquisitions in the Netherlands. Over 40 men of reputation were kept in custody for several days and were released without trial. Lala Harkisan Lal and others were unjustly punished. Several were persecuted for failing to guard the Martial Law posters, and students of various colleges were made to walk for roll-call a distance of from 10 to 16 miles a day. Some of them fainted and then the place of roll-call was brought nearer. Principals of certain colleges were coerced to punish a certain percentage of their students without any regard to evidence. Motors, gharris, fans, lamps, cycles

etc. were commandeered and some were given to Europeans to make up their loss of the materials commandeered. Any man wishing to travel by train either from or to Lahore was required to issue a permit, and such a permit was refused even to the Hon. Mr. Shafi, now a member of H. E. the Viceroy's Executive Council! Many an incident like this can be told but space does not permit us to do so. Whether all these stringent measures were necessary or excessive is a question before us, and we cannot but say that they were excessive. In other places, ~~quarantine~~ orders were issued, and every Indian, however high or low in status and position, was required to bow down to every European imp that passed by him.

These however were executive cruelties and some of them were undoubtedly unnecessary. Those who are responsible for these excesses, cannot and must not be protected by any Indemnity Bill. There are also judicial cruelties and substantial reductions of the atrocious sentences by the Government prove their existence. Without minimising the gravity of the situation we can after contrasting these cruelties with the considerate action of the Bombay Government confidently assert that some of the officials in the Punjab were, more often than not, cruel to the extreme. We are glad that their cruelties have been exposed by the Hon. Pandit for the higher Government officers to realise how the fair name and fame of their civilisation was tarnished by them. We hope the Commission will go fully and deep into the matter and save the British justice from the welter of these inhuman barbarities.

Concluded

Anti-Asiatic League.

Indians in South Africa.

Menace to White Workers.

Klerksdorp, Nov. 25. (Reuter).—A public meeting was held last night in the Exchange Hall, under the auspices of the South African League. Notwithstanding the heavy rain falling, the meeting was well attended.

Mr. J. J. Phillips (Chairman of the League) said that thirty years ago there were 30,000 Indians in South Africa, and there were 200,000 now. Not only trading matters were concerned. Were this so he would not interfere, but political, social and financial mastery were involved. The presence of 200,000 Indians in South Africa was a menace to the white workers. Indians were already carrying on a large number of industries, and in Natal, in

dians were engaged in building and other trades.

The speaker concluded an earnest and eloquent speech with an appeal to save the Union for the white generation coming forward.

The meeting appointed a Committee to organise a branch of the League, which all present joined.

The following address was delivered by Mr. Burton at Ladysmith:—

He understood that there was another important matter which was agitating the minds of people in the Union, and more particularly of the people in Natal, and that was what was called the Asiatic question. They would remember that, as a result of discussion in Parliament last ordinary session, it was decided to appoint a Commission to inquire into the—

TRADING RIGHTS OF ASIATICS in the Transvaal. Since then it had been represented that there was a strong feeling in favour of inquiring as well into the whole question of the ownership of land by Asiatics in this country, and the Government had, indeed, been approached by the Indians themselves in the same direction, for though they did not emphasise the matter of land ownership in general, they did press the consideration of the ownership of land in the shape of a trading site which was inevitably wrapped up with their trading. In view of this general feeling, therefore, the Government had come to the conclusion that the Commission, which would begin its task before long, should inquire into the whole of this important matter, and generally of the ownership of land by Asiatics in this country. In this connection he wished to say that he thought a good deal of misunderstanding had arisen with regard to a speech of his in the Imperial War Conference last year. The Secretary of State for India complained of what had taken place in the Union Parliament as a departure from the attitude he (Mr. Burton) had taken up in London, but, as a matter of fact, there was nothing in the present attitude of the Government which was inconsistent with what he had then said.

Their policy was still to be just and fair and sympathetic in dealing with Asiatics, but of course they had to remember their duty in dealing fairly and justly with the national future of this country as well.

tempt to amend the reservation and apply the closure to the debate failed.

The reservation declined to assume obligations regarding the territorial integrity or political independence of any other country.

The reservation is couched in language which the President previously declared would cut the heart out of the Covenant and mean the rejection of the Treaty. The Government fought throughout the day to secure a modification of this reservation after which Senator Hitchcock gave notice to move a reservation covering the withdrawal from the League.—Reuter's Special Service.

Washington, Nov. 19.—The Senate by 51 votes to 35 has adopted a Labour reservation to the Treaty, making the entrance of the United States into the International Labour Conference dependent upon the action of Congress. The House has further adopted, by 55 votes to 38, a reservation declaring that the United States shall not be bound by any decision of the League of Nations in which any member of the League and parts of its Empire cast more than one vote in connection with a decision of the League affecting a dispute between the United States and a member of the League, if the latter or part of its empire has voted. A number of other reservations were defeated, including one by which the United States would become only a consulting member of the League, and another one adhering to the policy of non-interference in affairs between foreign powers.

As a result of the conference between Senators Lodge and Hitchcock an early vote of the Senate will be taken on the question of the ratification of the Treaty with reservations. In the event of a defeat of such resolution, compromises in the text of the reservations will probably be considered.—(Reuter's Special Service).

LONDON, November 19 (belayed). The Bolsheviks are paying great attention to Central Asia. Tashkent, Tia Tashkent, is the capital of Russian Turkestan, capital of Russian Turkestan, is the centre of great activity of the emissaries for India and Afghanistan, who are trained in the local languages. It appears that the Soviet is conducting a well thought out campaign of propaganda in Turkestan and Afghanistan, the latter of which is regarded as of prime importance. An Asiatic propaganda has been established.

A Soviet Commissary has written a letter to Sun-Yat-sun urging him to establish a Soviet resolution in China.—Reuter's Special Service.

Mr. Tilak's Gag Removed.

GOVERNMENT OF BOMBAY,
Judicial Department.

Bombay Castle, 15 October 1919.

The Governor of Bombay in Council is pleased to withdraw the Order dated 31st July 1918 made upon Mr. Bal Gangadhar Tilak under Rule 3 of the Defence of India Consolidated Rules (1915).

By Order of the Governor of Bombay in Council,

Sd., J. CRERAI,

Secretary to Government.

Order.

The order was as follows:

To Bal Gangadhar Tilak, residing at Poona.

Whereas etc. Now therefore the Governor in Council, in exercise of the powers conferred by Rule 3 of the Defence of India (Consolidation) Rules 1915, published in the notification of the Government of India in the Legislative Department, No 86, dated the 9th December 1915, is pleased to direct you, pending further orders, to abstain from making any public speech without the previous permission in writing of the District Magistrate of the district in which you propose to make such speech or, in the City of Bombay of the Commissioner of Police.

This prohibition extends to any public lecture or address, and in this Order the expression public speech, lecture or address includes a speech, lecture or address delivered to the public or any class or portion of the public, notwithstanding that it may be delivered in a private place and notwithstanding that admission thereto may be restricted by ticket or otherwise.

This prohibition, however, does not apply to any speech confined to the subject of constitutional reforms made at a special session of the Indian National Congress summoned for the purpose of discussing that subject.

By Order etc.,

J. CRERAI,

Poona, dated the 31 day of July 1918.

Notes and News

LONDON, November 14.

The United States Senate, by 46 votes to 33, adopted the reservation to the article of the Peace Treaty. The at-