

Bill; and can you imagine the blindness of our Government when with the opportunities it had of consulting the Government of Bengal and the judges and the High Court, it did not do so. Why did they not come and say "Here is a Bill dealing with your own countrymen, tell us what you think of it?" Is it not a putting of the telescope to the blind eye not to consult those who can best tell? It is only a hero who can defend himself for looking only with his blind eye when he does not wish to see his orders, and he can only do it for an heroic action which will commend itself to future generations of Englishmen. Let me read you a few extracts from these opinions.

Mr. Carmichael, an officer of great experience, after tracing shortly the course of legislation on this subject, says:—

"Practically, however, except the petty jurisdiction given to a Session Court presided over by a British subject, in the present Code passed in 1872, nothing whatever has been done, and we know why it has not been done—the British Lion a vulgar brute, no doubt has wagged his tail and roared; that he would do so again now is I think, pretty certain."

After quoting at length from the Minutes of Messrs. Huddleston and Howell, Mr. Branson continued:—

Gentlemen, it is asked that you should give up your right to be tried by your own countrymen. Now, this is notoriously a country in which the utmost ingenuity is ever trying to concoct and bring false charges. (Cheers.) What the stiletto is to the Italian, the false charge is to the ordinary Bengali. He loves it, it is his weapon which he ever carries about with him, and the facility with which false evidence can be procured out here enables him to use this weapon with the most fatal effect; and we are called cowards forsooth, because we have asked that we shall not be tied hand and foot, and left in the hands of these men with their stilettoes of false charges; and not we alone, but English ladies, in the remote districts of Cachar, may be brought up before a native commissioner when their husbands are away, and there has been some quarrel with the coolies of some neighbouring garden. They may be carried before a native Magistrate and there tried at his hands, and subjected to all the indignities which you can picture for yourselves before a man who has not the smallest knowledge of their natures (Loud and continued cheering.) Gentlemen, it is more than sentiment, it is a sacred charge, a sacred duty, you have cast upon you. Many of you have brought from your far English home some fair girl, entrusted to you by a fond father to be your wife; and if you abandon these rights now, you break your faith with those who gave that girl to you. You are grievously at fault as betrayers of a sacred trust. (Loud cheers.) It is not that I fear for my

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countrymen alone, it is not that I fear for the evil which may fall upon them by their being tried before native magistrates; but I cannot help looking forward to the future, and thinking what will be the effect. If, in the case I described, a husband worked up to a state of wild excitement, went into the court, God only knows what would be the result; and it is to defend the people of the soil as well as my own countrymen that I call upon you to raise your voices in protest against this charge. (Loud cheers.) Gentlemen, it has been well said by Howell in his "State Trials" that "it seems generally to happen that persons who either possess or lay claim to power of any kind, are strongly disposed to be of opinion that they may be trusted with such power," and he proceeds to give many instances of this, showing how, when the power has been acquired, it has been abused even by Englishmen amongst and against Englishmen. But, gentlemen, let me say one word on another subject. It is said that this Government has exceptional privileges, in that it has at its head at home a statesman of whom, however much we may differ with him in opinion, every Englishman must be justly proud. Let me read to you the words of that statesman himself upon the subject of law legislation ought to proceed on momentous question of this kind. Mr. Gladstone, in his famous speech at Greenwich, which will be in the memory of every one of you who happened to be in England in the autumn of 1871, when he stood up to defend his Government with regard to the army purchase question and other matters, said: "I hope while I remain in public life I shall be able to act zealously and cheerfully with you for the promotion of Liberal opinions. I for one never understood by Liberal opinions either precipitate conclusions or submissive concessions, and I trust we shall well consider before we commit ourselves to vast changes and the introduction of new principles, and that we shall know before we commit ourselves something of what the results are likely to be." Now, gentlemen, don't you think these words might have been taken to heart by our rulers before they introduced this change? I tell you they ought to have been, because you have no right to interfere with the rights of the people. I will now read to you the words of one who was honoured here, of one who met with his death in this Town Hall (applause.) Let me read Mr. Justice Norman's words on this subject. "Every British subject is born a debtor by the fealty and allegiance which he owes to his Sovereign and the State; a creditor by the benefit and protection of the King, the laws, and the constitution." "Allegiance" says Sir W. Blackstone "is the tie which binds the subject to

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the King in return for that protection which the King affords to the subject. Foremost amongst the privileges assured to the subject by the protection of the sovereign is liberty and security of the person. The crown cannot derogate from these rights. Bracton tells us that the King is under the law, for the law makes the King. The King cannot interfere with the liberty of the subject, nor deprive him of any of his rights."

Now, gentlemen, this is an unmistakeable endeavour to deprive us of our rights, and I say there is no power in the Government to do that. (Cheers.) It has been well said that there is a point at which allegiance itself may stop. Now, I do not say, I do not suggest that you have come to this point yet, but what I tremble for, and what I am coward enough to fear is, that this Bill will provoke reprisals, and reprisals will provoke fresh legislation, and fresh legislation will forfeit allegiance, and the country be hurled almost into the horrors of civil war (loud cheers). We know that if you have strong, determined men to deal with, they will have their way. We who have read history know what happened when the negroes of the Southern States got privileges against their white brethren. We know what followed, and how these negroes went trembling on their knees to beg that these privileges might be taken away. Now the question is, are you going to surrender your rights? (cries of No, No). Swear by all that is most sacred to you that you will not (loud cries of No, No). Let your voice be heard, that the Government may have no excuse for saying they did not know your sentiments. The Viceroy and the council say they want to know your views. Let them be assured that you will not give up your rights, that you are determined to stand by them, and that you will not give them up for your own sakes, and for the sake of those who are dearer to you than life, than health, than anything else which God has given you upon this earth. (Loud and continued cheering). Stop, gentlemen, at nothing that is lawful. Combine, unite, organize, to forward this great end. Remember what your great Prime Minister said at Midlothian: "It was the Clerkenwell explosion that got the Irish their rights." I say go as far as you legally and properly can in the protection of your rights. Do not compromise yourselves, do not allow yourselves to be urged on by blind fury, or to be led into doing anything which, it may be said, shews that you are unworthy of your rights. Hold to your rights; tell your Governor-General he has been misled. (Cheers.) You are yourselves greatly to blame in this matter. Once before in my career in this country it was given to me to address you, not in anything like such a large body as there is here to-day, and I then said you were yourselves very greatly to

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blame for not letting your rulers know your views. You are too immersed in the pursuit of your business pleasure and profit, you do not let your opinions be heard. When a matter like this comes forward, do not forget that you have those in this country who suppose that your interests and theirs are opposed that when you lose they gain, that it is well to make a prejudice in their own favour. That some such things go on is manifest; else how can you account for this last extraordinary resolution which has been published, the result of which is this. Sir Louis Cavagnari died in the service of this country by the dagger of an assassin. If he leaves a son, and the assassin leaves a son, the assassin's son would be preferred in the competition for Government employment. (groans.) This is what it comes to. A grievous wrong has been put upon you; show that your minds have been deeply stirred; act like men, whether you be pure Europeans or Eurasians; join hand in hand and fight together; and let your watchword be protection. (Cheers.) Take for your motto the motto of your Volunteers, "defence and not defiance;" ask that your rights shall be maintained; fight for that; and pray that God may guide you to act wisely and well; and pray that in His infinite mercy he may guide your rulers to a right conclusion which may avert quarrels and misery, if not more, in this unfortunate land. (Loud and continued cheering and of waving of hats for several minutes.)

MR. BLEECK (the German Consul-General), who was received with cheers in supporting the first Resolution, said that he was not a British born subject, but he was living under the laws of this country, and anything which was done here would affect him and his fellow countrymen as much as it would Englishmen. He trusted, therefore, that every foreigner in India would support this Resolution. (Cheers.)

The Sheriff then put the Resolution the vote, and it was carried unanimously and with acclamation.

MR. PITT-KENNEDY, who was received with cheers, said:—Mr. Chairman, Ladies and Gentleman,—I confess the duty is one which I should gladly have escaped, for I feel that every word said to-day is likely to have a tendency to irritate and excite feelings of race and class jealousy which I confidently hoped were tending to subside, but I do feel my conscience clear in the matter. It is not we who have provoked the discussion. (Cries of "no.") We have not willingly stepped into the arena. The contest has been forced on us by those who with a light heart reopened questions which most of us believed to have been closed, and who, apparently from mere childish anxiety to do something, are now proposing to amend within two months of its coming into operation an Act, long—at least three years—under considera-

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tion and as carefully considered as anything can be in a body constituted as is the Legislative Council. (Cheers.) Upon them be the responsibility of the injury which must of necessity result from their meddlesome mischief. (Groans.)

You all know what the proposition is. It is one whose supporters' best argument is that it is so small, so trivial, that really no one need mind it; that "it pleases he, and can't hurt I," as the gigantic navvy said as his excuse for allowing his wife to beat him, but if that be so, why make the change? (Applause.) Would rational people go through the solemn and ponderous farce of passing a Bill through the Legislative Council if it really were to have no appreciable effect. (Ironical cheers.) One would have thought that a measure of such trifling import would hardly have required the sanction of the Secretary State (Groans) to be procured before hand, as the telegrams inform us it has been instead of his waiting for the Council to see its necessity, and then passing or vetoing the Act, as that which we may by courtesy call the constitution of India requires. One would have thought that if the measure were so trivial it might have waited in the recesses of the Legislative Office till some new recasting of the Criminal Procedure Code were deemed necessary; but the brain from which it sprung deems it so important that it is forced forward, apparently without even the decent form of consulting the Judges of the High Court being observed. (Groans.) One would have thought that for so small and insignificant an Act it would have hardly been deemed worth while, in the present state of Indian finance to spoil the quantity of paper which, unless the standing orders be suspended, the forms of passing a Bill would require, (Cheers and laughter) much less to elicit the storm of indignant opposition to which your presence, gentlemen, here to-day testifies (Applause.) Possibly, gentlemen, the proposers of the change may not have foreseen the probability of the attitude which the European population of India has taken. If the Secretary of State be the delinquent, of course he can know nothing about the matter. If it be the Viceroy, (Groans) he is perforce placed in "a hollow lotus land," when he and his Council are living "on the hills. Like gods together careless of mankind." His advisers are of necessity members of the bureaucracy—some of them men of great ability and experience of a kind, but all of them severed from anything like an intimate acquaintance with the mind of the non-official population. (Hear, hear.) One may be a very good friend of a Collector, a Judge, a Commissioner, or a Secretary, but there are few of us sufficiently candid to tell them in moments of social relaxation how very erroneous we consider

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their principles and ideas to be; and if there be, as there probably are, some amongst the immediate advisers of the Viceroy who did know the danger, and had the courage to warn him—we all know the fate of unpalatable advice, when there are others ready to prophecy smooth things. (Cheers.)

The Commander-in-Chief, (cheers) for instance, has had experience of all sorts and conditions of men, but is he consulted on questions of this kind? Is he not in times of peace considered as a disturbing element and a mere Philistine, incapable of comprehending the enlarged views of a Viceroy; (laughter and cheers) for we must remember that, according to our present Home Secretary, (groans) a Viceroy derives his advantage from his ignorance of India, and his saturation with modern views as held in circles of those who complacently call themselves advanced thinkers, of the men who can concentrate the whole complicated relation of the infinite varieties of man kind in a few formulæ as portable and as certain as Eno's fruit salt or Holloway's pills. (Laughter and applause.)

Even, however, admitting all the disadvantages under which a Viceroy labours as the initiator of legislation, it is difficult to understand how any one would have thought that the mere material injury inflicted would be a measure of the opposition excited. Most Englishmen would rather endure death than dishonor. (Loud cheers.)

The proposers of this change must have thought that Englishmen of the present day had rather adopted Falstaff's reasoning on the subject of honor, and that unless they saw some immediate personal loss likely to accrue from the withdrawal of a right, they would not much mind it, and would gracefully turn the other cheek to the smiter. I trust this meeting will undeceive them.

Is, however, this injury so trifling as its admirers suggest? Even admitting that it is improbable that any one of us will be personally brought for judgment before, say, Mr. Gupta in some remote Mofussil Court where Reporters and Barristers do not grow freely, and that we are careless of the interest of our fellows; even admitting all this, can this proposal be considered without reference to other changes which have occurred latterly—some, perhaps, rather administrative than legislative? (Applause.) We cannot forget the distinct tendency of the Government to exclude from Government employment all persons of European descent. (Groans.) The orders with respect to the D. P. W. and the subordinate services place at a very great disadvantage in seeking Government employ the descendants of those who have won India for England, though born and educated in the

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country from parents likewise so born and educated ; and this in the name of equality. (Groans and hisses.) A compatriot of mine was the happy inventor of the formula for this kind of equality—"one man is as good another, and a great deal better too." (Groans.)

I do not say that Englishmen have much to complain of in being excluded from the public service here. Those who know the ways of our Rulers will hardly call the Secretary of State a generous master. Well for them if they can even persuade themselves that he is just. (Groans.) The universal discontent of the services is the best comment on the action of the Government in this respect ; but in the interest of the community, it is hardly well that the less malleable element should be expelled in favor of the more yielding. It may, however, be a great advance in the direction to which we are being driven, which is, so far as I can see, the subjection of the entire community, Hindu, Musulman, and Christian, to a rule, perhaps less cruel, but as despotic, as arbitrary as ever it was in the days of the Mogul, and infinitely more systematized, more powerful, and less likely to be evaded. (Loud groans and hooting.)

Ever since the destruction of the old Company, more and more the reign of custom and law has been diminished, and the arbitrary will of the Secretary of State (hisses) substituted, for it is an abuse of language to call the Legislative Council anything save an office for registering the orders of the Secretary of State. (Groans.) We had a beautiful illustration of it last year, when the Secretary of State telegraphed out orders to pass an Act to let in petroleum excluded by an Act of the Legislature. (Groans.) No doubt he says he did not, but equally certainly the statement was made in Council, that he did, and the illustration is rather more to the purpose. (Cheers.) If he did not, it more strongly shows how mere a phantom the Legislative Council is. A compact nucleus of official members, who, as I understand, believe themselves bound by the Secretary's order, whatever their opinion may be, can always over-rule the so-called independent members, while the Viceroy is hardly more than the speaking end of a telephone, transmitting orders from the India Office. (Hisses and groans.)

But the subjugation of the Viceroy, incomplete as it was before the telegraph was laid, was not sufficient to make all plain sailing. There was an institution here—the Supreme Court—(loud cheers) which was one of the few things in India which was not a sham, and it was doomed. The power of an independent tribunal to take

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cognizance of the acts of all servants of Government, by which the subject suffered, was hateful to the lovers and possessors of concentrated power, and that most useful jurisdiction was not transferred from the Supreme to the High Courts. (Cries of shame! and groans.) Again, by means of the Grand Jury, the public had the right and the power of intervening to put offenders on their trial for criminal offences, even though the Government were unwilling to prosecute and the Grand Jury was abolished. Then came the new Procedure Code of 1872, by which the power of issuing writs of *Habeas Corpus* into the Mofussil was taken from the High Court, (loud groans) and a grave invasion of the rights of Europeans was effected, which, however, we were assured was only for the purpose of avoiding the difficulty and expense of sending Europeans long distances for trial, and which was declared to be absolutely final and sufficient for all purposes. Then followed Lord Lytton's attack on the independence of the High Court; next, the reduction of the salaries of High Court Judges; and now comes this new amendment which, we are also told, will be absolutely final, will do no harm, and merely remove what they are pleased to call an anomaly, but which does take away a privilege and a right of which we are proud, without any prospect of benefit to any mortal man. (Applause.) How can any one believe it is to stop there? Does the suggestion of this change satisfy the craving of the Bengalee Editor for further degradation of the European? Not a bit of it. No more than the Davitts and Parnells in Ireland are satisfied with the Land Act. Look at the *Amrita Bazaar Patrika*, which either from ignorance, or worse, deliberately suggests to its readers that different punishments are provided for natives and for Europeans guilty of the same offence. (Groans.) Each concession is only made the occasion for seeking further concessions; and one can have little doubt that if the present senseless amendment be passed, the next step, and one to be taken at no distant period, will be to subject Europeans universally to the jurisdiction of the Mofussil Courts without reservation. (Groans and uproar.) What would be the effect of this? I venture to express my opinion that it would be, before long, to apply to the Mofussil Englishmen the fate suggested by our Premier for the "unspeakable Turk," and to send him "bag and baggage" to some country where his rights were more respected. (Applause.) Every one knows that a false criminal charge is as well recognized a proceeding in a quarrel in this country as an Evans gambit in a game of chess, and we know also that Englishmen do occasionally give offence to their neighbours. What would be the result then? One may prophesy that the

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future will resemble the past, and I think that some of you, gentlemen, will remember two cases, the first which occurs to my mind, in which some of you probably acted as jurors and in which I prosecuted. One was the accusation of Mr. Vigors. In that case, the committing Magistrate was clearly of opinion that Mr. Vigors, a most benevolent and kind-hearted gentleman, had brutally kicked to death an unfortunate villager. There is little doubt that before the Magistrate or in the Sessions, Mr. Vigors would have been convicted, as his alleged accomplices in fact were; but when the story came to be investigated before a High Court, the falsehood of the charge became so manifest that the Jury declined to hear the defence. (Cheers.) I am not much inclined to believe that my client is in the wrong, gentlemen, but, in that case, I would not resist the conclusion of the entire falsity of the case which I had laid before the Court, and the principal witness was prosecuted for perjury and duly convicted. (Applause.)

Another case. There was the charge of murder against Mr. Stevens, who was also, and most properly, acquitted without hearing witnesses for the defence, the case against him being evidently untrue, (cheers) although the Magistrate who sent him for trial had as evidently the clearest opinion of his guilt. (Groans.) But this Stevens' case points more clearly to the danger of the present proposed change. One portion of the evidence there was a collection of bones alleged to be the remains of the victim. They had been brought to Calcutta by the native inspector of police, who asserted that he had himself seen them picked up as portions of one body; but I have since been informed on authority which I cannot doubt, that if the prisoner had been permitted to go into evidence, it would have been proved by the clearest and most distinguished medical testimony that the bones could not have all belonged to one body; that, in fact, the intelligent police officer had picked up bones to manufacture a *piece de conviction*. (Uproar.) You will also, I dare say, remember, gentlemen, with what difficulty the Government was induced to have the conduct of its officers in that case investigated, and how carefully it has ever since concealed the result of that enquiry. (Groans.)

If European Magistrates could do such things, what can one expect from those whose entire sympathies would be adverse? (Applause.)

But, again, to return to this promise of finality, upon what does it rest? How shall it be guaranteed? Is Mr. Ilbert, (hisses) is Lord Ripon, (groans) able to bind future Legislative Councils? Does not all history show that every concession but increases the demand, and that the homely

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proverb about inches and ells is well founded. It is not true that progress is invariably in one direction. We have seen strong reactions succeed in politics. To go no further back than the present generations, look at Prussia in 1848 and in 1870; but it is as true in politics as in war, that the advantage is with the attack, that the defenders of a position, however strong and tenable it may be, have fewer chances than those who try to storm it, and that each point lost by the defence raises the courage, the hopes, and the demands of the assailant. Gentlemen, the course of concession to sentimental claims has been tried elsewhere. We see the present state of Ireland. Do our Rulers hope to make India imitate it? (Groans.) This change is to remove an anomaly. This is its sole reason. Will there be no other anomalies left behind? Anomaly is just as good a word as the famous Upas tree, and I should think is intended to mean much the same thing, that is to say, something the speaker wishes to vilify; and I take it that the Bengalee Editor will before long have discovered some other grievance of the same type which Lord Ripon and Mr. Ilbert will also find to be an anomaly. (Applause.) Indeed, this is no matter of conjecture now; there has been no reticence about it, and our Rulers have been as clearly warned by the native papers that this must not be final as language could convey the warning. Now if the proposed change in any way conduced to the safety or prosperity of our native fellow-subjects, I should pause long before opposing it. If the privilege of the European injured the native, there might be grounds for removing it, but as it stands, it does them no more harm than it does me—that the Marquis of Ripon, if accused of treason or felony, must be tried by a tribunal different from that which would sit in judgment over me if I were similarly unfortunate. (Applause.) I confess that this privilege does not excite feelings of envy in my breast; perhaps my education has made me less susceptible than a Bengalee Editor of such feelings; still it does seem to me strange that when the Viceroy is so anxious to strip others of a right which they prize, because it is an anomaly, he has never used his power as a constituent portion of the Legislature to divest himself of a privilege which, if he be sincere in his present proposal, he must deem invidious, and which seems at least equally anomalous. (Cheers and Laughter.) Whence, however, comes the zeal for the levelling down now proposed? It would seem to have been an attempt to evade a proposal for levelling up. Among the other changes made in 1872, as I already mentioned, the Legislature probably having in its mind the recent case of Amir Khan, and

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as a step in the general process of degrading the High Courts, deprived them of the power of issuing writs of *Habeas Corpus* beyond the limits of the Presidency Towns. In the Act 1882 a similar provision was contained giving powers in the nature of a *Habeas Corpus* to be exercised only within the Presidency towns. Baboo Doorga Churn Law, as an amendment to the present Criminal Procedure Code, proposed that the power should be extended to the whole country. This was levelling up, and I for one, and I believe most of those whom I see about me, would have been glad of any extension of powers tending to preserve the liberty of our native fellow-subjects; but this idea did not please the higher powers. They did not like to refuse it, but thought they might compromise the matter. They would give nothing to the natives, but would take something from the Englishman. There is a story of an application made by the linen manufacturers of Ireland to the Irish Parliament for an increase of bounty. The Secretary of State replied:—"We cannot see our way to spending more money for you, but we will make two or three more offences against bleach greens capital felonies." The compromise here is very similar. Baboo Doorga Churn's request was for a tangible benefit to the whole population; it is to be exchanged for an injury to a portion of it. That some greater power of permeating the Mofussil with English ideas would be a great benefit to the population, there can be little doubt. To say nothing of the terrible severity of Mofussil punishments which are, as a rule, double that which would be inflicted in the High Court for similar offences, which again are much heavier than they would be in England, one cannot forget that in all, except Sessions cases, the criminal jurisdiction is vested in an executive officer responsible for the peace of the District; while even in Sessions cases the Judge has gone through a long training as an executive officer, and thus has too often acquired the idea that an acquittal is a misfortune to the public welfare; and they all look for promotion from the Government. (Cheers.) Macaulay's fallacious dilemma has been revived, and it is said that either the Courts are too bad for the native, or they are good enough for the Europeans. Well, many may wish to see much improvement of the Courts for the natives: but if no better can be provided for them, how does it make an inferior tribunal good enough for those for whom a better is now secured? If indeed the Mofussil system was so bad that common subjection to it would make the whole population, European and native, unite in an attempt to sweep it away, there might be some justification for the anxiety, to deprive Englishmen of their rights. But one can

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hardly imagine this is the *arrière pensée* instigating the promoters of this Bill. It is a design too Machiaevellian to accept as a motive. The proposal has its origin in maudlin sentimentalism and presumptuous ignorance, acted on by gentlemen inflamed with the sense of their own importance, which not unfrequently takes possession of men who have been successful in examinations. (Loud cheers and applause.)

What guarantees have we respecting the native members of the Civil Service?—(Cheers) for any, save their power of memory? (Laughter and cheers.) The antecedents of an Englishman are known: the family and caste system wholly prevent our acquiring similar knowledge of a native of this country. There are native gentlemen whom I am proud to call my friends, members of my own profession with whom I live in habits of daily intimacy, who know and understand English modes of thought, but how are we to know anything of the native Civilian, or he to know anything about us, even supposing him to be as discreet as honestly intentioned as a civilian of the old race? (applause.) Can we expect him to regard with benevolent feelings those whose subjection to his jurisdiction he so earnestly desires? I would think that the mere fact of a person desiring to exercise criminal jurisdiction over another, would be evidence almost conclusive that his mind would not be capable of exercising such jurisdiction with anything like impartiality. (Applause.) If it were proposed to the European officers throughout the country that they should be relieved of the necessity of trying native prisoners, great would be their joy. The desire to take additional labour, and any additional responsibility is not so congenial to an Oriental mind, that we can view, without the gravest suspicion, the motives which lead them to seek for it; (cheers) and those who propose to yield to that desire for no better reasons than have been advanced, have only themselves to thank if it be believed that their true motive is their wish to stamp out all liberty, all individuality, whether in the European or the Zemindar, and to reduce the whole population of the country, of whatever class or race, to a helpless herd in the omnipotent hands of a bureaucracy, culminating in the Jupiter of Simla. (Loud cheers.)

The speaker then moved the second resolution which was as follows:—

“1st. That memorials of protest be drawn up and circulated for signature in Bengal and other Provinces, and, when duly signed be presented to His Excellency the Viceroy and Governor-General in Council, and to Her Majesty's Secretary of State for India, and that the Sheriff be requested to sign the same on behalf of this meeting.

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2nd. That petitions for the protection of the rights, privileges and liberties of Her Majesty's European British subjects be drawn up and circulated for signature in like manner, and, when duly signed, presented to both Houses of Parliament."

Mr. Kennedy sat down amid loud applause.

Mr. Pratt, Master of the Trades' Association, who was received with cheers, seconded this Resolution, and in doing so he said that it was impossible for him to add anything to the able remarks which had fallen from the learned gentleman who had just proposed the Resolution. He would, therefore, simply confine himself to expressing, on behalf of the Calcutta Trades' Association, their unqualified disapproval, as Englishmen, of the proposed alteration in the Criminal Procedure Code, as being unnecessary and injurious to the status of Her Majesty's European British subjects in India. (Loud cheers.) He begged in these few words to second the Resolution.

Mr. J. G. APCAR, who was received with cheers, in supporting this resolution, said:—Mr. Chairman, Ladies and Gentlemen,—No one who has been a day in Calcutta since the requisition to the Sheriff first began to be circulated; no one who is here present to-day will for a moment doubt that this occasion is one of grave importance in the history of this country under the Government of India (cheers.) The proposal of the Bill before the Council to amend the Criminal Procedure Code has convulsed the European community throughout the whole of India, and signs are already apparent that the anxiety it has caused is spreading throughout the whole of the British nation (cheers.) The support of Europeans who are not British subjects has been offered to you. I am a British subject, but not an European, nor am I a native of this country. The status of the class to which I belong is not threatened, nor is any right or privilege of ours imperilled, but we feel sufficiently strongly in the matter to be very willing to join you in this solemn protest against the Bill (loud cheers.) We think that it is most unfair and unjust towards you that the measure be pressed on you against your will (cheers.) Our education and association enlist us in sympathy with you, but we also are moved by selfish reasons. We are interested in the welfare of the country and of the British rule in India, and no one so interested should be silent on an occasion like this (Loud cheers.) I have been led to examine the grounds which are urged for the proposed change, and I have found them to be only flimsy pretexts (cheer.) Sir Ashley in his reply to a memorial presented to him by a section of the native community earnestly advised them to seek to obtain only what would be for their own benefit, and never agitate

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only to share in the privileges enjoyed by others (cheers). Sir Ashley Eden was intimately acquainted with the disposition and characters of the natives ; he was their friend, I may say almost their partisan. Those who knew him best will best appreciate that he would not have spoken thus if he had not thought it to be necessary and for their benefit to give them this warning. The words Sir Ashley Eden used should be emblazoned as a text in the most impressive colors and placed in every village school throughout the whole of India (cheers.) What is the benefit which the small clique of Bengal gentlemen who are the agitators in the matter desire to obtain by the passing of the measure ? Of what office have they been deprived what emolument have they lost which they desire to regain, and for which the amendment is to provide them a remedy ? No doubt they will reply that they feel the distinction so acutely that they are willing to undertake extra work. Gentlemen, Courts of Law would look with suspicion on the conduct of a person who shows an eager desire to thrust himself into the position of gratuitous arbitrator to which is attached heavy work and onerous responsibilities, and would closely scrutinise the reasons for action of such an extraordinary character (hear, hear.) We should consider that the education of the child who could obtain every thing by simply crying out for it very loud was being sadly neglected. We do not allow the turbulent members of a nursery to become masters of the house simply because they utter ear-piercing shrieks. The answer to the questions I have put sounds plausible enough, but let us see what are the reasons urged on their behalf.

Errors like straws on the surface flow,

He who would search for pearls must dive below.

(Cheers.) It is urged that there is an anomaly, and it is desired to remove anomalies. I would ask, who urges this ? Is it the Government or is it the Bengali ? If it be Government who thus speaks, I would say, Why do you enact anomalies (hear, hear) ? Why pass the Arms Act ? Why make the dealing with immoveable property in a certain way in Calcutta a mortgage, and enact that the dealing in the same manner with such property out of Calcutta is not a mortgage ? This has been done by the Land Transfer Act passed under the auspices of Lord Ripon only last year. You not only enact anomalies but you sanction them by your administrative orders. How is it, if you abhor anomalies, that you have reduced the salary of a native Judge of the High Court (cheers) ? You say that the pay now offered is quite sufficient for him because he is a native ; then do you not yourselves acknowledge and in spite of every protest of Europeans and native alike, who implore you to refrain because you are lowering the prestige of the High Court and in-

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juring the administration of justice (cheers) ? Do you not insist that there is a distinction between a native and European, and that they should not be dealt with on the same footing? And if you say that it is only the native who is a member of the Civil Service who is to be allowed to try European British subjects, Mr. Justice Romesh Chunder Mitter, a Judge of the High Court, a man of great learning and the most distinguished character in the Hindu community, who tries cases against Europeans in appeal from the Mofussil, would not be qualified under your proposed law, should he settle in the Mofussil, to try European British subjects there. If it is the Bengali who speaks of anomalies, I would say to him you yourselves enjoy the advantage of many anomalies, and until you consent that your wives and daughters shall be examined in open Court it does not lie in your mouth to raise a cry that any change in any matter should be made on the ground that there is an existing anomaly (cheers.) If the Princess of Wales (cheers) were to come out to India, H. R. H. would be liable to appear as a witness in open Court, and the wife of the humblest clerk is privileged and protected from so appearing! Mr. Branson has pointed out administrative difficulties under the law that exempts persons from appearing in the Law Courts as witnesses. Permit me to point out that the difficulties caused are not only administrative difficulties, but difficulties which lead not unfrequently to a failure of Justice. A Judge who does not see a witness, who is not permitted to hear his evidence as spoken, cannot come to a conclusion as to the weight to be attached to his testimony, as well as when he can observe his demeanour and the manner in which the questions are put and answers given (hear, hear.) These witnesses are examined under a Commission, and there is not only the chance of a failure of Justice which might well be avoided, but also the inconvenience caused to the litigants is great, and a heavy addition to the costs of a suit (hear, hear. Englishmen, however, are generous enough to abstain from raising an agitation and permit natives to enjoy these privileges which, after all, are nothing other than prejudices (hear, hear.) But what greater anomaly could there be than the state of circumstances in which the voice of the conqueror is not heard, and the voice of the conquered treated with extravagant respect (loud cheers) ? If we treat the matter in a broader, and as I think truer basis, I think that Englishmen, as the conquerors, are entitled to privileges, and that it would be an anomaly if they were not permitted any (cheers.) Then it is said that the distinction is invidious. On this point I can speak plainly. I suffer every disadvantage under which the native labors, with the additional disadvantage of not being a native myself, (laughter and

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cheers) a disadvantage felt by every one in this country who is not a native, and not one of the high officers of State (hear, hear). I confess I cannot appreciate the craving for power to try persons who do not wish to be tried by them. If I were a Magistrate and an accused person objected to my trying him, if it were possible, without administrative inconvenience, to transfer his case to the file of another officer, I should be glad to be rid of him. It is essentially necessary that the decision of tribunals should be respected, and decisions of a Judge who objected to for any reason can never be respected (hear, hear.)

The proposed alteration in the Procedure Code may operate to permit Armenians to try European British subjects, but we would not desire the power to try them if they are unwilling to subject themselves to our jurisdiction. We would concede that there is something due to Englishmen who are the conquerors here and have brought this country to a state of prosperity; to the nation which protects us from invasion from without, and saves us from anarchy within, the country. But we could not wish, nay we are anxious, that there should not be a change, because the injury to us would be far greater if there was a change than if the law as it stands, were maintained (cheers.) We prefer not to be tried by natives, and would rather be tried by Europeans. Those who, like ourselves, have been brought up and live under the influences of western civilisation cannot be understood rightly by natives, and if they are unable to understand our characteristics, they cannot try us with justice to ourselves any more than they can try Englishmen (hear, hear.) While the distinction is maintained we have a good ground to apply for the transfer of a case from the Court of a native Magistrate, but if the principle embodied in the Bill become law the ground is cut away from under our feet, and our chance—which we prize highly—of escaping the Court of a native Magistrate is destroyed. Besides, there is an increasing number of children of fathers who are Armenians who come under the definition of European British subjects. When the native talks about the distinction as invidious, I cannot help remarking that they are most unwise in attempting to thrust themselves into a position to try Englishmen (hear, hear.) The cases in which they are accused are, by every circumstance connected with them, made very noticeable. English Magistrates make mistakes in cases against their countrymen, and when a mistake has been made or supposed to have been made extremely strong feeling is generated (hear, hear.) I myself remember such a case tried in the Mofussil about seven years ago, and if it happened that a native Magistrate were to make or be supposed to have made, a mistake in such cases, I fear the feeling that would be excited would place the native

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Magistrate in an extremely unhappy position (hear, hear. It would be such a position as this that I myself would describe as being an invidious one (hear, hear.) I fear that the decision would not be attributed to a mistake. I believe, whenever such an occasion happened, on each of such occasions there would be displayed a feeling of the same character as we are now witnessing, though, perhaps, not so widely spread as is the present excitement (hear, hear.) Does Government thoroughly appreciate this? But why discuss the matter on the bare ground of removing so-called invidious distinctions? Until the English nation are willing, or say plainly that they are willing, and intend to withdraw from this country, the cry of invidious distinction must be disregarded (cheers.) That they have no such idea, the anxious watching of Russia, the popular enthusiasm excited by the Egyptian expedition, is a complete answer (cheers.) I am aware that there exist in England a small knot of persons who would abandon every possession that the valour of their forefathers have gained, and the courage and devotion which their fellow-countrymen have maintained; who, acting under the code of a New Morality, are friends of every country but their own (cheers.) But these persons are not worthy our consideration (hear, hear): It has been advanced as an argument that if native officers are permitted to try civil cases in which Europeans are parties, why should not the principle be extended to criminal cases? This bare fact proves nothing. We should first ascertain whether the decisions of native Civil Judges give satisfaction before any such argument can have any weight (hear, hear.) I hear from Englishmen that in the Court of a Native Magistrate there will be bias against them. I hear from native gentlemen, the friendship of many of whom I consider it a pleasure that I enjoy, that in criminal cases there will be bias in favour of the Englishmen. I do not stop to enquire which is the true state of things. The fact that neither side considers that the native Magistrate in a criminal case will be impartial is enough for me (hear, hear.) How can you give jurisdiction to Judges admittedly not impartial (hear, hear)? Then there is a talk about equality. Can you make people equal by statute (cheers)? What is it that native gentlemen want? Of what real benefit will it be to them if it were solemnly enacted that they were equal with Englishmen? Would they thereby gain the respect or confidence of the English people by such an Act? But if the natives are so anxious for equality let there be equality in all things. Let the Subordinate Executive, and all appointments be open equally to Armenians, Eurasians and Europeans as well as to natives, depending only on the qualification of each candidate for each post (Loud cheers.) Would the native tolerate this?

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Are you in doubt as to the answer? It has been a most unfortunate circumstance that the measure has been brought forward (hear, hear.) Native gentlemen, friends of mine, have expressed their regret that the Bill has been proposed because of the feeling which it has caused. But of course now that it has been brought before the Council they are bound to say that the measure should be passed. Europeans and natives were commencing to mingle in society together, they had begun to visit at each others houses, then this Bill was introduced and strong antagonism excited and bitter feeling engendered. Let us hope that the Bill will be withdrawn, and that it will be withdrawn soon (loud cheers.) If it is soon withdrawn, the feeling excited may gradually die away, and although there has been harm done, it may not prove to be of a serious character. But if Government persist in their intention to keep the Bill before the Council, I fear that the feeling of resentment which is daily growing stronger on both sides will throw us back more than a quarter of a century. But how comes it that this serious state of affairs exists? What reason is there for proposing such a measure and in the manner and under the circumstances it has been proposed? In 1872 the Legislature solemnly enacted that there should be a distinction, and gave to European British subjects certain rights and then again confirmed them in 1882. What has happened since then that these rights should be taken away from them? If Sir Ashley Eden in truth is in favour of it and recommends that the measure is a pressing one, how was it that he did not mention the subject at the passing in 1882 of the Code now in force (hear, hear.) He was then Lieutenant-Governor of Bengal, and took an active part in the passing of that measure. It is difficult for me to believe that Sir Ashley Eden, who was most intimately acquainted with the feelings entertained on all subjects by the various communities who lived under his rule here in Bengal—it is difficult to believe that he did not foresee the storm the proposal of such a change would raise (hear, hear.) I believe that he fully appreciated the difficulties, and that that was the reason why he postponed consideration of the question during his tenure of office. Of the many acts of Sir Ashley Eden, which history will record with approval, I venture to predict for posterity that not one will be considered as showing greater wisdom and judgment than his refusal to entertain the question as one to be practically dealt with while he was holding the reins of Government (cheers.) Would that Mr. Ilbert had shown the same wisdom (cheers!) Would that he had refused to entertain the question during his tenure of office and left the consideration of it to a successor! It is true that

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Sir Ashley Eden, so far back as 1857, had formed his opinion in favor of natives, but however tenacious he may have been of opinions when once formed, I have not heard that he has since expressed himself openly as still adhering to the cause he then advocated. In January 1872 the Governor-General in Council—Lord Mayo was then Viceroy—passed a resolution in connexion with the Criminal Procedure Code Bill then before the Legislature that British European subjects should not be subjected to the jurisdiction of persons other than their own countrymen. The lamented death of that nobleman occurred in the course of the next month, and the reins of Government were entrusted to Lord Napier of Murchistoun, then Governor of Madras, during the interregnum. In April of the same year the Code became law, but before it was finally passed Sir Barrow Ellis, now Sir Barrow Ellis, in direct opposition to the resolution passed only about two months previous, proposed to extend the jurisdiction of native Magistrates over British European subjects, in principle the same as the amendment now before the Council. The amendment was solemnly rejected, and Englishmen had given to them the additional security of a provision in the code. The supporters of Sir Barrow Ellis were Lord Napier of Murchistoun, Lord Napier of Magdala, Sir George Campbell, and Sir Richard Temple. In this connexion Cicero's reference to the Oracles recurs to one; I wonder whether the quotation of his words would here be an apt quotation? The House of Lords, we learn, were solemnly informed "that many eminent authorities not connected with the present Government" were in favour of the proposed measure. Then later, the Secretary of State admits that the eminent authorities "are Lord Napier of Murchistoun, Lord Napier of Magdala, Sir George Campbell, Sir Richard Temple, and Sir Barrow Ellis." The minority who were out-voted, those whose opinions were solemnly rejected in 1872, are paraded to a man as authorities in 1883. I will not dwell longer on this point, but I wish to say a word as to the qualification of the authorities to judge of the subject—a subject which requires a very intimate knowledge of the class which the proposed measure will prejudicially affect. If that class concurred, as they generally have done, to permit the natives to enjoy their customs and privileges, there of course could be no difficulty in passing the proposed measure. The difficulty arises only when they are unwilling to cede their rights. What knowledge had the eminent officials—I prefer to describe them as officials rather than as authorities—in those days? I remember Sir Ashley Eden speaking last year in this very Hall at the farewell dinner

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given in his honor, which many of us will recall to mind—I remember his words. He said that there existed 20 years ago “a very marked separation between officials and non-officials.” How could officials in those days gauge the feeling of non-officials (hear, hear)? What sympathy could there have been between them? If there was the feeling existing in the breast of the green young civilian lately come out from his home, where there must have been, as there is now, sympathy and fellowship between Englishmen and gentlemen, and where terms official and non-official are still unknown, what must have been the position of the higher officials, and what must have been the attitude they assumed towards the non-officials (hear, hear)? And Sir George Campbell, Sir Richard Temple and Sir Barrow Ellis were very high officials in their respective provinces at a period more than 20 years ago. If they knew little of the feelings of their fellow-countrymen in India in 1872, what can their knowledge be now after they have quitted India? It cannot be supposed that either Lord Napier of Murchistoun or Lord Napier of Magdala ever had any knowledge of what the feeling was; they formed their opinions on what was represented to them, and we have never been favored with any arguments in support of their opinion of the same character as the masterly treatment of the subject by Sir Fitz-James Stephen. The present Viceroy and Mr. Ilbert are in the same position as the then Viceroy and the then Legal Member and we are demonstrating here to-day, and the European community, scattered as they are throughout this vast continent, are demonstrating to the officials on whose statements we are told this measure is proposed, that Englishmen are not willing, nay will desperately resist, every attempt to take away a right which they cherish as most dear to them (cheers). I doubt whether the high officials whose statements have been called for are in favor of the Bill are generally competent to form an opinion as to the feelings of non-officials. They are civilians of more than 20 years’ standing, and their present positions do not permit, as a rule, of a free interchange of thought with non-officials. But whatever their individual opinions may be, I say that the circular which required them to send in their opinions was not calculated to elicit free and candid opinion of the measure. If it was desired that they should frankly state what their views were, then I say that the requisition to them was most improperly framed (cheers); if it was intended to intimate what was the settled policy of Government, then I say do not refer to them as the opinion of any class at all, for the statements which have been elicited, are not worth a cent. The officers who have contributed their portion of the material on

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which this Bill is said to be founded, must have been congratulating themselves that they have not disobeyed the implied, but not on that account any less real, order given to them, when there appeared the scolding that was administered to the Governor of Bombay (laughter and cheers). And Mr. Howell may think himself most fortunate that the returns to the circular order was designed to be private and confidential only. And why was not Mr. Rivers Thomson consulted? Could it have been the intention, when it is stated there was a desire to consult Local Governments, to exclude the Governor of so important a Province as is Bengal from the list of those whose opinion on the measure was sought? As it is there is not a single Bengal Official whose opinion on the subject is on record (hear, hear). Sir Ashley Eden is made to appear as desiring that the measure should be passed as law forthwith; whatever may have been his opinion on the abstract question, whether the natives should or should not have the jurisdiction conferred on them, I appeal to his conduct as corroborating me when I say that he did not consider it to be a wise act to attempt it at the present moment. Otherwise his entire conduct is wholly inexplicable. He is stated to have held opinion favorable to the change. He had before the passing of the Criminal Procedure Code in 1882, Mr. Gupta's letter in his hands. He was present at the passing of that Act, and he does not venture to say a word in its favor till just before he left the country, and then leaves a letter in the hands of Lord Ripon charged with dynamite (hear, hear). One not unnaturally begins to wonder whether he was a friend of the present Government! But, gentlemen, I do not think that the measure will be proceeded with now that the proposal of it has evoked a strong feeling against it (cheers). I refuse to entertain a doubt even that there has been a deliberate intention to perpetrate a wrong. The Bill has been brought in because the Governor-General in Council has been permitted to have only an imperfect understanding of what is best for the country and for the European community. The Viceroy has the strength of a giant, but we may be assured that he will not act tyrannically towards his own countrymen. Every public utterance of his breathes a generous courtesy. As a statesman and an Englishman he will pay consideration to what you represent and to your feelings in the matter. He will recognise that in pressing forward to what he may fully be persuaded is a great principle it is impolitic—to quote expressions made use of by Lord Stowell—to break through every other great principle that stands in the way of its establishment. He will be persuaded that he will be discharging his duty if he provided for the existing occasion, and leave for future wisdom to provide for future

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times. He will not attempt to prevent a suspected injustice towards the natives by committing an actual injustice towards his own countymen. My friend Mr. Ilbert (hisses) nay I insist on being permitted to call him a friend—I am certain he would not have introduced this measure if he had known that there was a strong feeling against the change, and I believe when once His Excellency appreciates your true feelings in the matter, he will admit his mistake and the Bill will be withdrawn. It is human to err, and a display of strength and manliness of character to admit an error when it is seen that there has been an error committed. Let us hope that His Excellency may recognise that he has made a mistake (hear, hear). If he does perceive this we may be assured that he will admit it, for is he not an English gentleman? But, gentlemen, if His Excellency does not see the error of his ways, all is not lost; you have an appeal to Parliament and to Her Gracious Majesty. It is painful to contemplate a state of circumstances which makes it possible to doubt whether this meeting will be regarded as an influential one! There are here present not merely the representatives of the European community, but the whole of the European community of Calcutta and in the district within many miles of Calcutta. I see besides, a large body of the community to which I belong, Greeks, Germans, and Frenchmen. I distinguish also in this dense crowd Oriental Jews who have all come to lend you their support and to countenance this meeting. This is no party question: the most excellent Tory and the most Radical is at one on the subject. The matter is one of National concern (loud cheers). There can be no doubt that your countrymen in England will listen to you (cheers) and our beloved Queen, who has throughout her glorious reign shown anxious solicitude for the greatness of her country, will not allow the cry of her people who support her throne to be disregarded (cheers). In what ever you do, the Armenian community, to which I have the honor to belong, claims the privilege of joining you (cheers). Even if no selfish motive existed, we would be eager to support you in acknowledgment of the deep debt of gratitude which we owe to the great English nation. We gauge the strength and depth of the feeling that has been excited. We are convinced that you are sincere in your belief that if the measure be passed, there will be a feeling of insecurity spread throughout the European community in the districts. We appreciate that such a feeling will deter the investment of British capital and hamper the employment of British labor, and in the result seriously prejudice British trade in India and affect the future welfare of the country (loud cheers).

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The Resolution was then put and carried with universal acclamation.

MR. MURDOCH (of Messrs. Moran & Co.) moved the third Resolution, which was as follows:—

That a Committee be formed consisting of the following gentlemen:—

Messrs. Keswick, Flemington, W. L. Thomas, A. B. Miller, G. H. P. Evans, J. G. Apcar, J. H. A. Branson, Ezra, Gubboy, Finter, Madge, Murdoch, Cruickshank, with power to add to their number, for the purpose of preparing the memorials and petitions in terms of the last Resolution.

He said it was not because he did not feel strongly on this subject, but after the able and eloquent speeches which had been delivered, and which had been so patiently listened to, his feeble words would have little or no weight with the meeting, and that was the reason why he contented himself with proposing this Resolution. (Loud cheers.)

MR. CRUICKSHANK (of Messrs. Begg, Dunlop & Co.) seconded the Resolution.

The Rev. Mr. FINTER, President of the Eurasian and Anglo-Indian Association, in supporting this Resolution, said that if he had been asked to speak here as a parson, he could have delivered a very long sermon about the stirrers up of strife; but it would not have been for them, for he thought it was evident that they were here for the prevention of strife between two good races,—races which had both of them their good points. (Cheers.) The strife which would be stirred up would be felt in every tea garden, give rise to wrong and unjust and foolish ideas in every village school, and might perpetuate for years strife which would do incalculable harm (loud cheers); and he would say, as a Christian parson, evil be to him that stirreth up strife. It is not on our heads. It is only our rights that we ask for; it is nothing extraneous. It is what our forefathers fought for for us before they dreamed of India, and wherever the Englishman went abroad, surely it was understood that he carried his rights as a citizen with him. (Cheers.) If he went to Turkey, he found himself there in the arms of his Queen. (Loud cheers.) A Turkish Magistrate would not be allowed to touch him. In Egypt, in China, he was safe; in the far south, it might be hundreds of miles away, he was safe, and his safety was insured by the presence of H. M.'s men-of-war. It was only here that Englishmen gave up a portion of their privileges, that the Rulers sought to deprive them of their rights. They gave up some of their privileges in 1872, and now, because of that concession, the Government wanted to make us surrender everything, and you answer "No." (Loud applause.) All those who were really

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affected by the measures of the Government in a political and social manner were now regretting their acquiescence in the compromise of 1872. And who were crying out against these privileges? Why some of the natives, who were full of privileges themselves. The first step of the East India Company was to secure to the natives not only justice but respect for even their most absurd privileges. They gave them not only every facility for the practice of their religion, but recognised their caste customs as well. They recognised the privileges of the Bengalee above the privileges of the son of the Queen. The latter could be forced into a Court of Law, but the Government would not take away from the conquered race in India a single privilege which they claimed by prescription. Were Englishmen to be below the daughter of a *khansamahjee*? (Groans). Were they to be forced to break the traditions of centuries at the will of men who knew neither them nor the natives? (Prolonged cheers). It was not they or he that would suffer if they allowed this law to be carried out. In Calcutta they could have nearly every security for the proper administration of justice. But it was the scattered Englishmen and Eurasians of the Mofussil that would suffer, and it was their duty in Calcutta to stand up for the weak and helpless of their race. (Cheers.) And they must recollect that this was but the thin end of the wedge. What was proposed to be given to only first class Magistrates now, must in the end, on the same principle, be given to second class and ultimately even to those below, so that any one having the office of a Judge might have power over the liberty and the property of the Briton from home. But the saddest point of all was that the Europeans in India really deserved this treatment, through their apathy as a class. (Hear, hear). They were not selfish in social nor in religious matters; their alms for charities, for hospitals, for churches, and chapels, and schools, proved that, and in this both English and Eurasians had shown the race they came from. But they were selfish as a political community; none looked enough to the general interests of the body; they left their traditions as citizens behind them. There was no Calcutta. There were here and there institutions; here a Chamber of Commerce, there a Trades' Association. But where was Calcutta? (Hear, hear.) He knew that neither the Government nor India ever heard its voice, and how could they tell what Europeans wanted? So let them take the lesson home, and be better prepared in the future. This proposed legislation was only the outcome of a long series of vagaries of philosophical Radicalism. They had been tried with the Irish, with Egypt, with the Zulus, and with what result? (Laughter). When would they learn that the British race could not rule on those principles? They were not like

the French and the Spaniards, who could amalgamate with subject races and lose their individual and social characteristics.

Mr. Finter then impressed upon the audience the fact that a public meeting was only the first step, and after the grand demonstration in that hall came the work of organisation. Let them organise a permanent, strong, and financially sound body which will be able to tell the Government, whether the Government want it or not, what the feelings of the European community are on any measure that may come before them. Let them recollect that on this and all similar questions they were all one, from the lowest Eurasian to the highest of Englishmen, (hear, hear) and that it cannot but be so as long as we are here. He was very glad to see the representative of our fatherland, the German Consul General, and the representative of that most ancient of Christian Kingdoms, Armenia, giving their aid and sympathy, and felt assured that, if they only all stuck together, the voice of such a meeting as that would be heard by their fellow-countrymen even as far as Westminster. (prolonged cheering.)

The Resolution was unanimously carried.

On the motion of Mr. Cruickshank, a hearty vote of thanks was then passed to the chair, and on a call from the chair three hearty vigorous British cheers were given for H. M. the Queen, and, led by Mr. Branson, the National Anthem was sung with the greatest enthusiasm.

The vast assembly then dispersed at 6-45 P. M.

MR. FINTER.

THE "TIMES."

March 1.

TO THE EDITOR OF THE TIMES.

SIR,—As I was the principal author of the measure as to criminal procedure in regard to Europeans in India, which it is now proposed to alter, and as I observe that my name has been mentioned on several occasions in the discussions on the alterations now proposed to be made, you will perhaps, allow me to give some explanations on a subject which is very imperfectly understood in England.

In this, as in most other cases, it is necessary to understand the history of the law in order to appreciate its present condition and the changes proposed to be made in it. The present criminal law of India has grown from two distinct roots, the Mahomedan law and the law of England. The Mahomedan law was introduced by the Mogul conquerors, and was found in force by the English when our power was first established in India. It was administered at first by native Courts, more or less under English superintendence. English magistrates and Judges, assisted by Mahomedan law officers, were afterwards substituted for the native Judges, and as experience accumulated the system of local Courts now existing all over India was slowly elaborated. It consists of a High or Chief Court in each province, a Sessions Judge, in some cases, assisted by additional or joint Sessions Judges, and magistrates of various grades, with carefully-defined powers, in each district. The High or Chief Court is the ultimate Court of Appeal; the Sessions Judges may be compared to our Assize Courts; magistrates of the first class can sentence up to two years' hard labour, and those of the second and third classes have similar but less extensive powers. These are the Courts by which the old Indian Criminal Law—namely, the Mahomedan law, modified in many ways by Regulations and Acts of the Indian Legislative Bodies, and some principles and definitions introduced from the law of England—was administered down to the year 1861.

Side by side with them existed the Courts which administered the criminal law of England to European British subjects. In a very few words, their history was as follows:—Mayors' Courts were established in Calcutta, Madras and Bombay far back in the 18th century. They were succeeded by the Supreme Courts, afterwards established in the same places, and for these in 1861 were substituted the present High Courts, a fourth High Court being added at Agra, which was afterwards removed to Allahabad. These Courts, by the combined effect of the Acts which established them, and the Charters which were granted under powers given by the Acts, exercised over European British subjects throughout the provinces in which they were situated the powers of the Court of King's Bench in England. They were originally intended as a check, in the interest of Europeans resident in India, upon the great powers conferred upon the Governor-General, and Governors in Council. It would be impossible to explain fully how important

this function was without giving an account of the legislative and executive powers of the governing bodies of British India; but I may say that the existence and the full efficiency of these Courts have always been regarded by Europeans in India, and particularly by non-official Europeans, as their strongest and best security for the maintenance, as regards themselves, of the general principles of government to which they are accustomed in England. The Mahomedan Criminal Law was never at any time applied to European British subjects. The Supreme and the High Courts, in their original criminal jurisdiction, administered the criminal law of England with certain modifications according to the English system of criminal procedure.

For a long time the Courts I have named were the only Courts in India which had jurisdiction over Europeans, though the Chief Court of the Punjab and the Recorders' Courts in Burmah afterwards received such jurisdiction. Certain magistrates, distinguished as justices of the peace, had, however, power to fine Europeans up to Rs. 500 for petty offences.

In 1861 the Penal Code, passed in 1860, became law, and superseded both the criminal law of England as concerned Europeans and the modified Mahomedan law as concerned natives throughout India; but the procedure and jurisdiction of the Courts remained unaltered till long afterwards, though in 1861 a code of criminal procedure which did not apply to the High Courts, and consequently not to the trial of Europeans, was enacted for the regulation of the proceedings of the district Courts.

In this state of the law the position of European British subjects undoubtedly did constitute a serious practical grievance. In the remoter parts of the country they nearly enjoyed something equivalent to impunity in criminal cases which were not of sufficient importance to attract special attention. The expense and delay of procuring a trial at Calcutta for an offence committed, say, in a tea plantation in Assam, practically prevented prosecutions. This grievance was more and more strongly felt as the growth of trade and the use of English capital in railways, plantations, and other things introduced into India a large number of Europeans of a class likely to commit crimes.

In 1872 the Code of Criminal Procedure passed in 1861 was re-arranged, re-enacted, and in some particulars amended. One of the most important of the amendments related to European British subjects. The matter was very carefully considered, and the leading representatives of the unofficial European population were consulted upon the views which had either occurred or been suggested to me, I, as legal member of Council, having charge of the Bill. The scheme proposed and adopted was this:—Magistrates of the first class, being European British subjects and justices of the peace (i.e., being specially authorized), were empowered to sentence European British subjects up to three months' imprisonment and a fine of Rs. 1,000. Sessions Judges, being European British subjects, were empowered to sentence them up to 12 months' imprisonment and a fine. In more serious cases European British subjects were to be tried by the High Courts, the Chief Court of the Punjab, or the Recorders' Courts in Burmah. This great innovation upon

the law as it had existed up to that date—that is to say, for more than a century—was based on the following considerations:—To have subjected Europeans unreservedly to the jurisdiction of the district Courts would have been, and would have been felt to be an intolerable hardship. They had never been subject to the district Courts. They had up to that time been entitled in all cases to trial by jury in what were substantially English Courts, established principally for the express purpose of making their persons and property secure, and they regarded these privileges, together with the protection to their personal liberty supplied by the power of the High Courts to issue writs of *habeas corpus*, as their great safeguards against official oppression, and also against the far more serious danger of persecution by false accusations on criminal charges in a country where such accusations are the commonest methods of revenge and extortion. On the other hand, it seemed, and no doubt it was, both a grievance and a scandal that the large and increasing European population established in various parts of the country should practically enjoy impunity for nearly all their crimes. It was thought that the remedy provided by the Bill of 1872 would remove the real grievance upon the natives without introducing a new grievance to the Europeans. The code gave an efficient and somewhat summary form of trial, generally speaking without a jury, for what, speaking roughly, might be compared to cases cognizable in England under the Summary Jurisdiction Acts and at the Quarter Sessions, and it left the jurisdiction of the High Courts in more serious cases as it always had been.

It is, no doubt, contrary to some notions current in England to make distinctions between the criminal liability of different classes of persons, though even here the principle that a man should be tried by his peers, and that application of it which in cases of treason and felony gives a special tribunal to peers of the realm, form part of the law of the land. In other parts of the world the principle is far more extensively acted upon. Special tribunals for Europeans exist in China and Japan, in Turkey, and in Egypt, and there is probably no part of the world in which there are so many personal laws as in India. Not only are Hindoo and Mahomedan law administered by every court in India in all cases connected with inheritance and many other subjects, but even in criminal matters the feelings of the natives and their practices as to personal appearance and the giving of evidence in public are studiously respected. If the wife of the Viceroy had to testify she would have to do so in a manner from which a Mahomedan married woman of low rank would be excused. I should doubt if there was any part of the world in which the common sentiment of the bulk of the population would acquiesce so naturally in the notion that Englishmen must be tried by men of their own race and colour.

As to the practical success of the system thus established two remarks will be sufficient. In the first place, the Code of Criminal Procedure of 1872, after having been in force for ten years, was last year re-enacted and extended in its operation to the High Courts, which had previously had their own procedure. A variety

of alterations and amendments were introduced into the new measure, which in the ordinary course must have been submitted for their remarks to the different local Governments, but the part of the code which related to European British subjects was re-enacted without any alteration of importance, and the new code came into force on the 1st of January, 1883. Why it should be considered necessary to amend in 1883 a Bill which had been carefully considered and re-enacted in 1882 I am at a loss to imagine. This in itself seems to show that there can be no solid practical reason for the change proposed to be made.

In the second place, even stronger evidence on this subject is supplied by the nature of the proposed change. It is one of those changes which condemned themselves. What is proposed, as I gather from the telegrams and reports in your columns, is not to abolish the distinction between Europeans and natives, so as to introduce substantial equality between them in the matter of criminal justice, but to modify a privilege which in all its main features is to be maintained. The exclusive jurisdiction of the High Courts, the Sessions Judges, and the first-class magistrates over European British subjects is still to be maintained. The Judge who can sentence a native to death is still to be unable to sentence an Englishman to more than a year's imprisonment; the magistrate who can sentence a native to two and in some cases to seven years' imprisonment is still to be confined to three months in the case of an Englishman; the course of appeal is still in certain respects to be different; the High Courts are still to have exclusive jurisdiction over Europeans in all cases requiring more than a year's imprisonment, but henceforth a native Sessions Judge or a native magistrate is to be allowed to try Europeans, who can at present be tried only by Europeans. This is called removing anomalies. It seems to me to be a measure which from the point of view of its originators is worthless, for it does not produce uniformity or anything the least like it, while from the point of view of those who oppose it it is most formidable; for, except as an assertion of the false and infinitely dangerous principle that no legal distinctions at all ought to be recognized between Europeans and natives in India, the change has no value and no meaning.

To consider the matter on its immediate merits, and apart from the larger principles which it involves, I may observe that it is a question on which official and unofficial Europeans in India take very different views. There was ten years ago, and I have every reason to believe that there still is in India an appreciable degree of jealousy between the official and non-official Europeans. The official European is practically in no danger of criminal prosecutions, and has never quite lost the feeling that the Supreme Courts and their successors, the barrister Judges of the High Courts, who are in some sort the representatives of the privileges of unofficial Europeans, are more or less intruders on the authority of the civilians who are the representatives of the servants of the Company. The very change which is now proposed was proposed by eminent members of the Civil Service in 1872, though on different principles and in a totally different spirit from that in which it seems to have been introduced on the

present occasion. Nothing was then said as to the removal of anomalies, nor was there at that time any apparent disposition on the part of the Government to attempt to put Europeans and natives on an equality. The proposal was, however, rejected on account of the strong feeling on the subject of the non-official Europeans.

Both my Indian and my English experience lead me to sympathize strongly in this matter with the non-official Europeans. It seems to me most right and natural for any one accused of a crime and about to be tried by a Judge who decides both on the fact and the law to wish to be tried, if possible by a man of his own race and colour, who speaks his own language, and presumably enters into and understands his feelings. An Englishman in India is a foreigner in a strange country, and I can hardly imagine a more distressing position than that, say, of a railway guard, who having misconducted himself when drunk, is brought up to be tried before a man who has no sort of knowledge of him or sympathy with him, and only half understands him. If it is said that a native before an English Judge is equally ill off, it is hardly true, for every effort is made to familiarize English Judges with both the language of the country and the characters of the natives, whereas natives have no familiarity at all with the character of the lower class of English, and few know our language well enough to administer justice in it. In so far, however, as the observation is true, it proves too much, for it is based upon a defect inseparable from the existence of the British power in India.

It has been observed in many articles, some published in the *Times*, that if the Government of India have decided on removing all anomalies from India, they ought to remove themselves and their countrymen. Whether or not that mode of expression can be fully justified, there can, I think, be no doubt that it is impossible to imagine any policy more fearfully dangerous and more certain, in case of failure, to lead to results to which the Mutiny would be child's play than the policy of shifting the foundations on which the British Government of India rests. It is essentially an absolute Government, founded, not on consent, but on conquest. It does not represent the native principles of life or of government, and it can never do so until it represents heathenism and barbarism. It represents a belligerent civilization, and no anomaly can be so striking or so dangerous as its administration by men who, being at the head of a Government founded upon conquest, implying at every point the superiority of the conquering race, of their ideas, their institutions, their opinions, and their principles, and having no justification for its existence except that superiority, shrink from the open, uncompromising, straightforward assertion of it, seek to apologize for their own position, and refuse, from whatever cause, to uphold and support it. I should be sorry to say a word which could embarrass any Viceroy in the discharge of the weightiest and most delicate duties which can be imposed on any of Her Majesty's subjects; but much of the language lately held as to local government, education, and some other subjects has filled me, as to my knowledge it has filled others who are interested in India,

with apprehension, and I do not in the least wonder that the Europeans in India see in the proposed change about criminal procedure a symptom, all the more formidable because in itself it is slight and utterly needless, of a determination to try to govern India upon principles inconsistent with the foundations on which British power rests.

I am, Sir, your obedient servant,

J. F. STEPHEN.

March 2.

TO THE EDITOR OF THE TIMES.

SIR,—Will you allow me to add a few lines to the letter from me which you published this morning under the above title?

I ought to have stated explicitly that the Code of Criminal Procedure of 1872 as originally drafted did not limit the jurisdiction over European British subjects to magistrates and judges who were themselves European British subjects. The limitation was introduced by the Select Committee to which the Bill was referred, after a careful consideration of the criticisms and observations made on the Bill by a large number of persons, official and otherwise. The Bill had been before the public for a considerable time—certainly many months—before the final discussion upon it, and was brought into its final shape after a most elaborate examination of the different criticisms which it called forth.

I am, your obedient servant,

March 1.

J. F. STEPHEN.

March 3.

TO THE EDITOR OF THE TIMES.

SIR,—Will you permit me to add my testimony and opinion to those of Mr. Justice Stephen upon this very important subject, in which, though I cannot speak with an authority approaching his, yet long experience perhaps entitles me to be heard?

I am entirely with him and with all those who see with regret and alarm legislative and administrative measures adopted by the Government of India which have nothing better to recommend them than the supposed necessity for the removal of anomalies, or the delusive idea that theories of government which are correct, or, at least, unavoidable as to England, are equally applicable to India. Such experiments or notions usually originate with those who imperfectly understand the conditions of our sway in India, who forget that our mission is to rule India, and that ruling is only possible so long as we maintain and recognize our own superiority.

I am convinced that it is right and necessary to leave criminal jurisdiction over European British subjects as a general rule in the hands of judges and magistrates who are themselves European British subjects; and that the instances in which it would be safe to depart from that rule are for the present so rare that it is not

worth while to legislate for them. It must be remembered that the most valid objection likely to be taken by an Englishman living "up the country" in India is not to being tried for offences that he has committed, but for offences that he has not committed. In the investigation of criminal cases in that country, the allegation of the accused that the charge is wholly false and trumped-up occurs with a frequency quite unknown in England, and it is quite certain that persons who have, for any sort of cause, incurred the ill-will of influential people, or of a section of the community, are in a high degree subject to harassment in the shape of false complaints.

Long observation has shown me that in general native judges in India proceed, in the formation of their judgments, a good deal less on the actual tangible evidence before them than upon their estimate of the probabilities of the case. This being so, it needs no argument to show how indispensable it is that the judge or magistrate who is to try an Englishman on what is possibly a false accusation should be thoroughly able to judge of the motives, habits, and rules of conduct which would govern that Englishman, and this is a thing which can be said of very few Indians. In saying so, I do not at all forget or impugn the remark frequently made that natives are shrewd judges of character. So they often are in respect of persons under their constant observation, but this faculty would not help them in coming to a conclusion as to the conduct of a foreigner whom they see for the first time when brought before them on a criminal charge.

I anticipate the answer that it is proposed to confer the jurisdiction only on certain classes of magistrates, as to whom there is some guarantee for their competence. But in the first place I do not believe in the experiment stopping at the proposed limits. The longing for absolute symmetry, the optimism which is too ready to believe, would be sure to carry a *doctrinaire* council beyond a stage which is only a compromise, and we should be told before long that the acumen sufficient for penetrating one man's motives was quite good enough for the case of the next man, and that to give jurisdiction over 999 men to a functionary to whom you refused it as to the last man of the thousand was an anomaly and an injustice not to be endured.

But secondly, I deny the sufficiency of the guarantee. And it here may be well to advert to what is believed to be the origin of the present legislative stir. It appears that an Indian gentleman, in the ranks of the Bengal Civil Service, had held for sometime the office of a Presidency Magistrate in Calcutta, and there, as a matter of course, dealt with the cases of European British subjects, as well as others coming before him. Being afterwards transferred to an up-country district, and being conscious of no change in his moral nature, he was at a loss to account for his being forbidden to exercise at his new station the same powers which he had already exercised elsewhere. Here was an "anomaly," and out of this case grew the suggestion that jurisdiction over European British subjects might safely be confided to Indian members of the Civil Service, who had received an English training, lived largely associated with Englishmen, and so forth.

This contention, though not apparently going far enough for the Government of India, is, no doubt, plausible, but it will hardly bear examination. The Indian gentleman who comes to this country, adult or advanced in adolescence, and passes two or three years in preparing for the Service, acquires little more than a sort of veneer and is certainly not transformed into an Englishman.

"Cœlum, non animum, mutant, qui trans mare currunt."

But it seems to me equally desirable on political grounds, and fully defensible, that the English resident should retain his exceptional position. It has been stipulated for in Turkey, in Egypt, in China, and in Japan—why should it not exist in India? Probably, if the privilege were abolished, no one would be more surprised than the Indian population generally; and I venture to predict that if any large extension of the jurisdiction over Englishmen takes place the immunity of the official class from criminal prosecutions will not last long.

What would increase the surprise felt at the abolition of privilege in this respect is our scrupulous maintenance of (another anomaly) the exemption of natives of rank from the obligation to appear in court personally as witnesses. This exemption, allowed, as I think, much too freely, reached its climax of absurdity when it was conceded a few years ago to a very worthy old friend of mine, gratified in his later days with the title of Nawab, but who had passed the greater part of his life in court as a *vakil* or pleader.

On one point I find myself not quite in accord with Sir James Stephen—and that is the difference of view on this subject likely to be taken by the official and the non-official European. The old jealousy to which he refers, which was in full vigour 25 years ago, and was constantly stimulated by a section of the Anglo-Indian Press, had its origin mainly in the exclusive character of the Civil Service—then a patronage Service—and has lost much of its *raison d'être* since it has been open to any clever and respectable lad. And as to the feelings entertained by the official European towards the High Court, we should not expect, and it is not in fact the case, that any special dislike is entertained for a tribunal in which a seat was accessible to any member of the Service.

No doubt, a subordinate magistrate thinks badly of any appellate authority by which his decisions are called in question. But I am sorry to say that magistrates had, and sometimes expressed, a contempt for Courts of Session, even in the old days before a reforming Lieutenant-Governor had split the Service into two sections.

I need not at present advert to the inexpediency (to use no stronger expression) of alienating the entire body of European residents, who already are talking of withdrawal from Volunteer service, and what is really wonderful is, not that inexperienced legislators should rashly interfere with settled questions, but that it should have seemed worth while to excite such a turmoil for so very small an achievement. For, after all, if all the magistrates in question were empowered and all the Europeans hitherto accused were brought into these courts the sum total would be insignificant.

Your obedient servant,
LOUIS S. JACKSON.

TO THE EDITOR OF THE TIMES.

SIR,—I confess to some surprise that Mr. Justice Stephen should have committed himself to so highly-flavoured a denunciation of the small change proposed in the Indian Criminal Procedure, without waiting for the explanatory papers which we are promised forthwith, and that he should have imported into his letter an unfavourable opinion as to the conduct of Lord Ripon's Government in regard to local government, education, and some other subjects. Our readiness to be guided by a man of Mr. Justice Stephen's great ability and eminence on these latter subjects is somewhat abated by the consideration that he belongs to a different school, and not very long ago came forward as a sort of thick-and-thin apologist for Lord Lytton. But on juridical subjects he must carry immense weight. And as I also took a large part in the settlement of the Criminal Procedure Code of 1872, I venture to submit a view which seems to me to make it desirable to wait for the explanatory correspondence.

The history of the matter up to the settlement of 1872 is very clearly given by Mr. Justice Stephen. I took part in and heartily accepted the compromise between the absolute immunity of Europeans and their complete equality before the law which was then arrived at, and as a member of the Special Committee, I signed the report without reserve. But when the clauses were discussed in Council, it was pointed out that whereas under the existing law a justice of the peace must be either a covenanted civil servant or a European British subject, the new law requiring the union of both qualifications would exclude the two or three native civil servants who had gained their places by open competitions in England, and that their exclusion would both be invidious and in some cases attended with practical inconvenience, and a motion was made to revert to the "or," and so admit them. The question was not then considered one of the first importance, and I myself admitted that I thought the arguments pretty equally balanced at that stage of the proceedings, but I concluded to vote for the more liberal view, and on a division there were five for that view, including the Viceroy, the Commander-in-Chief, the Lieutenant-Governor (then myself), Sir R. Temple, and Sir B. Ellis, and seven official and non-official members, including Mr. Stephen, against; so the motion was lost.

On the whole subject of jurisdiction over Europeans, the European community, I am bound to say, behaved exceedingly well in 1872. They accepted the compromise without much difficulty, and I should not have been in a hurry to re-open it for so comparatively small a matter as the jurisdiction of a very few native civilians over Europeans in the interior without some immediate cause. Practically the question now raised is nearly the same as that on which we voted in 1872. But upwards of ten years have passed. There may be very good reasons for re-opening it. Surely it is better to wait till we see those reasons a few days hence. It should be understood, too, how very small the change in practice is. For many years, as Judges of the High Court, natives have had unlimited criminal jurisdiction over natives and Europeans alike. Every day native Magistrates try Europeans in the Presidency towns. The only ques-

tion is whether perhaps half-a-dozen native civil servants in the interior may have a power which they will most rarely be allied on to exercise.

Your obedient servant,

GEORGE CAMPBELL.

March 5.

(FROM OUR CORRESPONDENT.)

(BY INDO-EUROPEAN TELEGRAPH.)

Calcutta, March 4.

It would be difficult to describe and it would be almost impossible for retired Indians to realize the feeling of intense excitement now prevailing throughout the country. The entire European and Eurasian community has been stirred to its lowest depths. The immediate disturbing cause is the proposed amendment of the Criminal Procedure, or, as it is now generally called for brevity, Ilbert's Bill. But behind this lies the deep-seated conviction that the Government, in its anxiety to do justice to the natives, is careless as to how much injustice it may do to the other races. Such an excited condition of public feeling has certainly not been witnessed, as I have before remarked, since the time of the Mutiny; and I am assured by men whose Indian experience stretches much further back than that period, that they never knew anything to equal the prevailing excitement. Even the famous Black Acts agitation in 1836, was not nearly so widespread or profound. Then the question was that of subjecting the property of Englishmen to the jurisdiction of native civil Judges. Now the infinitely more important step is proposed of subjecting their liberties and characters to the native criminal courts. The Bengal Rent Bill, the question of local self-government, the Budget prospects, and all other subjects which occupied public attention a month ago, have dropped entirely into the background; and the one topic of interest throughout the Bengal and Madras Presidencies is Ilbert's Bill.

There is less excitement in Bombay, the reason of which fact is not far to seek. The Bill, proposing as it does to give to the native magistrates the same limited jurisdiction over Europeans as is now possessed by European magistrates, will have no direct effect in the Presidency towns. The class immediately affected will be the planters and the non-officials in country districts—a class almost non-existent in Bombay. The feeling in the cities of Calcutta and Madras arises from sympathy with the large body of our countrymen in Mofussil, and also from the conviction that the measure will alienate European capital, and that it is but the first step in course of legislation which will ultimately make the position of Europeans in any part of India unbearable. During the last week telegrams have been pouring in from every European colony in India, all describing meetings at which the Bill was condemned, without a dissentient voice. But the greatest and most significant protest was that made by Calcutta itself on Wednesday, when as I telegraphed to you, in compliance with a numerously-signed requisition, a public meeting was called by the sheriff at the request of the Chamber of Commerce and the trades associations.

All the banks, merchants' offices, and shops were closed, and business was entirely suspended during the afternoon. Long before the appointed hour the Town-hall was densely crowded, almost every non-official European and Eurasian in the city being present, together with a considerable number of officials and military men—for this indignant feeling, which is unanimous among the independent community, is shared to the full extent by at least nine-tenths of the Government servants. All the hotels, too, were filled during the day with residents in the neighbouring districts, who had come to join in the protest. At 4 o'clock the chair was taken by the sheriff, the Hon'ble Robert Miller, who in a few words expressed his entire sympathy with the objects of the meeting.

He had received, he said, from all parts of India letters and telegrams, the mere reading of which would occupy hours. One

of these, from a gentleman at Patna, stated that he had just advised a syndicate at home, which was purposing to invest 15½ lakhs in permanent works in India, that it would be prudent to await further advice before embarking in the undertaking.

The first resolution was then proposed by Mr. Keswick, partner in the firm of Jardine, Skinner, and Co., and a leading member of the mercantile community. It was as follows :—

"That in the opinion of this meeting the Bill for the amendment of the Criminal Procedure Code is unnecessary in the interests of justice, uncalled for by any administrative difficulty, based on no sound principle, and founded on no experience; that while forfeiting a much-valued, prized, and time-honoured privilege of European British subjects, it confers no benefit on the natives; and while imperilling the liberties of European British subjects, it in no way affords additional protection to the natives; that it will deter the investment of British capital in this country, by giving rise to a feeling of insecurity as to the liberties and safety of European British subjects employed in Mofussil and also of their wives and daughters; and that it has already stirred up on both sides feelings of race antagonism and jealousy such as have never been aroused since the time of the Mutiny."

Mr. Keswick, whose speech was received with great enthusiasm and frequent cheers, said that the Bill, if passed, would be a most serious thing for Europeans in the Mofussil. They would be at the mercy of false charges, supported by bribery and corruption. Many cases against Europeans had been brought down from Mofussil in which the native police, with the assistance of false witnesses, had worked up the most damning evidence, the falseness of which only the ability of counsel procurable in the capital had been able to lay bare. Did they think that three or four years' residence in England would so change the nature and character of the native as to make him as well able to judge such cases as a European born and bred? Once abolish the existing distinction, and he knew not where the process of the subjection of Europeans

would stop. The native Press was already condemning the Bill as a halting measure, which did not go far enough, and was clamouring to have Europeans and natives put upon a footing of perfect equality. It was not those who would come under the law, but those who would administer it who desired the change. What good would the measure do to the natives? It would not change the political relations of races. The Government could doubtless secure the approval of the native Press by pandering to its wishes. Was it prepared to show its trust all through, and abolish the distinction of races in a military as well as in a civil sense? He had heard it urged that no great mischief could arise from such a measure, as there would always be the right of appeal. Let them not be deceived. In the interior where the Europeans were few and scattered, where false witnesses were procurable at four annas a head, their brothers or wives, sisters or daughters, might be convicted on the evidence of prejured villains, and lie in prison for a month before they could be released or even appeal to Calcutta. The Government had published the views of its own servants without taking the slightest trouble to ascertain the views of the classes affected. They must, therefore, make their views known by every lawful means. Home telegrams stated that the Secretary of State approved the Bill. Lord Kimberley could not have been informed of the feelings of the community on the subject. The English Press in India was unanimous in condemning the Bill. He was not a hater of the natives; he had many friends among them; he admired their virtues, and some of their ambitions; but it would be in the far future before the natives could achieve a position of confidence in the hearts of the Europeans as judges of a race whose nature and characteristics they were as yet unable to understand.

Mr. Branson, one of the most prominent members of the Calcutta Bar, in seconding the resolution, expressed his deep regret that this apple of discord should have been thus wilfully hurled among them. It had thrust the country back a quarter

of a century. He could not abstain from casting heavy blame, on those who had thus set class against class. There was no necessity for the Bill—no grievance, except a sentimental one existing only in the minds of a few Bengalee Baboos. Why had the Government not consulted the Lieutenant Governor of Bengal, the Calcutta High Court, or the unofficial members of Council? He believed that the Government had acted in pure ignorance, which was the result of the Viceroy's spending the greater part of the year in seclusion among the hills, far removed from public opinion. If the Government were bent on removing grievances, he could point out one which caused real difficulties—namely, the exemption of native gentlemen from personal appearance in the courts. Only that day he had seen the records of a case where a native of high position under shelter of this privilege, had, by moving from district to district, successfully evaded several commissions for his examination issued in a civil suit, and had kept the law at arm's length for a year. He would conclude by picturing the scene in a court in some remote district where a zemindar, having a grudge against a planter, might, during the planter's absence in Calcutta, trump up a charge against his wife, and drag her into court before the native magistrate, armed with the powers which the Bill would confer. What would be the result if the husband returned and entered the court while the case was proceeding? He feared bloodshed. Mr. Branson then resumed his seat amid tremendous cheering.

The next speaker was Herr Bleek, the Imperial German Consul, who said that, although not a British subject, he was living under the laws of this country and anything done here would affect his countrymen as much as it would Englishmen. He therefore trusted that foreigners in India would support the resolution.

The resolution was then put, and carried by acclamation.

I must pass very hurriedly over the remaining speeches, which were not less strong or less important than those which have been summarized. The second resolution, proposed by

Mr. Pitt Kennedy, senior member of the Bar, and seconded by Mr. Pratt, master of the Trades Association, ran thus :—

“That memorials of protest be drawn up and circulated for signature in Bengal and other provinces ; and, when signed be presented to the Viceroy and Secretary of State ; and that the Sheriff be requested to sign one on behalf of this meeting That petitions for the protection of the rights, privileges, and liberties of Her Majesty's European Indian subjects be drawn up and circulated in like manner ; and when signed, be presented to both Houses of Parliament.”

Mr. Kennedy's speech was a most able exposition of the fallacies by which the Bill was supported, and of the successive steps which had been taken to weaken and degrade the judicial power since the abolition of the East India Company. He pointed out that all that was asked for by the natives last year when the new Criminal Procedure Code came before the Legislature, was the extension to them of the privilege of *Habeas Corpus* possessed by Europeans. To grant them that privilege would be a process of “levelling up” to which no European would object. The Government, however, refused to do that ; and sought to please the natives by taking rights from the Europeans. He then went on to describe several cases of false charges of murder which had come within his own experience as Government prosecutor. The resolution was supported in a most telling speech by Mr. J. G. Apear, an Armenian gentleman, who said that, although the Bill would not affect him or his community, they entirely agreed with the Europeans in opposing it, as they believed it to be a measure which would deter the employment of British capital and hamper British enterprise.

The third resolution related to the formation of a committee to prepare the petitions and memorials. It was proposed by Mr. Murdoch, seconded by Mr. Cruickshank, and supported by the Rev. Mr. Finter, President of the Anglo-Indian and Eurasian Association. The last named gentleman, after ably exposing Mr. Ilbert's argument regarding the

removal of anomalies, said that the European community itself was greatly to blame. It was too apathetic, too much wrapped up in business and pleasure. Government had taken advantage of this apathy to bring on measures like the Bill, and like the recent order closing the engineering appointments from Roorkee College to all students, except those of pure Asiatic descent. Europeans and Eurasians should recognize that their interests were in common, and should form a strong association, charged to watch those interests, and enforce their views on the Government, whether the Government wanted them or not. The meeting then separated, after giving three cheers for the Queen and singing the National Anthem in tones that must have been audible in Government House. Thus ended an incident which, both as regards the number of Europeans present and the intense excitement and enthusiasm displayed, is without parallel in the history of India.

At the meeting held in Madras, the Hon. Alexander Mackenzie, the chief speaker, expressed his surprise that General Roberts should have been in favour of the proposed legislation. Would General Roberts, he asked, approve the appointment of native officers or even non-commissioned officers to British regiments? and why should British civilians be asked to endure subjection to which no British soldier would submit for a day?

Perhaps the most ominous sign of the times is the attitude of the Volunteers. I mentioned last week that some letters had appeared calling on them to resign. Rightly or wrongly, the idea has got abroad that the Government is determined to force on this measure in defiance of the unanimous public opinion; and the feeling among the Volunteers, which a week ago found its expression only in a few letters, has now become all but universal. Yesterday a parade was held at Calcutta, at which Lord Ripon, as honorary colonel, reviewed the Volunteers, and Lady Ripon presented the prizes. In the early part of the week the feeling in the regiment was

in favour of the members absenting themselves; and it was only by the representations of the officers that such conduct would be discourteous to the invited guests, that the men were induced to be present. The Volunteers gave the public clearly to understand that they mustered yesterday only as a personal civility to their honorary colonel and to Lady Ripon, and that they would adhere to the determination to resign if the Bill were pressed on.

The East India Railway Volunteers, the Behar Mounted Rifles, the Darjeeling Volunteers, and several other bodies have come to a like resolution. I have made careful inquiry into this matter, and have satisfied myself that if the Government persists with the measure, at least 90 per cent. of the Volunteers in Bengal will send in their resignations.

Meanwhile, the matter stands thus. The Bill will be brought on next Friday, but only on a formal motion, in order to give an opportunity for debate. It is stated that no further step will be taken till November next; but that the Government will then insist upon the passing of the measure. Thus far the Government might, perhaps, have sheltered itself under the plea of ignorance. It has not consulted the Lieutenant-Governor of Bengal, the province most directly interested; and it is an open secret that he means to vote and speak against the measure. Had he been asked, he would doubtless have advised the Government to pause. It has not consulted the Calcutta High Court, a body whose opinion has hitherto been always sought when any material change in the law was under contemplation. That opinion, too, would have been unfavourable. It has not consulted the non-official European community, the only class affected. That community has now spoken in unmistakable tones. It has allowed itself to be led by the clamour of half-a-dozen native civilians and some native editors whose appetite has been whetted by recent concessions, and who are ever crying for more.

The great mass of the natives are indifferent; the more thoughtful and far-seeing among them fully recognize that this

ill-judged step towards fancied and unattainable equality has already done infinite mischief by reviving race antagonism, and will do still greater mischief in the future. If the Government now pauses and drops this most unhappy measure, it cannot undo the harm already done; but it can prevent infinitely greater harm in the future. Men will only say of it that it has erred through ignorance, through generous though wholly mistaken motives of sentiment and of the brotherhood of man; and that, having discovered its mistake, it has had the moral courage to stop before it was too late. But the plea of ignorance will avail no future. The last week's events must have opened the eyes of the most ignorant; and if the Government still insists on forcing on this Bill, its action will no longer be a mere folly—it will be a grave crime. And when the action of the Indian Government comes to be discussed in Parliament, it is to be hoped that, to quote the words of an Indian newspaper which is one of the most temperate opponents of the Bill, the "British public will recognise that Englishmen who have made India their home have claims upon their countrymen in Europe which cannot be abrogated at the will of a Secretary of State, or calmly set aside by the dictum of a Viceroy."

Four weeks have elapsed since we first called attention to the disapprobation and discontent excited among the English residents in India by the Bill for subjecting them to the criminal jurisdiction of native judges and magistrates. The measure of which we then pointed out the dangers has since assumed a portentous importance. The whole non-official European community has been convulsed by it, and it has been condemned with one voice, and in no hesitating terms. The meeting which was held on Wednesday in the Calcutta Town-hall to give Europeans an opportunity of expressing their views about it was representative in the fullest sense of the word. Our Indian telegram of this morning gives a full report of the proceedings, and it leaves

no room for doubt as to the strong and universal feeling of abhorrence with which the Bill is regarded by the whole class whom it affects. All other business was at an end for the day. The banks, offices, and shops were closed, and the non-official population of the city pressed to the Town-hall to utter their protest against the Bill, and to memorialize the Government to proceed no further with it. The Sheriff, who presided at the meeting, had received letters and telegrams from all parts of India in support of the purpose for which the meeting had been summoned. The whole country is in commotion, and the successive speakers who followed one another in denouncing the Bill and in pointing out the injurious results to be looked for from it did no more than give a voice to the unanimous opinion of the community for which they spoke. The arguments put forward were to much the same effect as those with which our readers are already familiar. Mr. Keswick, who spoke for the mercantile part of the community, insisted on the danger to which Europeans would be exposed from false charges supported by perjured evidence and adjudicated upon by an official whom they could not trust to distinguish between false and true. There is the right of appeal, indeed, but this, as Mr. Keswick showed, is no guarantee against an injustice which is already done. Where false witnesses can be obtained in any numbers at four annas a head, and where the native police does not scruple to avail itself of their services, a trumped-up case may be put together, and a sentence of imprisonment passed which will be half-executed before the Court of Appeal can interfere. It is not the planter only, but his wife and sister and daughters whom the new rule will touch. Mr. Branson, of the Calcutta Bar, gives a sketch of what may be acted some day in grim earnest if the change in the law is carried out. In some remote district of the country a Zemindar, with a grudge against a planter, may wreak his spite during the planter's absence, by trumping up a charge against his wife and dragging her into court for trial

before a native magistrate armed with the new powers which the Bill is intended to confer. These and other objections against the Bill were pressed with great force. They are not lightly to be passed over, least of all where there is no good reason whatever to be found in favour of the proposed change. That it will inflict a grievance is certain. That it will remedy one does not seem to be even asserted by its authors. The native population of India have no wish for it. The European population, outside a narrow official circle, are against it to a man, and it is they, and they only, who have any claim to be heard about it.

We have given lately some important testimony from Anglo-Indian experts in this country on the subject of Mr. Ilbert's Bill. We printed on Thursday a long and carefully argued statement from Mr. Justice Stephen, and another on Saturday from Sir Louis Jackson to the same general effect. Both authorities agree in condemning the Bill as an uncalled for and needless outrage upon Anglo-Indian feeling, and as fraught with positive dangers which no prudent Government can disregard. As for the asserted symmetry which is to follow from it, and the asserted inequalities which it is to remove, they show conclusively that it will not and cannot do what it has been credited with doing. It removes one inequality while it leaves a dozen others untouched, and the inequality which it does remove is just that which is most clearly justifiable. It is a pandering, we will not say to native opinion, for no such opinion has been formed for it, but to the noisily expressed views of the native Press and of one or two native civil servants, who are anxious to exercise the powers which the Bill confers, and who are on that very account so much the less fit to be trusted with them. Sir George Campbell, whose letter we printed on Saturday, writes in defence of the proposed change, but, as a reference to our columns will show, he has absolutely nothing to say for it. The question of the jurisdiction of natives over Europeans came before the Viceroy's Council in 1872, and it was then settled

by the compromise which was re-enacted last year, and which remains now in force. Sir George Campbell and a minority of the Council were in favour of what he terms "the more liberal view," that is to say, he would have given local native Judges the jurisdiction over Europeans which Mr. Ilbert's Bill grants them. But beyond this question-begging epithet, and beyond a suggestion that there may possibly be good reasons somewhere in the back-ground in support of Mr. Ilbert's Bill, he has nothing to urge. He acknowledges that he himself would have been unwilling to disturb the existing compromise unless some pressing necessity could be shown for so doing. But of a necessity, pressing or not pressing, he can give us no hint. His one argument is enough for us. It is the more liberal measure which recommends itself to him as such. In other words, the Bill under discussion is a piece of liberal clap-trap. Its authors would not dare to carry out consistently the principles upon which they seek to defend it. This they do not even affect to do. But they may as Mr. Justice Stephen shows, be doing a good deal more than they either affect or intend. The Bill may be unimportant in itself, but it is one among many signs of the new ideas and new principles upon which the Government of India is to be conducted, ideas and principles which are utterly at variance with those by which our position in the country has been gained and held, and which Mr. Justice Stephen declares are inconsistent with the foundations on which it rests.

It is scarcely possible that the Indian Viceroy and the Indian Secretary can be indifferent to the storm which Mr. Ilbert's Bill has raised. Mr. Ilbert, of course, is a mere mouth-piece in the matter. He prepares what he has been instructed to prepare. It is with Lord Ripon that the real responsibility must rest. If Lord Ripon were the still strong man whom we need for the Government of India, if he were of the type to which the destinies of that great empire could safely be intrusted we should never have heard of the Criminal Procedure Amendment Bill or of the rest of the frivolous legislation which has

come lately into vogue. The course he is taking with the Criminal Procedure Amendment Bill is as indefensible as the Bill itself. The Bill is to be brought before the Council on Friday, and is then to be put off until next November, when the Government, it is said, will insist on passing it. If it is a good measure, it ought to be passed at once. The purpose of the delay must be to allow time for the European population to reconcile themselves to the proposed change. They are excited and indignant now. By November, the hope is, they may be in another mood, and may accept quietly what they are now protesting against, we had almost said rebelling against. Lord Ripon must be very confident in his own rectitude of judgment if he resolves finally to give effect to the outrage he has been threatening. Where a whole section of society is of one way of thinking on a matter which concerns itself, it is hardly possible that it can be in the wrong. Right or wrong, its opinion must have weight given to it. In India there is no representation. Public opinion has expressed itself in the only ways open to it, and it has found a powerful echo and support in this country. Lord Ripon cannot be deaf to the appeal which has been thus pressed upon him. His most fitting, his most straightforward, his most manly course would be to put a stop at once to the agitation by announcing that he does not intend to proceed further with the Bill which has excited it. What Europeans feel now, they will assuredly feel just as strongly in November or at any future time. The position they have taken has been untouched, the dangers they apprehend have scarcely even been asserted to be illusory. What they dread and dislike now they will go on dreading and disliking to the end. It is not right that they should be kept in doubt for some months, with the Criminal Procedure Amendment Bill hanging over them. If the thing is to become law, it should be done at once, so that those who will be affected by it may know what they are to look for, and may shape their plans accordingly. If it is to be dropped and not to be heard of again after next Friday, a notice to that effect would be

welcome. It rests with Lord Ripon to allay the tempest he has raised. This he can do, though it may be beyond his power to repair its incidental mischief, or to recover the public confidence he has forfeited in India and in this country by his ill-advised legislative zeal.

March 7.

(BY INDO-EUROPEAN TELEGRAPH.)

Calcutta, March 6.

The excitement aroused by Mr. Ilbert's Bill has now spread to the Army. One local paper publishes a letter from an officer doing duty in a large garrison, stating that the danger is most serious, and that it would be impossible to control the men if a comrade were sentenced by a native Judge. He adds that a feeling of extreme and violent indignation is universal among both officers and men.

March 8.

TO THE EDITOR OF THE TIMES.

SIR,—With regard to the question of which I gave notice yesterday, I do not propose to ask for a return of the number of persons exempt from trial before native magistrates, but of native gentlemen who are, as a special privilege, exempt from personal appearance in any court of law. Besides these, it is notorious that all women belonging to the upper or respectable class of natives are exempt. As these amount to several millions, it is obvious that some anomalies will remain after Mr. Ilbert's Bill becomes law. So long as these concessions to native customs and prejudices exist, it is ridiculous to talk of equality in India. If a European in India marries more than one wife, he is liable to the same punishment as in this country, but his native servants may marry as many as they please. All who wish well to the people of India deplore this useless, needless, wanton stirring up of race animosities, which are so easily raised and so difficult to allay. Europeans in India ask no more than to be tried by their peers, and it should be shown that compliance with their demand offers a serious obstacle to the administration of justice before they are deprived of it. There is no such difficulty; it is not even alleged that there is. It is based upon a theory of equality which does not exist and cannot be created by asserting its existence in legal enactments. There is one equality what does and should exist—*viz.*, that European and native should be equally protected and equally punished by the law, but not necessarily by the same tribunal. It is not fitting that the native who holds that his wives and daughters are disgraced if seen by any male eye but his own should try the

wives and daughters of Englishmen. Has the Government of India, in its craze for fictitious equality, ever dared to put a low caste native upon the bench? Will it carry out its theory by putting a chumar or a sweeper upon the bench and then invite its Brahmins to seek for justice in his court? There are three special dangers and objections to the proposal of the Government of India. First, it is not wise or politic, if it can be avoided, that any class or community should be subject to the jurisdiction of those whose impartiality, rightly or wrongly, they mistrust; secondly, there is the risk that the Government may, for the sake of consistency, pass the law and then, in deference to public opinion, withhold from natives the appointments that would renew the clamour. Thirdly, there is the risk that a native holding such an appointment would be afraid to convict even a guilty European.

When Lord Ripon, having established perfect equality in India, and having abolished all anomalies in that country, returns to England, it will be expected that he will lose no time in removing the anomaly which keeps himself and other peers from the contamination of the ordinary Courts here.

Your obedient servant.

D. H. MACFARLANE.

62, Portland-place, March 6.

TO THE EDITOR OF THE TIMES.

SIR,—May I be allowed to say a very few words upon the Bill now before the Governor-General's Council at Calcutta to amend the Code of Criminal Procedure? I do not ask any one to form an opinion upon the question at issue until he has received the full information which we may expect from India, but I ask the public to suspend their judgment.

I also venture to suggest that the question has not been quite fairly stated. Section 442 of the present Code provides, in effect, that no magistrate, except a presidency magistrate, shall inquire into or try any charge against a European British subject, unless he is himself a European British subject. The proposition now under consideration is, as I understand it, to enable the Government to specially appoint carefully-selected natives to inquire into and try charges against Europeans outside as well as inside the presidency towns. There is another section which will still restrict persons so appointed to the infliction of a fine of 1,000 rupees and three months' imprisonment, and there is always an appeal to the High Court. There is another proposal, I believe, to give to Sessions Judges—that is, Judges who are members of the Covenanted Civil Service—who happen to be natives, the same power which European District Judges have—that is, of inflicting a fine and imprisonment for a year upon Europeans, always, of course, with an appeal.

No doubt these proposals, if carried, will remove certain anomalies, but they will leave many anomalies—and some persons seem to have a son of affection for anomalies—unremoved. For example they will leave the anomaly that a European cannot be sentenced by a European District Judge to more than a year's im-

prisonment, while by a native High Court Judge he may be sentenced to death.

In order to prevent people making up their minds at once that Lord Ripon and his Council have no higher object in view than a pedantic desire for the removal of anomalies, I would suggest that it is at least possible to take a different view from that which has been as yet put forward in this country. It is thought by some persons—by most, I believe, of those who have had official experience in India—that the successful administration of the law depends to a considerable extent upon the cordial co-operation of the natives of the country with European officers. This cordial co-operation is, however, greatly impeded when distinctions of race are carried into a court of justice. Whenever therefore, it is safe to do so, the Government ought to remove these distinctions. Upon this principle the Government of India has hitherto proceeded; not, I regret to say, without the strong opposition of non-official Europeans resident in India.

Has that opposition been justified by the result? Surely not. Native Judges have long had full power over the property, the personal safety, the health, and the reputation of European British subjects, so far as these are under the protection of the civil Courts. In the presidency towns native Judges have exercised some criminal jurisdiction. Hundreds of cases occur every year in which Europeans are concerned, and which are tried by native Judges, and yet I never knew a single case in which a charge of unfairness was brought home to a native Judge by a European. I cannot even recollect such a charge having been made. Curiously enough, such charges—always, I believe, unfounded—are not unfrequently made against European magistrates.

If any one will turn to that part of Lord Macaulay's Life which relates to his residence in India, I do not think he will take the opposition of non-official Europeans as conclusive against a measure of this kind.

I am, Sir, your obedient servant,

WILLIAM MARKBY.

Oxford, March 5.

THE "ENGLISHMAN."
(Calcutta.)

March 1.
SPECIAL TELEGRAMS.

Kurseong, February 27.

At a meeting held at Kurseong to-day to protest against the proposed alteration in the Indian Criminal Procedure Code, the whole non-official European inhabitants were present, and it was unanimously resolved that:—"We indignantly protest against the proposed alteration in the Indian Criminal Procedure Code, as being a measure in direct antagonism to every principle of English national right, and as being calculated to destroy that security of life and property which is absolutely necessary to the well-being of the Empire. We are of opinion that, should the contemplated change in the administration of the Penal Code become law, English enterprise, English energy and English money, which have raised the country from a state of indolence and improvidence to a position of wealth and prosperity, will be driven from it. We consider that, as facts show the native community to be utterly incapable of governing themselves in the most trivial matters, it is absurd and most unjust to allow them to attempt to govern Englishmen. The natural significance of the principle of British and Native equality is that the natives should govern us in matters military as well as civil. Hence, if Mr. Ilbert's proposed change in the Criminal Procedure becomes law, the Volunteer movement in India should be abandoned."

Serajganj, February 28.

A largely attended meeting of Europeans was held here yesterday evening, and strong and unanimous protests were entered against the proposed alteration in the Criminal Procedure Code. It was resolved to forward a memorial to the Bengal Chamber of Commerce with a request to incorporate it with their own.

Julpaiguri, February 28.

Crowded meetings of planters have been held in the Duars, at which Mr. Ilbert's proposed Criminal Procedure Code Amendment Bill was unanimously condemned. The feeling is very strong against it, especially on account of the peculiar relations between planters and natives. The C. Company Northern Bengal Rifles have expressed their intention of laying down their arms should the Bill pass.

Raniganj, February 28.

At a largely attended meeting held this day at William's Hotel, the Europeans in this direction representing all the important industries, resolved that Mr. Ilbert's Black Act is mischievous, and calculated to estrange Europeans and seriously affect Europeans of both sexes. Rupees four hundred was subscribed on the spot as a practical protest against the ill-advised legislation, and is at the disposal of such fund as may be arranged in Calcutta for the opposing of this Act. It was also resolved that the Volunteers be invited to resign.

At a meeting of Planters and Volunteers, held to consider the Indian Criminal Procedure Amendment Code, at Garidura, on Monday, February 26th 1883, it was proposed and carried unanimously.—

1st. That this meeting desires to register its indignant protest against the proposed new Criminal Procedure Amendment Bill, which allows of Europeans being tried by natives; that such an Act is highly detrimental to the truest interests of India itself, and destroys that security hitherto felt in British enterprise in India.

2ndly. That, by the passing of this Act, one of the few privileges left to Europeans in India will be destroyed, and it cannot fail to be a cause of ill-feeling which will lead to the utmost antagonism of races.

3rdly. That this measure has our unanimous and unqualified disapproval, in so far as it entirely changes the legal status of European born subjects in India, and we consider this action to be most mischievous; and we also maintain that capitalists and others, who have been induced to stake their interest in this country, have the greatest right to be heard before the Bill in question has been passed.

4thly. We think that the speed with which this Bill is being attempted to be forced through Council, without allowing the public to express their opinion, is most discreditable to the present Government.

5thly. Further the Volunteers present wish unanimously to state that should the Bill be made law they will lay down their arms.

(Sd.) H. P. Irwin, Manager, Punkabaree Tea Co., Proprietor, Saipoo Tea Association.

Chairman—T. W. Mills, Manager, Baghdogra Tea Association.

A. F. Daniell, Manager, Tirrihannah Factory, Proprietor, Kudma Tea Concern.

H. W. Hancock, Proprietor, Mattigurrah Tea Concern, and Sergeant, B. Co., N. B. V. R.

P. H. O'Hanlon, Manager, M. and M. Terai Tea Estate.

H. T. Koor, Manager, Marionbaree, and Proprietor, Roongsoong.

F. E. Haydon, Surgeon, Kurseong, and Volunteer, B. Co., N. B. V. R.

F. J. Orr, Assistant New Terai Association.

G. Grant Gordon, Manager, Awwal Tea Estate.

E. P. Tod, Manager, Indian Terai Tea Co., Proprietor, Singia Jhora.

F. A. King, Manager, Kalabaree Tea Estate, Volunteer, B. Co., N. B. V. R.

L. Barclay, Manager, Munjha Tea Co., Volunteer, B. Co., N. B. V. R.

William Bennett, Manager, Lower Darjeeling Tea Co., Volunteer, B. Co., N. B. V. R.

R. Boyd Lamb, Assistant Manager, Nipaneah Tea Estate.

J. S. Corvet, Tea Proprietor, and Corporal, B. Co., N. B. V. R.

H. P. Bradford, Manager, Lohagur and Morapore Tea Estates.

R. S. Martin, Assistant, Mattigurrah Tea Estate, Volunteer, B. Co., N. B. V. R.

R. Hirsch, Manager, Mechi Tea Garden.

T. F. Ager, Manager, Nuxelbaree Tea Estate, Volunteer, B. Co., N. B. V. R.

F. J. Phillips, Manager, Selim Hill Tea Estate, Volunteer, B. Co., N. B. V. R.

James Hutchison, Manager, New Fallooshi Tea Co., Ltd.

Archd. Finlayson, Manager, Roongsoong.

T. H. Gibson, Assistant, Moonee Tea Estate, Volunteer, B. Co., N. B. V. R.

John Galloway, Manager, Dhundibree Tea Estate.

- A. Curry, Manager, Central Terai Tea Co., Ltd., Punkabaree.
 H. Nowill, Manager, Chumta Tea Association.
 A. W. Davys, Tea Planter and Volunteer, B. Co., N. B. V. R.
 R. J. McCullagh, Tea Planter and Volunteer B. Co., N. B. V. R.
 George W. Hewit, Manager, James' Association.
 E. G. Gilliam, Assistant, India Terai Tea Co.
 A. J. King, Assistant, Longview Tea Co., Ltd. and Volunteer, B. Co., N. B. V. R.
 A. T. F. Patterson, Assistant, Selim Tea Estate.
 E. S. L. G. Monypenny, Manager, Adulpore Terai, Volunteer B. Co., N. B. V. R., and late Lieutenant, 34th Regiment.
 C. H. Montford, Engineer, Kurseong, Volunteer, B. Co., N. B. V. R.
 H. Lyall, Assistant, Central Terai, Volunteer B. Co., N. B. V. R.
 A. C. Wright, Assistant, Lohagur Tea Estate.
 Chas. Kerr, Assistant, Marionbaree Tea Estate.
 Herbert Runsey, Civil Engineer.

R. W. Ochterlony, Manager, Singbully; T. Johnston, Manager Sath Bhaia Tea Association; R. C. T. Hildyard, Manager, Longview Tea Co.; F. B. Baker, Manager, New Terai Tea Association; W. G. Le-Mesurier, Manager, Terai Tea Association; G. A. Kneebone, Manager, Darjeeling Terai Tea Association; R. S. C. Fraser, Manager, Mohurgong Tea Estate; W. W. Highet, Manager, Punchanni Tea Association; C. W. Ansell, Engineer, Kurseong.—Sd p. p. H. R. Irwin; T. A. Hickson, Assistant, Selim Tea Estate; M. J. Stewart, Assistant, Barnesmore Tea Estate, p. p. G. W. Hewitt.

George Williams, Assistant, Nuxulbaree, p. p. S. F. Ager.

C. J. D. Jenkins, Manager and Proprietor, Ord Terai, p. p. G. G. Gordon.

W. J. Landale, Tea Planter, p. p. R. S. Martin.

R. E. Chichester, Manager, Cambrian, p. p. J. Galloway.

C. F. Daniell, Manager, Chenga Tea Co., Ltd., p. p. A. F. Daniell.

A. F. Mills, Manager, Taipoo Tea Association, p. p. T. W. Mills.

P. R. Gilliam, Kudma Tea Estate, p. p. E. G. Gilliam.

The following gentlemen spoke strongly against the measure under discussion :—

Messrs. W. R. Irwin, J. W. Mills, H. M. Hancock, E. P. Tod, H. Kerr, and Dr. Haydon.

H. R. IRWIN.

Chairman.

Garidura, February 26, 1883.

TO THE EDITOR OF THE ENGLISHMAN.

SIR,—The advocates of the proposed amendment base their advocacy largely on the expediency of abolishing all so-called "anomalies" in the law of the land. It may therefore not be out of place to call attention to an anomaly in the law of England perfectly parallel with that which the Bill under discussion proposes to amend—an anomaly to which no reference has, as far as I know, been yet made. By the law of England a foreigner has the privilege of being tried by a mixed Jury—a Jury composed of Englishmen and foreigners in equal proportion.

Trial by Jury is not generally practised in this country, and the difference of general procedure necessarily entails a corresponding difference in the manner of giving effect to the privilege of foreigners, but the essence of the matter is that, as regards jurisdiction in criminal cases, even the law of England gives peculiar privileges to foreigners tried in England, and I for one fail to see the pressing necessity for removing what is, after all, only a parallel anomaly in the law of a country many generations behind England in civilization and enlightenment.

There are many other and more urgent reasons for leaving well alone, but these have all been touched upon by abler pens than mine.

R. E.

Calcutta, February 28, 1883.

March 2.

SPECIAL TELEGRAMS.

Asansol, February 1.

At a numerous attended meeting representing the mining and railway interests in the neighbourhood of Asansol, the following resolution was unanimously adopted:—That this meeting most strongly protested against Mr. Ilbert's amendment to the Criminal Procedure Code as an infringement of one of the British subjects' most valued privileges, and looks upon the proposed change as likely to cause disastrous consequences to the European community and the country at large.

The following order has been issued by the Captain of one of the leading companies to the Volunteers under his command, and we hope that every man of this as well as of the other companies will make an effort to turn out and show the

strength and value of the regiment. By doing so they will only be showing common politeness and what a valuable force the Government possesses, without in the least detracting from the importance of the meeting held on Wednesday last, or contradicting the opinions which they may have already expressed as private individuals.

The Company will parade on foot at the ground of the Calcutta Cricket Club, on Saturday next at 4-45 P.M. sharp, to be present at the Distribution of Prizes by Lady Ripon.

2. You are particularly requested to attend. Lord Ripon is our Honorary Colonel, and he and Lady Ripon have been asked by the Regiment to a private gathering of themselves and their friends. Under these circumstances any Volunteer who is wilfully absent without a sufficient reason is guilty of personal discourtesy to an invited guest.

3. Such a sufficient reason is not afforded by the present political crisis, for, as Volunteer Soldiers we have nothing to do with politics, while as European British subjects we have already expressed our opinions elsewhere—wilful non-attendance will therefore not only be a rudeness but an unnecessary rudeness.

4. On the other hand a strong muster of the Regiment will show the Honorary Colonel the value of the Corps he commands.

The meeting in the Town Hall on Wednesday afternoon, the 28th February 1883, is one that will live long in the memories of all who were present. It was crowded, determined, unanimous and enthusiastic. The object which drew together thousands of Englishmen and their descendants to meet and let the Government know their feelings with regard to the attempt made by an uninformed and unstatesmanlike Council to endanger their liberties under the guise of removing unjust anomalies was one which, we trust, will not be lost sight of by the men who, with one voice and one heart, ratified the Resolutions ably put and eloquently supported by the speakers of the evening. When men are going forth to battle, it is well to stir their hearts with the recital of what has called them forth to war. It is well to show them that all they hold most dear is to be defended only by the strong right hand and the valiant heart. But that is not all that is wanted. No vic-

tory was yet won, no campaign carried through, without much patient endurance and steady determination to win, losing neither heart nor head.

The harness was buckled on on Wednesday evening with a cheerful heart, and spirit stirred by a noble appeal. But "let not him that putteth on his harness boast as he that putteth it off." The fight is only just begun. It must not be forgotten that the man who is now Viceroy is a man who himself has no small share of English pluck. He has men with him who are strong in intellect and patient in purpose. Behind them they have not only the power of the State here, the power that will to the end always accompany high place, but they are apparently acting under instructions from England and, more than all, their own interests as party men and their own advancement in their political party hereafter are to a great extent bound up with the carrying through of this and kindred measures. We shall not now stop to reiterate the arguments laid before the meeting on Wednesday evening. All who were there felt that Mr. Branson's fervid eloquence and burning words, and Mr. Finter's telling points, but illumined and illustrated sound principles, common sense, and political truth. Our desire now is to call upon all who heard, all who read, and all who may hear of, the speeches delivered, and the Resolutions so heartily responded to, to "stand back to back in God's name and fight it to the last." The Government may find it good policy to "bide a wee." The matter may be shelved for a time, but in the interim dangerous work may be carried out. Unable to carry the position by a *coup-de-main*, mining operations may be resorted to, and the result may prove disastrous to the defenders of a position as important to Englishmen and their liberties as was that defended by Hampden when the ruling power demanded ship money, a demand which, successfully resisted, looked back to Magna Charta and afterwards secured us the Petition of Rights.

Not only must Committees be formed now to present the
1 that is to go to the Viceroy and to Parliament, but

one and all must subscribe money and spend time and strength, and substance and care, in watching the Government of India, and the Governments and administrations subordinate to it. A Vigilance Committee, composed of men of probity, legal acumen, untiring industry, and, above all, a settled determination to carry the thing through, is what is needed. Local *Gazettes* as well as the *Gazette of India* must be watched. Resolutions, rulings of Council, public speeches made by our rulers throughout India, must be watched and narrowly scrutinised, and, when necessary, immediately challenged. All this means not only shouting at a large meeting, but steady work, steady enthusiasm, a wide opening of the purse-strings, and a determination that neither we nor our children shall be lowered in our own eyes and theirs, and in the estimation of all true men, by a weak yielding to carelessness and the temptation of the moment while great principles are at stake.

A standing Home Committee should also be formed, and vigilantly and carefully worked. Once show the people at home that we are in earnest and mean it, and they will, with increasing knowledge, be stirred to take an intelligent and earnest interest in this part of the dominions of our gracious Queen.

"Vain mightiest fleets, of iron framed;
Vain, those all-shattering guns;
Unless proud England keep, untamed,
The strong heart of her sons."

TO THE EDITOR OF THE ENGLISHMAN.

SIR,—Subscription lists should be at once opened for the organisation of a society for the defence of European British subjects. Or perhaps a society of this description might be organised on a still more extensive basis, so as to embrace in its ranks all those classes, which for present convenience, I will term Anglo-Europeans and Anglo-Asiatics. After the generous utterances of sympathy and support expressed by representatives of these classes in so unreserved and unqualified a manner at yesterday's public meeting, we ought to feel it a high privilege to welcome into our national brotherhood all the ardent well-wishers

of British Rule. If subscription lists are at once opened, in the columns of the Press, I feel assured that money will flow in from all parts of India. I doubt whether there will be found a single Anglo-Indian cruelly and desperately impoverished by the generous and provident policy of English rule as are so large a number of them, who will fail to subscribe his rupee at least towards this promotion of the noble and patriotic object.

But in this matter, though large subscriptions are of primary importance, we require a sacrifice of thought, time, and energy in addition to render success permanent. We have to project our minds into the future, and to constitute this organisation on so durable a basis, that it will be a defence for all time against renewed invasion of English rights in India. A scheme, therefore, should be immediately drawn up, considered and adopted. All moneys subscribed should be invested and vested in Trustees, and the income only of the trust applied to promoting the object of the association. One of the most essential requisites for the success of an organization of this kind will be a permanent office in London consisting of a secretary, an influential committee, who will make it their duty to enlist the intelligent and informed sympathies of members of Parliament and other political persons at home in protecting our cherished rights in India from being invaded and trodden under foot. All those who are fired with the intense and personal resolve expressed at yesterday's meeting should take immediate steps to prevent the results of that meeting from being fruitlessly wasted.

CIVIS.

Bengal Club, March 1, 1883.

TO THE EDITOR OF THE ENGLISHMAN.

SIR,—We have been urged by Mr. Branson's vigorous speech, which will ring through British India as a trumpet peal, to do all that in us lies to oppose this loathsome Bill for the amendment of the Code of Criminal Procedure. I venture to suggest that the proceedings and speeches at yesterday's meeting be printed in pamphlet form and distributed free of charge, not only over the length and breadth of India, but all through England. Let every newspaper have a copy, every Member of Parliament, every Peer of the Realm, every one connected with the country in any way. By one and all of our countrymen let our protest be heard.

It will cost money but surely the dross will be forthcoming for such an object. My modest hundred rupees is ready.

NO SURRENDER.

Calcutta, March 1, 1883.

TO THE EDITOR OF THE ENGLISHMAN.

SIR,—With reference to Mr. Keswick's excellent suggestion at the Town Hall Meeting last evening that, since it is probable the Criminal Procedure Bill will have to be brought before Parliament, all who have friends or acquaintances in either House should be careful to inform them of the harm it would be calculated to do to Englishmen if made law, and of the public feeling there is against it, might I suggest the preparation of a concise statement in pamphlet or leaflet form of the leading arguments against the Bill?

It would be easy then, while forwarding such a circular, to write soliciting the Member's vote and support. It seems to me doubtful whether a long statement of a matter concerning India would have the same chance of attention where Members' time is so much occupied.

It is to be hoped every one in a position to do so will act on Mr. Keswick's suggestion.

F. W. P.

Calcutta, March 1, 1883.

TO THE EDITOR OF THE ENGLISHMAN.

SIR,—I was very glad indeed to see Mr. Bleeck, the German Consul, on the platform at the meeting at the Town Hall on Wednesday.

Mr. Bleeck can, however, do us more than yeoman's service, if only he and the Consuls for the United States, France, Austria, Italy, Sweden, Norway and Denmark will write home to their respective Governments, pointing out that European and American citizens, who are not British subjects, are liable to be tried and sentenced to terms of imprisonment by natives. A simultaneous representation would probably be made to the Foreign Office at home, which would not be without effect.

A Radical Government being in power, a humble apology would probably be tendered to each and every foreign Power, and orders would at once be sent to our subservient Viceroy to pass a short Bill exempting all Europeans and Americans (*who were not British subjects*) from their liability to be tried by native Magistrates. Let this once be done, and European British subjects must be exempted also.

It is somewhat humiliating that Britons should have to appeal to foreign Powers for protection, but the disgrace must rest on those who have compelled us to do so; and the present Government are not unused to being humiliated.

I would also suggest that the proceedings of Wednesday's meeting, and of all similar meetings in India, together with the opinions of the

The alteration is undoubtedly disapproved of by every European resident throughout India, and as was said yesterday "if the Government are inclined to pass the Bill. Our Most Gracious Majesty Queen Victoria will listen to the voice of her people," and see that the rights we fought hard to maintain shall not be forced from us, particularly when there is no earthly reason for doing so. We have a justified right to our own. It is not a privilege merely, but undeniably a right, which we must and shall retain.

I am of the opinion, Sir, that the Bill will not pass, although their may be at present some gentlemen at home that seem quite as earnest for, as we are against it; but when the memorial is brought forward these things will probably be transformed more to our favour. The rupee business proposed by "Britannicus" is not a bad one, and I think will meet the approval of each and every one concerned.

We will not be tried by any one not of our own race. We have proved to contain in ourselves quite sufficient knowledge and power to treat our own cases with justice, and that is what those the proposed holders of the judicial law have not, and never will have, neither would they think of giving justice.

"Nemo mortalium omnibus horis sapit."

NIL DESPERANDUM SPERO MELIORA.

Calcutta, March 1, 1883.

TO THE EDITOR OF THE ENGLISHMAN.

SIR,—Englishmen, especially in India, are proverbially difficult animals to rouse, but, once roused, let us all determine to show that it is as difficult to lull them to sleep again. Feeling, and what is more practically important, showing, as we all do now, the strongest and most just resentment at the latest attempt of the Government of Lord Ripon to take from us our rights, it seems extraordinary that we should some years ago have submitted without protest to the measure giving to natives, holding the office of Presidency Magistrate, the power to try and sentence European British subjects. That was the thin end of the wedge, inserted, no doubt, adroitly and insidiously; but it is nevertheless a crying shame to us that such a meeting as yesterday's unprecedented gathering was not held when the Presidency Magistrates' Bill was under discussion to protest with all our power against the jurisdiction of natives to try us. Many an unfortunate European British subject, with an empty purse and unable to protect himself, has doubtless had to endure the insolent triumph on the Bench of Babu B. L. Gupta, and to suffer imprisonment at his hands. Why have we left these men, and

women, too, perhaps, so long unprotected in their rights? It is too late now to help them, but not too late to use vigilance in the future on behalf of our poorer countrymen, and so make such amends as we can for our past apathy and neglect.

The suggestion of your correspondent who dates from the Bengal Club, which your correspondent "Manchester" supports, is an admirable one, and capable now of being enthusiastically carried out with great present effect, and ultimate good to the community. To my mind there is lying ready to our hand a great object to which the first funds raised can be applied at once.

Let the next European British subject who is brought before Babu B. L. Gupta or any other Native Magistrate boldly challenge that official's jurisdiction to try him, and claim his inalienable birthright to be tried by his peers. Let the "Society for the Protection of European British subjects," or whatever name it may have, take up the case and fight it vigorously and through all stages. If even we fail in impugning the authority of the Indian Legislature to take from us rights gained in England and brought here with us, we shall at least know our legal position. That we should not fail is, I imagine the opinion of not a few lawyers.

ANOTHER EUROPEAN BRITISH SUBJECT

Calcutta, March 1, 1883.

TO THE EDITOR OF THE ENGLISHMAN.

SIR,—I congratulate you that you have been true to your name and initiated the movement which, as you say, has hardly yet begun, against the treacherous attempt of some of our rulers to degrade Englishmen in the eyes of the conquered race of India. Let us now see what our Council are made of. I say without hesitation that every single Englishman, not such recreants in character as are willing to sell their own birthright, betray their solemn trust, and cut themselves off from those of their own nation and colour for a pettifogging popularity with the worst natives of India and a political party in England, will now assert his English love of freedom and his manhood by boldly denouncing the intended treachery. "We look before and after and sigh for what is not." Mr. Gupta's vulture eye has pierced the distant future in a manner truly surprising, to owls, so let him carry his glance back with equal force. What does he see there? One of your contemporaries has touched on the historical bearings of the case, referring to the Roman empire, and the Members of Council would do well to study those bearings very carefully, going to ancient and modern

times, and not omitting Kaye's "Sepoy War," nay, even calling to mind contemporaneous events, such as the uneasy feeling here whenever a Russian or Affghan war is on the tapis. But good heavens! as I think on these things, my only astonishment is that Englishmen have ever allowed their liberty to be at the mercy of their own subjects, even in Presidency towns. I can quite imagine an Englishman, when imprisoned by a native Magistrate in Calcutta, being so exasperated as to do some act of madness. If children in Indian statesmanship like Mr. Ilbert and you might almost say much more exalted powers, want absolute uniformity, let them begin at the other end, have no native magistrate in the Presidency towns, but let Britons be, as they ought, only subject to be imprisoned by Britons. Now, who of all people has started this movement for belittling the conquering race? An Englishman admires bravery, and after serving side by side with a native against some common foe, I believe he would gladly allow that native to try him as if he were one of the same race. I fancy most of us would not object to being taken before a fine old Sikh for instance. Is it the Sikhs who are clamouring for our loss of liberty? or is it any one of the warlike races of India? It is that race for a correct appreciation of whose qualities I refer your readers to Macaulay, the enlightened, unselfish, and brave Bengali Babu, that would, after being conquered but not beaten—I wonder if he sees the difference—like so much to send a "sahib" to jail. He could then swell himself out bigger than ever; he could then get such influence over the native litigants that his fortune would be made in two years where it now requires 20. Of course I do not say all Bengali Magistrates deserve this description, but I do say that natives again and again, in every station in Bengal, apply to have their cases tried by European officers, instead of by one of their own colour; and is there a single district in the province where one or two of the native judicial officers are not notorious among natives, and *non-official* Europeans at least, as being corrupt? If so, let somebody name that district.

Further, before giving criminal jurisdiction, see how civil justice is administered in the mofussil towards European litigants. Ask Behar planters to name one or two native judicial officers whom they do not confide in as strictly impartial, and then let the records of their Courts be examined to ascertain how many decrees have been lost in the Courts of first instance by Europeans, and then won in superior courts. This is a simple and a practical test. The Government of India, if honest in their intentions, cannot possibly object to it. Again, from what

sources are native judicial officers taken, that their immaculate impartiality should be assumed, and what selection is exercised? Of course we know it is useless discussing only civilian natives, because the whole ranks will in time be allowed this privilege if once Englishmen consent to relinquish their ancient right. What was all that froth and fury of Mr. Gupta's about, lately, when the counsel in that election case made some application to him? I do not know exactly what the ins and outs may have been, but as a fact the case was not decided by the Magistrate himself, I believe. If the class from which civilian native Magistrates are appointed are not better than, they appear to be, what about the rank and file of the native justiciary? Why do natives frequently ask that this or that native officer should not try their case? It is no earthly use blinking matters. As things stand at present you cannot possibly depend fearlessly on all natives to administer justice even to their own race, very much less to Europeans. Let those who are upright and honest among them do all in their power to improve the state of the service, if necessary exposing the black sheep, and possibly in the course of some generations there may be such a change that an Englishman will enter a Native's Court with just as much confidence as he would a European's but until that halcyon time comes let all Englishmen hold hard on to their present privileges.

You say, sir, that the measure if passed will exacerbate feelings of jealousy between official and non-official of Europeans as well as between black and white. I hope you are mistaken, however. I believe European Magistrates are entirely with their fellow-countrymen on this point. Have they been asked their opinion, as Government asks it on all other matters? If they have not, what is the reason? Hardly, I opine that the India Government knew it would be superfluous to invite such opinions, because they would all, as a matter of course, betray their countrymen and advise them to be made liable to injustice and insult. The opinions of a few high officials, all afraid to offend Government lest they should lose the expected seat in Council or some such pleasing prospect, with, however, thank goodness, some worthy exceptions, are not worth the paper they are written on for the purpose of honestly finding out whether the proposed change is desirable or not. If the Volunteers do not resign in a body which would be inpolitic, yet I expect they will gradually melt away. As to Local Self-Government, it is doubtful if this intricate patchwork legislation can be carried out. Many men with intimate knowledge of the country had loyally resolved to pocket their

feelings and support the Government in its experimental scheme of administration, but now things will, I predict, be widely different. Of course, as every correspondent has pointed out, and the Chamber of Commerce insisted upon, European capital need not be expected to enter India if the conquered race is to sit in judgment on the conquerors. No amount of Exhibitions or reduction of customs will prevail against such a suicidal measure. In fact, Lord Ripon's Government seems now to have just stultified itself. It had done some good and was expected to do more, but now it is anxious to undo everything again and create an agitation which will in the long run probably cause bloodshed. It may be many years hence, but it may not be so very long, as students of English and Indian history are aware.

Sir, I hope and am confident that you will never cease agitation until crowned with success, while we will all assist the Chamber of Commerce with our moral and if necessary our pecuniary support—in preventing a few so called Englishmen from selling us hand and foot to our own subjects, apparently spoilt by over kindness.

JOHN BULL.

February 27, 1883.

A well attended meeting of Tea Planters was held at Ranicherra, Duars, on 26th February, to protest against Mr. Ilbert's Bill, when the following Resolution was adopted.—

"That in the opinion of this meeting the alteration in that law proposed by Government in the Bill entitled, 'A Bill to amend the Code of Criminal Procedure so far as it relates to the exercise of jurisdiction over European British subjects,' calls for an expression of our unqualified disapproval and indignation at the attempt of the Government to interfere with the Englishman's proud privilege of being tried by his peers, and to make him amenable to punishment at the hands of a native judiciary, thus attempting to lower his prestige before the natives. And further, as regards, the community of Tea Planters, who have to work their native labourers through moral force, we would strongly point out the depreciating effect such a measure would have been on the powers necessary for the due performance of duty by European employed of labour in the mofussil."

THE CALCUTTA TRADES ASSOCIATION.

A meeting of the members of the Calcutta Trades Association was held yesterday at the rooms of the Association, for the purpose of considering the proposed amendment of the Criminal Procedure Code. There was a large attendance, Mr. Pratt, Master, in the Chair.