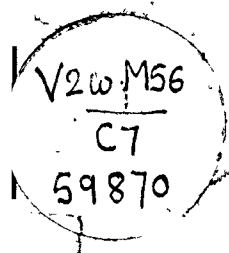


IMPERATRIX

versus

BAL GANGADHAR TELAK.

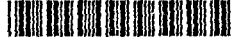
Proceedings in the Bombay High Court.



MESSRS. BHAIHANKER AND KANGA,

Attorneys for the Accused.

Dhananjayrao Gadgil Library



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IMPERATRIX

versus

BAL GANGADHAR TILAK.

Proceedings in the Bombay High Court.

MESSRS. BHAISHANKER AND KANGA,

Attorneys for the Accused.

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In the High Court of Judicature at Bombay.

CROWN SIDE.

IN THE MATTER OF CRIMINAL CASE.

IMPERATRIX

vs.

BAL GANGADHAR TILAK AND ANOTHER.

To

THE HON'BLE THE CHIEF JUSTICE AND OTHER
JUSTICES OF THIS HONOURABLE COURT.

*The Petition of the abovenamed BAL
GANGADHAR TILAK now undergoing
sentence of imprisonment in Her Majesty's
Common Jail at Bombay.*

SHEWETH,

That on the 27th day of July 1897 a warrant was issued for the arrest of your petitioner by the Chief Presidency Magistrate of Bombay upon a complaint or information laid before the said Magistrate on the same day by Mr. Mirza Abas Ali Baig, the Oriental Translator to the Government of Bombay, charging your petitioner and others with having committed an offence punishable under Section 124A of the Indian Penal Code in respect of certain printed matter in the issue of a weekly Marathi journal styled the "Kesari" for the 15th day of June 1897.

2. That your petitioner was thereupon and on the said 27th day of July 1897 arrested in pursuance of the said warrant, and was committed to prison, bail being objected to by the prosecution and refused him by the Magistrate; and thereafter on the 31st day of July 1897 certain evidence was recorded by the said Magistrate against your petitioner and one Keshow Mahadeo Bal, including certain translations of the said printed matter made by one of the sworn translators of this Honourable Court on the 30th day of July 1897, and also what purported and was alleged to be a sanction or authority to the said Mr. Mirza Abas Ali Baig to prosecute your petitioner and one Hari Narayan Gokhale of which the following is a true copy :—

"Under the provisions of Section 196 of the Code of Criminal Procedure Mirza Abbas Ali Baig, Oriental Translator to Government, is hereby ordered by His Excellency the Governor in Council to make a complaint against Mr. Bal

Gangadher Tilak, B.A., LL.B., of Poona, Publisher, Proprietor, and Editor of the 'Kesari,' a weekly vernacular newspaper of Poona, and against Mr. Hari Narayan Gokhale of Poona, Printer of the said newspaper, in respect of certain articles appearing in the said newspaper, under Section 124A of the Indian Penal Code and any other section of the said Code which may be found to be applicable to the case.

By order of His Excellency the Governor in Council,

(Sd.) S. W. EDGERLEY,

Secretary to Government.

POONA, July 26th 1897."

3. That, after the said evidence had been recorded, your petitioner was again committed to prison, bail being refused by the said Magistrate, the prosecution on that occasion also objecting to your petitioner's release on bail.

4. That on the 2nd day of August 1897 further evidence was recorded in support of the said complaint, and your petitioner made a statement admitting, to avoid waste of public time, that he was the Publisher and Proprietor of the said journal the "Kesari," and that the same was published in Bombay and other places, and on the same day your petitioner and the said Keshow Mahadeo Bal were charged by the said Chief Presidency Magistrate with offences under Section 124A of the Indian Penal Code in respect of the said printed matter, and were committed to the then ensuing Sessions of this Honourable Court to be tried on the said charge. On the 4th day of August last your petitioner was admitted to bail by this Honourable Court notwithstanding further strenuous opposition by the prosecution thereto.

5. That your petitioner and the said Keshow Mahadeo Bal were thereafter and on the 8th, 9th, 10th, 11th, 13th and 14th days of September 1897 tried upon the said charge by the Hon'ble Mr. Justice Strachey, one of the Judges of this Honourable Court and a Special Jury, and on the said 14th day of September 1897 your petitioner was found guilty by a majority of six to three of the said Jurymen of attempting to excite feelings of disaffection to the Government established by law in British India under Section 124A, and was sentenced to undergo eighteen months' rigorous imprisonment.

6. That in the course of the said trial the said alleged sanction or authority to prosecute your petitioner was tendered in evidence on the part of the prosecution and was objected to on behalf of your petitioner on the ground that the same was not a sufficient order or authority under Section 196 of the Code of Criminal Procedure for the complaint against your petitioner in respect of the

offence charged against him, but the said objection was overruled, the said learned Judge holding that the said alleged sanction was sufficient within the said section, and that even if it was not, the defect, if any, was cured by the provisions of Section 532 of the said Code. Your petitioner humbly submits that the reception of the said sanction in evidence greatly prejudiced him in his trial.

7. That in the course of the said trial certain other printed matter appearing in the issues of the "Kesari" for the 6th of April, the 4th of May, and the 25th of May 1897, respectively, were tendered in evidence by the prosecution as showing the animus of your petitioner, and were objected to on your petitioner's behalf on the ground that the same consisted of contributions to the said journal from different correspondents, and were not admissible to show the animus of your petitioner, but the said objection was overruled, and the said evidence admitted. Your petitioner humbly submits that the reception of the said evidence greatly prejudiced him in his trial.

8. That in the course of his address to the Jury on behalf of your petitioner your petitioner's Counsel was proceeding to read to the Jury from the proceedings of the Legislative Council of India extracts from the speeches made by Sir James Stephen in introducing the Bill, which subsequently became the Act under which Section 124A was introduced into the Indian Penal Code, on the ground, amongst others, that the same showed the circumstances under which the said section was enacted, but the said learned Judge ruled that your petitioner's Counsel was not entitled to read the same as part of the speeches of the said Sir James Stephen, though he might do so as part of his own argument only, and as representing only the views which your petitioner's Counsel desired to put before the Jury.

9. That in the course of his summing up to the Jury the said learned Judge, among other things, directed the Jury, and as your petitioner is advised, misdirected the Jury as follows, that is to say :—

- (a) That 'disaffection' meant simply absence of affection.
- (b) That it meant hatred, enmity, dislike, hostility, contempt and every form of ill-will to the Government.
- (c) That disloyalty was perhaps the best general term, and that it comprehended every possible form of bad feeling to the Government.
- (d) That a man must not make or try to make others feel enmity of any kind against the Government.
- (e) That the word Government meant British rule or its representatives or administrators.

- (f) That the explanation to the said Section 124A did not apply to any writing which did not consist merely of comments on the measures of Government, but of attacks upon the Government itself.
- (g) That, if the Jury came to the conclusion that those articles, the subject of the charges, were an attack not merely upon such measures as the Epidemic Diseases Act or any particular tax or administrative measures, such as the steps taken by the Government for the suppression of plague or famine, but upon the Government itself, its existence, its essential characteristics, its motives or its feelings towards the people, then they must put aside the explanation altogether and apply the first clause of the section.
- (h) That a man might express the strongest condemnation of such measures, as the Income Tax Act, the Epidemic Diseases Act, or any military expedition, or the suppression of plague or famine, or the administration of justice, and that he might do so severely and even unreasonably, perversely and unfairly; but that, if he went beyond that, and whether in the course of comments upon measures or not held up the Government itself to the hatred or contempt of his readers, as for instance, by attributing to it every sort of evil and misfortune suffered by the people, or dwelling adversely on its foreign origin or character, or imputing to it base motives, or accusing it of hostility or indifference to the welfare of the people, then he was guilty under the section and the explanation would not save him.
- (i) That this view of the law secured all the liberty which any reasonable man could desire, and that to allow more would be culpable weakness, and fatal to the interests not only of the Government but of the people.
- (j) That, if the Jury thought that the readers of the articles charged would naturally and probably be excited to entertain feelings of enmity to the Government, then the Jury would be justified in presuming that your petitioner intended to excite feelings of enmity or disaffection.
- (k) That the Jury must ask themselves, having read the articles, whether the writer was trying to stir up the feelings of the readers against the Government, or was trying to do something altogether different.

- (l) That in the poem "Shivaji's Utterances" no particular measure was referred to, and the charge was brought against Government that in this time of scarcity, famine and distress they were taking wealth out of the country, and that though there was no objection to newspapers writing articles upon the expenditure of the country when the object of the writer was to obtain some measure of financial reform, they must take this reference to taxation in connection with everything that followed and also with the fact that no particular taxation was referred to.
- (m) That referring to the said poem nothing suggested itself to the mind of his Lordship why all these topics were accumulated at that particular moment, his Lordship not seeing that there was any discussion at all.
- (n) That in the said poem nothing was said in the way of criticism of a rash and negligent act, such as was dealt with in the "Kesari" article of 1894.
- (o) That, with reference to the concluding portion of the article, the greater part could have no meaning at all unless the Government had not done what it was there exhorted to do, namely, to make the people happy, but it was stated that they were not happy, and that his Lordship did not see anything which necessarily referred to a petition by the people; that there was a message from Shivaji to the British Government, and as he reminded the English of the benefits they received from him, the allusion was placed beyond doubt, and that there was not the slightest doubt that the writer intended to stir up enmity to the British Government.
- (p) That, in considering the intention of the second article, the Jury had to put it side by side with the first article, but his Lordship omitted to point out that in the original paper an editorial article upon Her Majesty's Jubilee which was put in on behalf of your petitioner was inserted between the two.
- (q) That the Jury must take into account the way in which (in the second article charged) your petitioner dodged about from present to past and from past to present.
- (r) That the allusions to Sri Shivaji and Napoleon and the killing of people in the French Revolution might have been justified, but

why should the speaker allude to the present time and the Maharashtra.

- (s) That your petitioner had clearly said that no blame attached to any one who killed his teachers.
- (t) That the sentence, "If thieves enter our house, and we have not (sufficient) strength in our wrists to drive them out, we should, without hesitation, shut them up and burn (them) alive," might have reference to a resistance to the Government.
- (u) That though his Lordship in the earlier part of his charge had told the Jury that he did not wish in any way to suggest that there was the relation of cause and effect between the articles charged and the abominable murder of Mr. Rand and Lieutenant Ayerst, and that the Advocate-General had said he could not prove that those murders were caused by these articles, and for that reason his Lordship asked the Jury to put that idea out of their minds, yet in the latter part of his charge his Lordship said that it would be for the Jury to determine what an ordinary reader would think of the justification of Shivaji committing the murder and of the people being invited to unite and other things mentioned in the said second article charged, considering the state of the country and the state of feeling prevailing particularly at Poona and in Western India; and stated that your petitioner had said that they (meaning his hearers) must be guided by Shrimat Krishna's advice in the "Mahabharat," and had added that no blame attached to any person for doing anything if he was not actuated by a desire to reap the fruit of his deeds.
- (v) That the Jury should bear in mind that the article of the 4th of May was much nearer the date of the publication of the alleged articles charged than the other plague articles, and showed that your petitioner's feelings towards the Government at that time were the reverse of friendly, his Lordship passing over, as of no importance, the article of the 18th of May put in on behalf of your petitioner showing that he was on friendly terms with Mr. Rand, that the plague had then almost subsided, and that the soldiers were about to be withdrawn on the 20th of May.
- (w) That no evidence was given as to the state of public feeling at Poona on the dates when the speeches were delivered and published in the "Kesari" of the 15th June 1897, yet his

Lordship referred to the existence of a state of agitation and unrest, and did not point out to the Jury the fact which appeared in evidence that it was officially notified to the public on 18th May 1897 that the plague operations would cease and the soldiers would be removed on 20th May 1897.

10. That before the verdict of the Jury was delivered your petitioner's Counsel applied to the said learned Judge to reserve the following questions of law, namely :

- (1) Whether there is any sufficient order or authority within the meaning of Section 196 of the Criminal Procedure Code for the complaint made in this case ;
- (2) If not, whether this Court had power nevertheless to accept the commitment under Section 532 of the Criminal Procedure Code and to proceed with the trial ;
- (3) Whether the direction to the Jury that disaffection means simply absence of affection in any degree towards the British rule or its administrators or representatives is correct ;

for the opinion of this Honourable Court, but that his Lordship declined to do so.

11. That your petitioner thereafter through his Solicitor, Mr. Bhaishanker Nanabhai, applied to the Hon'ble the Advocate General for a certificate under Section 26 of the Letters Patent, but the Hon'ble the Advocate-General declined to grant it.

12. That your petitioner is advised and verily believes that, in addition to the specific instances abovementioned, the learned Judge also misdirected the Jury upon other points, and that, if the learned Judge had not so misdirected the Jury as abovementioned, the majority of the Jury would not have found a verdict against your petitioner.

13. That this case is one of the greatest importance not only to your petitioner but to the whole of the Indian Press and also to all the Indian subjects of the Crown, inasmuch as according to his Lordship's charge a petition for the redress of grievances however unobjectionable in other respects would subject the person or persons presenting the same to the punishment provided by Section 124A of the Indian Penal Code.

14. That your petitioner is also advised and verily believes that, if the -said charge be held to be a correct exposition of the law, it will seriously interfere, if not entirely do away, with the liberty of the press and the right of freedom of speech and public meeting in India.

Your petitioner therefore humbly prays that your Lordships will be pleased to declare under clause 41 of the Letters Patent that this case is a fit one for appeal to Her Majesty in Council.

And your petitioner, as in duty bound, will ever pray.

(Sd.) BAL GUNGADHAR TILAK.

(Sd.) BHAISHANKER & KANGA,
Petitioner's Attornies.

I, Bal Gangadhar Tilak, the petitioner abovementioned, do solemnly affirm and say that what is stated in the foregoing petition is true to the best of my information and belief.

(Sd.) BAL GUNGADHAR TILAK,

Solemnly affirmed at Bombay aforesaid
this 17th day of September 1897

Before me

(Sd.) F. H. DE BRITTO,
Commissioner.

(Sd.) A. F. M.,
Superintendent.

17-9-97.

In the High Court of Judicature at Bombay.

CROWN SIDE.

The said Bal Gangadhar Tilak and Keshav Mahadev Bal are charged by the Clerk of the Crown as follows :—

Firstly.—That he the said Bal Gangadhar Tilak heretofore to wit on or about the 15th day of June 1897 at Bombay, then and there being the Proprietor and Publisher of a certain vernacular newspaper entitled the *Kesari* by words intended to be read excited feelings of disaffection to the Government established by Law in British India, to wit, by publishing in Bombay, in the issue of the said newspaper the *Kesari* of the 15th day of June 1897, certain articles appearing in the said issue on page 2 under the heading or title, “Shivaji’s Utterances,” and on page 3 of the said issue certain paragraphs beginning with the second paragraph commencing in the first column and ending at the end of the first paragraph commencing in the third column and thereby committed an offence punishable under section 124-A of the Indian Penal Code.

Secondly.—That he the said Bal Gangadhar Tilak heretofore to wit on the day and year aforesaid at Bombay aforesaid, then and there being the Proprietor and Publisher of the said newspaper entitled the *Kesari* as aforesaid by words intended to be read attempted to excite feelings of disaffection to the Government established by Law in British India, to wit, by publishing in Bombay, in the said issue of the *Kesari*, the aforesaid articles and thereby committed an offence punishable under section 124-A of the Indian Penal Code.

Thirdly.—That he the said Keshav Mahadev Bal heretofore to wit on the day and year aforesaid at Bombay aforesaid, then and there being and acting as the Printer of the said newspaper entitled the *Kesari* by words intended to be read excited feelings of disaffection to the Government established by Law in British India, to wit, by printing for publication in Bombay aforesaid in the said issue of the said newspaper the aforesaid articles and thereby committed an offence punishable under section 124-A of the Indian Penal Code.

Fourthly.—That he the said Keshav Mahadev Bal heretofore to wit on the day and year aforesaid at Bombay aforesaid, then and there being and acting as the Printer of the said newspaper entitled the *Kesari* as aforesaid by words intended to be read attempted to excite feelings of disaffection to the Government established by Law in British India, to wit, by printing for publication in the said issue of the said newspaper the aforesaid articles and thereby committed an offence punishable under section 124-A of the Indian Penal Code.

Given under my hand this 4th day of September, 1897.

(Sd.) M. H. STARLING,
Clerk of the Crown.

QUEEN-EMPRESS

versus

BAL GANGADHUR TILAK

AND

KESHAV MAHADEV BAL.

SEPTEMBER 8th, 1897.

Charge.—Section 124-A, Penal Code.

Tilak claims to be tried.

Bal claims to be tried.

Jury impannelled.

Lang, Advocate-General ; Macpherson and Strangmen for the Crown.

Pugh with *Davar* for accused No. 1.

No one appears for accused No. 2.

Lang, A. G., opens.

Refers to an article in *Kesari* of the 4th *May* and 22nd *June*.—Explanation of the passage about “*Mlenchas*.”

Other Articles to show Animus.

(a) *Kesari*, 6th April 1897.

Pugh objects to letters or articles which appear to proceed from outside.

Lang, A. G., in reply :

I admit the evidence—

(b) 4th *May* 1897.

(c) “*Mahratta*,” 23rd *May*.

(d) “*Mahratta*,” 30th *May*.

(e) “*Mahratta*,” 30th *May*.

(f) *Mahratta*,” 30th *May*.

Tilak's nomination to Council, 23rd *May*.

Accepted by the Governor, 24th *June*.

Mirza Abas Ali Beg S. A.

Xd. Lang, A. G. :

I am the Oriental Translator to the Government of Bombay.

I instituted this prosecution under the orders of Government in respect of these articles of the 15th *June*.

Lang, A. G., tenders the order.

Pugh objects.

* * * * *

Lang, A. G., in reply.

Tenders another order, 30th *August*.

Pugh in reply objects.

P. C.—I admit the first sanction tendered to the witness.

Ex. A.

(*Lang* puts in order relating to accused No. 2.)

Ex. B.

(Puts in the original two articles.)

Ex C. D.

XXd. Pugh.

I am Oriental Translator to Government.

My vernacular language is Urdu.
The classical basis of that is Persian.
I have studied Marathi.
The classical basis of that is Sanscrit.
I reside at Poona for the present.
I have resided there a very long time.
I was educated there as a boy.
I know the first accused Tilak latterly.
Not more than 1½ years or two.
I have not known him before except by reputation.
I have known him as a public man 3 or 4 years.
I can't say if that was before the first Sivaji celebration.
I believe he is a permanent resident of Poona.

The "Ayra Bhushan Press" where the "Kesari" and "Maharatta" are published is, I believe, at Poona.

It was under the order of Government that I laid the complaint in Bombay.
As Oriental Translator it is my duty to translate any papers sent to me.
The selection of papers is not with me, but with Government.

I don't remember the date when the paper of the 15th June was sent to me.
So many papers are sent to me.

It may be a fortnight before I got the order, a little more or less.
I read some of the Bombay Papers.

I know some have been calling for the prosecution of certain seditious papers, not of Tilak particularly.

It did not strike me that they particularly asked for Tilak's prosecution.
I think the "speeches" were commented on in the newspapers.
So far as I know "Shivaji's utterances" were not commented on.

I believe Tilak's speech only was objected to in a letter in the "Times of India" by "Justice."

Bhanu's speech was not objected to.

I think I translated Tilak's speech before I read that letter. As to that I am not very clear.

I remember questions being asked in the House of Commons after my translation. Bhowmagaree's question was after my translation.

I took no interest in the Shivaji's celebration movement.
The history of Shivaji is well known to everybody.
I don't remember any meeting in 1885 about repairing Shivaji's tomb.
I never heard of the "Book of Bombay" by Mr. Douglas.

I remember reading about a movement to repair Shivaji's tomb. I can't say how long ago.

I have read in the papers that Lord Reay took an interest in the movement.
I have never seen the tomb.

I have read about "Aoworth's Marathi Ballads" in the papers. I have not seen the book.

(Put in article in "Kesari," 23rd April 1895.) **Ex. No. 1.**

(Pugh reads and puts in article in the "Times of India," 29th May 1895.) **Ex. No. 2.**

("Times of India" 11th June (1895). **Ex. No. 3.**

I have never seen or heard before of this school book "Balaboodha."

Molesworth's Mahratti Dictionary is the leading authority in Mahrathi.

The translation of the articles before the Court is not mine; it is the High Court Translator's.

I have read the articles the subject of this prosecution.

I have been through them.

I see this paper in which the literal and the official translations are put side by side.

At page 4 I see the official translation "Foreigners are dragging out Lakhshmi violently by the hand by means of persecution."

I don't think the literal translation is the more correct. The original is much stronger. It is capable of two meanings, which are not given in the literal translation.

I can point words in the original which have two meanings.

"Kara" means (1) "by the hand," also (2) "by taxes."

"Chhatun" means "by persecution."

"Lakhshmi" means "Goddess of Wealth or wealth."

The second meaning would be "Foreigners are taking away the wealth of the country in the shape of taxes by oppressing and harassing."

The first meaning is "Foreigners are harassing Lakhshmi and dragging her out violently by the hand."

"Chalni" means harassing.

9th September 1897;

(Pugh puts in article in "Kesari," 15th December 1885.)

(Article 23rd April 1895 read Ex. No. 1). **Ex. 4.**

(Put in article, 30th April 1895.) **Ex. 5.**

(Put in article, 4th June 1895.) **Ex. 6.**

(Put in article, 14th April 1896.) **Ex. 7.**

(Put in article, 21st April 1896.) **Ex. 8.**

(Put in notice of a lecture "Times of India," 21st April 1894.) **Ex. 9.**

(Put in 7th March 1896) "Times of India" **Ex. 10.**

(Put in 10th March 1896) Do. **Ex. 11.**

(Put in 7th April 1896) Do. **Ex. 12.**

(Put in "Kesari," 24th March 1896). **Ex. 13.**

(Put in speech of Professor Bhanu—report in *Deccan College Quarterly* for 8th April 1896, pp. 7 and 31.) **Ex. 14.**

(Put in article, "Times of India," 5th March 1897, by "A. T. O." **Ex. 15.**

(Put in "Times of India," 8th July 1897, letter from Professor Bhanu explaining his speech). **Ex. 16.**

- Ex. 17. ("Times of India" 30th June 1897, letter by Tilak.)
- Ex. 18. (Letter from Private Secretary of the Governor, 9th March 1887.)
- Ex. 19. (Put in "Mahratta," 4th April 1897, with account of deputation to Mr. Rand.)
- Ex. 20. (Article 9th February 1897 in the "Kesari.")
- Ex. 21. (Article "Kesari," 16th February 1897.)
- Ex. 22. (9th March 1897, article in "Kesari.")
- Ex. 23. (15th March 1897, "Kesari.")
- Ex. 24. (8th May 1897, "Kesari.")
- Ex. 25. (1st June 1897, "Kesari.")
- Ex. 26. (Article 8th June 1897 "Kesari," 15th June 1897, 22nd June 1897.)

(XXtion continued.)

Personally I don't know Professor Bhanu.

He is a Professor at the Ferguson College, a State-aided College.

Professor Bain is a Professor in the Deccan College.

That is a Government College.

When papers are sent to me for translation I send the translation with despatch in one, two, three or 4 days.

I have nothing to do with getting up a summary of articles in the native papers for Government.

I know the Dictionary of the Mahrathi language by Seven-Shastris published in Bombay, 1829.

That is an authority.

I am not sure it is the basis of Molesworth's Dictionary.

I read the letter of "Justice" in the "Times of India."

After I made the translations of the "Kesari" of 15th June.

When I was examining the "Kesari" of the 22nd June my attention was attracted to a letter by "Justice" which is mentioned in that number.

I read one letter of "Justice."

"Justice" said there was nothing objectionable in Bhanu's speech.

- Ex. 27. (Put in literal and free translations of incriminated articles, *i.e.*, "Shivaji's Utterances" and Bhanu's speech in the said article.)

- Ex. 28. (Put in translation of the word *Dada* in the Dictionary of the "Mahrathi language.")

If I were to say simply "is *pressing down*," I would say "Rastras jar koni dadpat asel." If I were to say "is *pressing down* from above," I would say "Rashtras varun khali jar koni dadpat asel."

"Varun" above down is to emphasize the pressure.

"Utarne" is to come down. We say "khali utarne" to come down, that is the idiom.

"Varun utarne" might be used. I have known it used.

That would mean "come down from above." The other expression is more commonly used. There is nothing wrong in "Varun khali utarne." It is less common than without the "Varun." I see this Esop's Fables in Marathi. I see a passage about coming down from a loft or storey. The words "Varun," "Khali," "Utarne" are all used. "Dadpat" is the participle of a verb which means "to press down."

I agree that the secondary meaning may be to exalt one's self at the expense of others. (Put in translation of Utarne in the Mahrathi Dictionary.) **Ex. 29.**

As regards the words "Swantanrya" "swa" means "own," "tantrya" control. If I were to talk of one person being under the "control" of another, I could not use the word "tantra."

If I were to say "there is no liberty for women," I would use the word "tantra."

It would mean that they were under the control of some other.

In Mill's *Essay on Liberty* I would translate "Swayatanrya," so again in freedom of thought or opinion, or speech or freedom of discussion, liberty of the press, freedom of will, freedom of action, individual or personal liberty, social or religious liberty.

Re Xd. Lang, A. G. :

In freedom of speech and the other expressions put to me "Swa Tantrya" would not be used alone, but with other expressions. In Molesworth "Dadput" is translated as "press down," "to compress," "to keep under," "bring into subjection," "oppress."

The first meaning is to press down.

"Chalani" means persecute, harass.

Molesworth gives harass.

Candy gives it as the second word under persecute.

To Court : I would translate "Svya Tantrya" by itself as *liberty, independence.*

"Svya Tantrya" by itself would not necessarily mean *political* liberty or independence ; it would depend upon the context. "Dada" I should translate *redress of grievances.* It would not necessarily carry with it any suggestion of the way in which grievances could be redressed.

By itself "Dada" means complaint or lamentation. When used with the verb "*lavna*" it means redress of grievances. "*Lavna*" by itself would mean *apply.* I would take the sentence in the original at p. 8 "get that redressed" to mean "redressed by your own efforts and not redressed by representation to higher authority."

If it meant "redressed by representation to higher authority" I should expect to find "'Dada' Magun Ghya."

"*Lavna*" means *to apply,* not in the sense of making an application to a person but in the sense of applying colour or anything else.

10th September 1897.

To Pugh with permission of Court :

I see this translation of the passage about God not granting Mlenchas a copper-plate of the kingdom of Hindustan.

It is not correct in a material point.

"Dilela" means *has given,* not *did give.*

It is the present perfect tense.

"Dilela Nahin" means "has not given."

"Nahin" is not an adverb.

"Dilela" is the present perfect tense of the verb "Dene."

It is not the participle.

"*Dilela*" may according to the context mean "given" or "granted."

By itself it means "given."

"*Dene*" is the infinitive ; "*dilele*" the participle.

If the sense were "did grant" the words would be "*dile nahi*."

The effect of the additional "*len*" is to make it "has given."

The second translation "It is not that God did grant it" is wrong. I object to the word "did."

The words immediately following are in English : "The Maharajah strove to drive them away from the land of his birth." Strove is in the past tense.

He did not thereby commit the sin of coveting it. That also is the past tense ; so in the sentence "Shri Shivaji did nothing with a view to fill the small void of his own stomach."

(*Accused No. 2, does not wish to cross-examine*).

Re-Xd. Lang, A. G. :

The sentence "If thieves enter our house" is it correctly translated.

"Has not given" is correct. The tense of the verb regulates the sense of the sentence.

"Did not give" would be *dilenahi*.

Ex. 30

(Pugh puts in his translation.)

I see the "*Kesari*" for 22nd June 1897. The sentence "No one has conferred upon the Musalmans the sanad to rule" is in the original.

"Musalmans koni rajya karuyachi sanad dile navti."

Ex. E.

That is correctly translated had not given.

Lang puts in article in "*Kesari*," 22nd June."

To Pugh :

I have not seen this grammar of the Mahrathi language now shown to me.

To Court :

I look at page 7 of the literal and free translations.

"Gora" necessarily means Europeans. It means Europeans generally. I have never heard of it applied to Mahomedans.

"*Sryarajya*" means his own "rule." "Cut him off" is "*Chhatun kadha*." I say that means "kill." If it is taken with the context it means kill.

According to the context it might mean "put aside" or "separate" or it may mean "kill."

I think Molesworth gives ten different meanings to it.

In this context it means "to kill."

I say so because "*dadpat asel*" is used and the two words "*varun khali*" indicating some agency pressing down a sufferer from above. That agency has to be got rid off. The person oppressed has to liberate himself. So I say "*Chhatun kadha*" can only mean here "destroy," "cut him off." I think the sentence is put in a most emphatic way.

"*Dadpat*" is a very strong word ; it means pressing down in such a way as to produce a feeling of suffocation or distress.

In this context I think that the word can only mean "kill" or "destroy." I do not think any reasonable man reading the original could attach any other meaning to it.

The sentence "no blame attaches to anybody if he is doing deeds without being actuated by a desire to reap the fruit of his deeds" is correctly translated.

To Pugh: "Rajakiya swatantrya" means political independence.

"Raja" means kingdom.

"Independence of one's country" would be "deshache swatantrya."

To Court: If the word "Swatantrya" were by itself, I could not tell without the context whether it meant political independence.

To Lang, A. G.: "Swya" means "one's"; "tantrya" means "independence."

Molesworth translates it as "independent," "uncontrolled," "free," "absolute."

Lang, A. G., puts in certified copy (22nd October 1887) of declaration under Ex. F. Act 25 of 1887.

(Puts in similar declaration (3rd September 1891) as to the "Maratha").	Ex. G.
(Puts in article in "Kesari," 14th June 1892).	Ex. H.
(Puts in article in "Kesari," 2nd October 1894, about the Wai incident).	Ex. I.
(Puts in article in "Kesari," 6th April 1897).	Ex. J.
(Article, 4th May 1897, headed "Shri Ramjayanti").	Ex. K.
(Article, 4th May 1897).	Ex. L.
("Mahratta," 23rd May 1897, "Free Thoughts").	Ex. M.
("Mahratta," 30th May 1897).	Ex. N.
("Mahratta," 30th May 1897, "Arms Act for Baroda").	Ex. O.
("Mahratta," 30th May, "Indian Princes in London").	Ex. P.

Dattatria Damodher S.A.

Xd. Lang, A. G.:

I am a clerk in the office of Commissioner of Police, Bcmday.

I am a subscriber to the "Kesari."

It is sent to me by the agent at Bombay, but during the plague it was sent to me by post from Poona, direct from the office at Poona.

This is the copy of the "Kesari" for the 15th June which I received by post direct from the office at Poona.

(Lang, A. G., points out that it bears the Poona and Bombay post marks).

This is the receipt received for my subscription from the agent of the paper in Bombay.

I paid it in Bombay to the messenger of the Agent and received this receipt.

(Put in receipt).

Ex. Q.

(Pugh does not cross-examine.)

(Accused No. 2 does not cross-examine.)

Narayen Mahadeo Puranik S. A.

Xd. Lang, A. G.

I live in Poona.

I am employed as a clerk in the "Arya Bhushan Press."

I have been employed there about 6 or 7 years.

The owner of the Press is Hari Narayen Gokhle.

In last June he was not in Poona.

In his absence Keshow Mahado Bal was managing the Press.

That is the second accused.

He commenced to manage the Press since Gokhle's departure about 8 or 9 months ago. That was in either *Pos* or *Magh*.

The "Kesari" is printed and published in that Press.

So is the "Maratha."

The "Kesari" has been printed there as long as I have known it.

The "Maratha" has been printed and published there from before my time and has been ever since.

Bal Gangadhar Tilak is the owner of the "Mahratta," the first accused.

He is also the owner of the "Kesari." (Shows a book.)

This is one of the book of the Press.

It shows the distribution of the copies of the "Kesari" for the 15th June.

Ex. R. (Put in a page of the book.)

I see the second column on page 866 refers to copies sent to places in Poona.

I see 631 sent *by post* to Bombay.

The 536 were sent to Bombay to subscribers individually by post.

The 631 were sent to the agent in Bombay in a parcel.

(Shows a document.)

The signature "K. M. Bal" is that of the second prisoner.

Ex. S. (Puts in declaration in the Post Office to get privileged postage.)

(Shows a book.)

This is the cash book of "Kesari" and "Maratha" kept at the Press.

Ex. T. (Put in translation of entries.)

(Shown a paper.)

This is signed by the accused No. 2.

Ex. U. (Put in a post card dated 27th June 1897.)

The letter now shown me is also signed by accused No. 2.

Ex. V. (Put in letter 14th July 1897.)

Ex. W. This letter of 11th June is also signed by him.

Ex. X. So is of 18th June 1897.

Ex. Y. So is this Bill.

XXd. Pugh :

I am a native of Poona.

I was not born there. I was born in the district of Satara.

I came to Poona when a child of 5 or 6 months old.

I was educated partly at Poona and partly in a village near it.

Marathi is my own language.

I can't say, I know it very little.

I know Sanscrit somewhat.

In the Press I was called "Shastri Buva." Shastri means a Sanscrit scholar.

But one who knows a little of the Shastras is called a Shastri.

I know a little English.

There are divisions among the Hindoos of Poona.

There are two great parties,—the Orthodox and the Reform parties.

The Orthodox party acts according to what is stated in the Shastras.

The Reform Party tries to bring into practice things which have been prohibited by the Shastras.

The accused Tilak as far as I know belongs to the Orthodox party.

He is a graduate of the Bombay University in Arts and Law—B.A. and LL.B.

He is also a Fellow of the Bombay University.

He has been twice returned to the Legislative Council.

I have seen Professor Bhanu.

He belongs to the Reform party.

I know he has translated one work of Mr. Spencer.

This book now shown me is the translation.

I have not read the book.

I look at the table of contents.

I look at the 9th Chapter.

The heading is "Sharirik Swatantrya"

(Interpreter says Sharirik means Physical).

I look at the 10th Chapter,

I look at the 14th Chapter Right to gifts and bequests.

I look at the 15th Chapter Right to free exchange and free contract.—

(Interpreter says the word Swatantrya is used in all these headings.)

In 16th Chapter The Right of free industry the same word is used.

In 17th Chapter The Right of free Belief and Worship.

In 18th Chapter The right of free speech.

I see another book now handed to me.

It is "Bal Bodh."

I know the book.

It is written by Oke who was in Government service.

He was Deputy Educational Inspector.

This is taught to children in Government schools.

(Interpreter—"Bal Bodh" means "advice to children.")

I turn to page 20 of the book.

I see a lesson headed "Whether India is getting richer or poorer."

At page 29 I see a lesson entitled "Shivaji's utterances."

(Pugh tenders the two extracts.)

(Put in extract from pp. 20-22.)

Ex. 31.

(Put in utterances of Shivaji Maharaj at pp. 29-30.)

Ex. 32.

I see this small book. "Pushpadathika"—Garden of Flowers.

In my days it was taught in Government schools.

It is by Vinayek Kandeo Oke.

Is sold at the Government Central Book Depôt, Bombay, as shown by the catalogue.

I turn to pp. 14-15—"Patriotism."

Ex. 33.

(Put in.)

Ex. 34.

(Put in catalogue.)

I know the "Hithopadesha" edited and translated by Max Müller.

It is an old Sanscrit work.

I see page 85.

(At Pugh's request the interpreter writes the passage in Roman characters.)

Interpreter says "Santosh" means content also satiety.

"Asantosh" means discontent or non-satiety.

"Santushit" means satisfied or contented; "Asantushit" means dissatisfied.

Ex. 35.

(Put in "Hitopadesh.")

This is called Marathi 5th book.

(Interpreter: It is a book for Marathi schools compiled by Major Candy, late Marathi Translator, Government Series, 1896.)

I turn to page 312.

I see a paragraph headed "Shivaji."

Ex. 36.

(Put in.)

Xzd. accused No. 2 :

I was a paid servant in the service of the "Arya Bhushan Press."

It was not your duty to examine the proofs of the "Kesari."

There was another man for that work.

Re-Xd. Lang, A. G. :

I don't think that the Bal Bodha is taught in Government schools.

I have not seen it taught in Government schools.

I don't know whether the "Pushpavatika" is taught in Government schools or not; but I think that copies of the books were presented to the deserving students—students who had passed their examination.

I got one myself when I was a student in a Marathi school.

The school at Chindwada.

That was a Government school.

The Examiner gave it me.

To Court :

It was the duty of the Reader to examine the proof.

That was Ganesh Balwant Tarte.

I don't know whether he submitted them to anybody or not.

I had nothing to do with the proof.

I used to write off the account books, receive subscriptions and give receipts.

I had nothing to do with the printing of the paper.

I can't say what was the course of business as regard the printing.

Bal was the Printer—accused No. 2.

He attended to the printing in Gokhale's absence.

On 15th June last Bal attended to the printing.

Balwant Krishna Kolangde S. A.

Xd. Lang, Advocate-General :

I am the head Marathi Compositor, "Arya Bhushan Press," Poona.

I have been employed there 16 years. The "Kesari" is printed there and the "Maratha."

It is my duty to superintend the work done by the compositors under me.

They put the type together of the "Kesari" and "Maratha."

I get the manuscript to be printed by applying to the Manager. They get this from Tilak.

After the proofs have been corrected by the compositors I place them on the table or desk of the "Corrector."

After he has read the proofs and returned to me, I cause corrections to be made accordingly.

Fresh proofs are then taken after corrections are made.

I then send the fresh proofs to the Manager.

The proofs go from the Manager to Tilak.

He sends them back, and we make the necessary alterations.

Then other proofs are again submitted to the Corrector. Not again to Tilak.

Then the paper is printed.

Before it is printed the proofs go to Tilak's house.

I mean column proofs.

I have been in the press 16 years.

During these 16 years the "Kesari" has been published there.

I have nothing to do with the printing of the "Maratha."

Gokhale is the Registered Printer.

He left about October last.

I believe he returned 10 or 12 days ago.

In his absence the accused Bal looked after the printing at the press.

By saying I got the manuscript from the Manager and returned the proofs to the Manager, I meant the prisoner Bal.

XXd. Pugh :

I remember Tilak was not in Poona the whole of May and June.

I believe he left Poona the 4th or 5th May.

I believe he returned in or after June.

I do not remember to-day.

XXd. Accused No. 2 :

It was not your duty to examine the proofs of the "Kesari."

Re-Xd. Lang, A. G. :

It was the duty of the Corrector.

To the Jury :

I don't know what pay the accused No. 2 received.

To Court :

On the 15th June he was the Manager and Printer.

James Adolfus Guider Sworn.

Xd. Lang, A. G. :

I am Assistant Superintendent, Police, Poona.

In pursuance of a search warrant issued by the Chief Presidency Magistrate, I searched the "Arya Bhushan Press" on the 28th July and 30th July.

I found there the books which have been produced in Court.

XXd. Pugh :

I made no search after the 30th.

(The second accused does not cross-examine.)

Janardhun Krishna Purohit.

Xd. Lang, A. G. :

I am a clerk in Poona Post Office.

(Shewn Exhibit S.)

This declaration was made for the "Kesari" paper to obtain privileged rates of postage for the quarter ending 30th June 1897.

XXd. Pugh :

I have been in Poona about 15 years.

I have known Tilak 5 or 7 years.

In Poona there are two parties among the Hindus.

Tilak is the head of the orthodox party.

The leaders of the other party are Bhanu, Gokhale, Bhandarkar, and others.

The Hindu papers are divided in the same way : they attack each other's party.

During the plague I was in Poona.

I had an opportunity of knowing what Tilak was doing.

I had occasion to go to the Hindu hospital.

My wife was ill of plague at the Hindu hospital.

I learnt that that hospital was started through Tilak's exertions.

I know there was a separate kitchen in the segregation camp.

That was through Tilak's exertions.

At the time of the plague, most of the leading men, Hindus of Poona, had left the place.

I know Tilak was telling people that what Government was doing was proper, and they should raise no obstacle to what Government was doing.

About the people who were leaving Poona, Tilak was saying that they did not act properly in leaving.

XXd. Accused No. 2.

Here is the declaration.

It is signed by you "for Manager."

Re-Xd. Lang, A. G. :

I had to pay Rs. 5 for admission of my wife to the hospital.

Rs. 10, I believe, entrance fee, and Rs. 5 on account of daily allowance for 5 days.

If the patient was there more than 5 days, he should have to pay rupee one a day.

My wife died there.

All Hindus were admitted.

The separate kitchen in the Segregation Camp was for all the Hindus.

Food was supplied from it, some times even to Mahomedans.

Vishnu Jugannath Dattar S. A.

Xd. Lang, A. G. :

I live in Kandawadi.

I have been managing the agency of the "Kesari" in Bombay.

I have done so for several years.

Copies of the "Kesari" came to me on Tuesday evening for distribution to subscribers in Bombay.

Except during the plague the paper was sent to me by Railway parcel, and distributed by me to subscribers in Bombay for the office of the Press in Poona.

During the plague the "Kesari" was sent to subscribers by post direct.

That was the practice till the end of June last.

(Pugh does not cross-examine).

(Accused No. 2 does not cross-examine).

Lang, A. G., puts in statements of accused before the Magistrate.

I question the accused Tilak.

Q.—I understand you want to give an explanation regarding the sentence "God has not given to Mlenchas a copperplate, &c."

A.—I wish to give explanation as regards the tense of the verb used here.

The sentence reads thus : "Mlechana Hindustanchia Rajachen tambra patta purmeshwarane dilele nahin."

Mlechana is accusative of *Mlencha*. *Hindustanchia* is an adjectival form in the genitive case. *Rajachen* is in the genitive case.

Tambrapat is the nominative of "nahin,"

Purmeshwarane is in the instrumental case and connected with the next word "dilelen."

Dilelen is a past participle from "*Dene*."

Nahin is the negative.

I say "*nahin*" is a verb, it is not a fact.

It means 'is not.'

The verb "*nahin*" has no past tense in Maratha.

It is used with present, past and future participles to denote the three tenses, present, past and future.

The tense being denoted by the participle and "*nahin*" simply denying its existence.

The three forms would be "*Deta nahin*" is not giving. "*Dile* or *dilele nahin*" given is not. "*Denar nahin*" will not give. All the three expressions are used collectively in Marathi if we wish to say "I did not give," "I do not give," and "I will not give."

“Dile nahin” or “dilele nahin” means either “I have not given” or “I did not give.”

What it means depends on the context.

In the Marathi Grammar we have the present perfect got the positive form of the present perfect, but no negative form.

It has been suggested that this ought to be “dilelen nauhate.”

In the sentence beginning “Shri Shivaji did nothing, &c.,” the grammatical form used is the same.

“Did nothing” is “kele nahin.”

I quote authorities :—

- (1) New Grammar of the Marathi Language by Krishna Shastri Godbole, 2nd Edition, 1894, p. 118, article 323.
- (2) A Grammar of the Marathi Language by Dadabhai Pandurang, 8th Edition, 1885, pp. 170-171, article 450, and p. 239.
- (3) A Higher Marathi Grammar by Ramchandra Bhicaji Joshi, 1895, pp. 165, 166.

“Swatantrya” is derived from “Svya” and “Tantra” with the addition of the abstract noun termination.

We find it in Sanscrit used for the purpose of denoting “*freedom of action,*” *freedom generally.* My authority is Manu, Chap. IX, verse 3.

Yajnavalkya, 185. There it is used with reference to a woman.

It is used with reference to children to denote the termination of *patria potestas* or paternal control.

In *Valmitra*, vol. 1, p. 46.

VAROON KHALIN DADPAT ASEL.

It means that “to exalt one’s self at the expense of others.”

It does not there mean physical pressure.

“*Varoon Khalin*” simply means “down.”

I refer to page 177 of a Marathi reading book compiled by Major T. Candy and published by Government, and page 94 of the same book. Page 116 of *Esop’s Fables*. This is what I understood Professor Bhanu to mean when I presided at his lecture.

It is so stated in the concluding part of the report of my speech.

I refer to bickerings about social matters.

“*Chhatun Kadha*” it does not mean “cut off” in the sense of killing.

This expression is not used in the sense of “killing.”

It here means “set aside let severally alone.”

Candy gives “*Katne*” for cut off in the sense of to kill.

“*Dada*” that excludes the idea of force.

It means a representation of injury.

“*Lavun gya*” is the casual form of “laguna.”

It is like the word “relief” in English as what one says that the plaintiff prays for relief.

In no passage in the Marathi language does it convey the idea of force.

“*Dada Magne*” and “*lagun*” are different expressions.

“*Dada*” excludes the idea of force, it is redress or relief obtained by means of representations.

“*Discontent is the root of prosperity, &c.*”

This has been wrongly rendered into one sentence, the original is in Sanscrit and not Marathi.

It forms part of a speech of Duryodhana.

He is speaking with reference to himself.

He means that he himself the King should always be dissatisfied.

The same idea is expressed in the *Hithopadestia*.

I asked accused No. 2 if he wishes to explain anything against him.

A.—I have nothing to say now.

Mr. Pugh says he does not call evidence.

Accused No. 2 says he does not wish to call evidence.

He hands in a written statement.

He adds that he received Rs. 30 a month as his pay.

Certified to be a true copy this 24th day of
September 1897.

(Sd.) M. H. STARLING,
Clerk of the Crown.

The examination of Bal Gangadhar Tilak taken before me, John Sanders Slater, Esquire, Chief Presidency Magistrate for the Town of Bombay, on Monday, the 2nd day of August 1897, charged before me the said Presidency Magistrate with exciting or attempting to excite feelings of disaffection to the Government established by Law in British India.

The accused is cautioned that whatever he now says will be taken down in writing, and will be given in evidence at his trial, and the following questions are put to him :—

Q.—Do you wish to make any statement here, in reference to the alleged offence with which you now stand charged on the Information and Depositions on oath and solemn affirmation of complainant and witnesses, which you have heard taken, read, and interpreted ?

A.—Yes.

Q.—State what you wish to say ?

A.—I am the Publisher and Proprietor of the *Kesari* and it is published in Bombay and other places. I repudiate the charges and the insinuations contained in the information. I reserve any thing further that I have to say. I make the above admission as to being Publisher and Proprietor, &c., to avoid waste of public time.

(Sd.) BAL GANGADHUR TILAK.

I certify that this examination was taken in my presence and in my hearing and contains a full and true account of the statement made by the accused.

(Sd.) J. SANDERS SLATER.

STATEMENT OF THE 2ND ACCUSED KESHAV MAHADEV BAL.

I admit that at the request of the Manager of the *Arya Bhushana* Press I acted for him at Poona from October 1896 down to the time I was arrested on this charge, and I further admit that as such acting Manager, I had in the course of my duties, to send the proofs of the matter which appeared in the newspapers the *Kesari* and the *Maratha* to the 1st accused, Mr. Tilak, or such person as he directed during his absence for correction and examination ; but I deny that I personally read or corrected the said proofs or that I knew of the contents of the said papers before they were published. I respectfully submit that there is no evidence before this Hon'ble Court of my having known of or been in any way privy to such contents and even assuming that the same or any of them were published with the intent mentioned in section 124-A of the Penal Code (which I entirely deny), I say that it is not the fact that I had any such intent and I respectfully submit to this Hon'ble Court that there is no evidence of any such intent on my part to be laid before the Gentlemen of the Jury.

I desire to add, with the greatest respect to this Hon'ble Court, that I had retained and instructed and obtained the attendance of Counsel from Calcutta to defend me in this case, but the said Counsel has not been permitted to appear in my defence, and I respectfully submit that this case should have been tried at Poona, and I am advised that had it been so tried, my said Counsel would have been able to appear for me as of right.

With these remarks I humbly submit my case to the consideration of this Hon'ble Court and the Gentlemen of the Jury.

EXHIBIT A.

Under the provisions of Section 196 of the Code of Criminal Procedure, Mirza Abbas Ali Baig, Oriental Translator to Government, is hereby ordered by His Excellency the Governor in Council to make a complaint against Mr. Bal Gangadhar Tilak, B.A., LL.B., of Poona, Publisher, Proprietor and Editor of the *Kesari*, a weekly Vernacular newspaper of Poona, and against Mr. Hari Narayan Gokhale, of Poona, printer of the said newspaper, in respect of certain articles appearing in the said newspaper, under Section 124A of the Indian Penal Code and any other section of the said Code which may be found applicable to the case.

By order of His Excellency the Governor in Council,
(Sd.) S. W. EDGERLEY,
Secretary to Government.

POONA, July 26th, 1897.

EXHIBIT B.

Under the provisions of Section 196 of the Code of Criminal Procedure, Mirza Abbas Ali Baig, Oriental Translator to Government, is hereby ordered by His Excellency the Governor in Council to make a complaint against Keshav Mahadev Bal, Clerk in charge or acting Manager of the Arya Bhushana Press in Poona, as printer of the *Kesari*, weekly Vernacular newspaper of Poona, in respect of certain articles appearing in the issue of the 15th June 1897 of the said newspaper, under Section 124A of the Indian Penal Code, and any other section of the said Code which may be found to be applicable to the case.

By order of His Excellency the Governor in Council,
(Sd.) S. W. EDGERLEY,
Secretary to Government.

POONA, July 27th, 1897.

EXHIBIT C.

(Translation of three Marathi articles in columns 1 and 2 at page 3 of the issue of the Kesari newspaper dated Tuesday, 15th June 1897, having, at the foot of page 4 thereof, a note as translated, "This newspaper was (is) printed by Hari Narayan Gokhale at the Arya Bhushana Press in Budwar (Peth) at Poona and published by Bal Gangadhar Tilak.")

The Shri Shivaji coronation festival here commenced on Saturday, the 12th instant, and was brought to a close last night. The temple of Vithal near the Lakdi-pul (i.e., wooden bridge) was decorated in excellent style for the festival. An image of Shri Shivaji on horseback was installed and around (it) were arranged pictures of Shri Shivaji Maharaja drawn by different artists. The picture drawn specially for this festival by Mr. Pimpalkhare, the accomplished local artist, representing the incident of Samarth Ramdas Swami and Shri Shivaji Maharaja meeting in the

jungle at the foot of Sajjangad and the Samarth exhorting Shri Shivaji, and the 'bust' of the Maharaja executed by Mr. Bhide, were worth seeing. (Some) students having recited *Pada* (songs) in praise (of Shivaji) at the commencement of the festival, Professor Paranjpe read the *Puran*. He had for the text of his *Puran* (reading) the story in the Mahabharat about the exasperation on (his) return (home) of the ambitious Suyodhana at the sight of the *Rajasuya* sacrifice (a) performed by Dharmaraja, his thoughts in that connection (and) the conversation he had with Shakunimama and Dhritrashtra (on the subject). The *Puran* reader having with a view to give (his) audience a clear idea of the *Rajasuya* sacrifice, compared it with the Diamond Jubilee, commenced the *Puran* (reading), observing, by way of an exordium, that his was not an attempt to uphold (or justify) what Duryodhan did, but (only) to lay before them the philosophical (1) enquiry pursued in the Mahabharat as to the potency and quality of ambition which inspires all beings, and the innate power it has of elevating a country or a party. Professor Paranjpe's style of speaking is vigorous and impressive, (and) therefore the excellence of the most beautiful picture which Shri Vyasa has depicted of an ambitious mind was, on this occasion, well impressed upon the minds of (his) hearers by the *Puran* reader. "Discontent, (aa) is the root of prosperity; but contentment destroys prosperity". (aa) These maxims were the sum and substance of the *Puran* (reading). The dissertation as to how a man even in affluent circumstances prefers death, in his exasperation to the indignity of being trampled under foot by his enemies, and how a discontented man secures co-operation and makes up for the lack of arms (and) missiles by (his) craftiness, and other matters, was specially impressive. After the *Puran* (reading) was over, Professor Jinsivale very earnestly requested the audience to study the Mahabharat. Professor Jinsivale on this occasion said that the reason why Shri Shivaji Maharaj should be considered superior to Cæsar (and) Napoleon was that, while the great men of Europe were actuated by ambition alone like Duryodhan, the uncommon attributes displayed by our Maharaj were not the blaze of the fire of ambition or discontent, but were the outcome of the terrible irritation at the ruin of his country and religion by foreginers. After the (reading of the) *Puran*, there was a Kirtan (b) by the pious Matangi Bava at night. The verses composed by the Bava himself on the coronation (of Shivaji) were couched in simple language, and as the Bava had all the accompaniments required for the *Katha* (c) with him, the *Katha* was very much enjoyed. Veda (d) Shastra (d) Sampanna Matange had specially come here from Satara for this *Katha*.

On the morning of the 2nd day there were athletic sports in Vinchurkar's *wada*. The students of the New English Schools and the Nutan Marathi *Vidyālayā* and the other schools acquitted themselves creditably in their performance with Indian clubs and on the *Malakhamb* (e). The students of the New School showed themselves to be proficient in playing *kathi* (f), *dandpatta* (g), and *bothati* (h), &c. We hope that the students of other schools will follow their example (in this matter). The students attending the various schools, as well as the people attending the gymnasium at this place, will not find a better occasion than the festival (of the anniversary) of Shivaji's birth for exhibiting their skill in manly sports. If the managers of the various schools take concerted action in this matter, it is likely to give special

(a) Sacrifice performed by a universal monarch attended by his tributary princes.—(Sd.) N. L. M.

(1) This may also be thus rendered : " but (only) to lay before them in an elementary form the enquiry pursued in the Mahabharat, &c."—(Sd.) N. L. M.

(aa) This text is in Sanskrit.—(Sd.) N. L. M.

(b) Celebrating the praises of a God with music and singing.

(c) A legend of the exploits of some God related with music and singing.

(d) Learned in the Vedas and Shastras.

(e) A pillar on which the athletes performed their feats.

(f) A stick.

(g) Exercise with a fencing stick in one hand and the weapon called *patta* in the other.

(h) A staff of bamboo with a top knot or bunch of cloth.

encouragement to physical and manly sports amongst boys. We hope that this our suggestion will be duly considered by the Principals of different schools. Well, on the night of the same day a lecture on the subject of "the *Killing of Afzulkhan*" was delivered by Professor Bhanu under the Presidentship of Mr. Tilak. The Professor ably refuted the charge of 'murder' which English historians bring against Shri Shivaji Maharaj. The Professor has abundant (or strong) evidence in his possession (to prove) that Pantoji Gopinath was not a servant of Afzulkhan, but was from the first a servant of Shri Shivaji Maharaj. (Professor (i) Bhanu having no permission to publish the papers relating to this matter for two years (more) did not place his (documentary) evidence on this (subject) before the meeting) (i). It is, therefore, evident that the charge of treachery brought against Pantoji Gopinath is literally false. How was it possible for the Maharaja even to imagine that Afzulkhan, who had undertaken an oath either to seize Shivaji and bring him alive or to kill him and bring his head to Vijapur, and who had on (his) way trodden under foot the goddess of Tuljapur and the Vithoba of Pandharpur, meant really to treat with him? What treachery did the Maharaja commit if he went to meet Afzulkhan on the Machi (j) of Pratapgad after making every preparation for battle for his (own) safety? The English historians assert that the Maharaja was the first to thrust in the *Wagnakhs* (jj); but we see it stated in two *bakhars* (i.e., memoirs) one of them written 30 years after the death of the Maharajah, and the other about a 100 years after (his) death, that Afzulkhan was the first to strike (Shivaji). Even if we assume that the Maharaja was the first to strike Afzulkhan, what right has any writer to call that man a murderer, who, while nine years of age, had divine inspiration not to bow down his head in the slightest degree before the Musalman Emperors? If Mazzini of Italy dons a mourning dress from (his) ninth year for the loss of the independence (of his country), why should not the Maharaja, even at a tender age, be stirred to put forth prodigious efforts for protecting the (k) walking and speaking depositories of knowledge (k) and the kine which are the living index of our prosperity? How can English writers have the audacity to belaud Clive and Warren Hastings who were incomparably inferior to the Maharaja, and whose careers were fraught with foul deeds? Is it not a deliberate outrage to the purity of truth that the pen of the same English writer whose (code of) morality refrains from applying the epithet "rebel" in speaking of Washington, calls Shivaji a rebel? The history of Europe cannot show even a single upright man of Shivaji's type. History will find fault with Shivaji, (but) from the point of view of ethics, his act does not merit censure. How can the European science of ethics, which has "the greatest good of the greatest number" as its basis (or principal axiom), condemn Shivaji for abandoning a minor duty for the purpose or accomplishing the major one? In the Mahabharat a man of this type is called "*Buddha*" (l). The Professor concluded (his discourse on) the original theme with the declaration that, even if the Maharaja had committed five or fifty more faults (? crimes), more terrible than those which historians allege Shivaji committed, he would have been just as ready, as at that moment, to profoundly prostrate himself a hundred times before the image of the Maharaja.

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At the conclusion of the lecture Professor Bhanu said : Every Hindu, every Maratha, to whatever party he may belong, must rejoice at this (Shivaji) festival. We all are striving to regain (our) lost independence, and this terrible load is to be uplifted by us all in combination. It will never be proper to place

(i) These brackets are in the original.
(j) Level ground at the foot or between the foot and summit of a mountain.
(jj) A weapon resembling a tiger's claw.
(l) i.e., the Brahmins.
(?) Means in Sanskrit "enlightened."

obstacles in the way of any person who with a true mind follows the path of uplifting this burden in the manner he deems fit. Our mutual dissensions impede our progress greatly. If any one be crushing down the country from above, cut him off but do not put impediments in the way of others. Let bygones be bygones; let us forget them and forgive one another for them. Have we not had enough of that strife, which would have the same value in the estimation of great men as a fight among rats and cats (u)? All occasions like the present festival which (tend to) unite the whole country, must be welcome. So saying the Professor concluded his speech. Afterwards Professor Jinsivale said:—If no one blames Napoleon for committing two thousand murders in Europe, (and) if Cæsar is considered merciful though he needlessly committed slaughters in Gaul (i.e., France) many a time, why should so virulent an attack be made on Shri Shivaji Maharaja for killing one or two persons? The people who took part in the French Revolution denied that they committed murders, and maintained that they were (only) removing thorns from (their) path; why should not the same principle (? argument) be made applicable to Maharashtra? Being inflamed with partisanship, it is not good that we should keep aside our true opinions. It is true that we must (i.e., should not hesitate to) swallow down our opinions on any occasion when an expression of them might be thought detrimental to the interests of the country (i.e., nation), but no one should permit his real opinions to be permanently trodden under foot. Professor Jinsivale concluded his speech by expressing a hope that next year there will be witnessed greater unity amongst the various parties in Poona on the occasion of this festival.

(Translation of two Marathi articles in columns 2 and 3 at page 3 of the issue of the *Kesari* of the 15th of June 1897).

After the conclusion of Professor Jinsivale's speech, the President Mr. Tilak commenced his discourse. It was needless to make fresh historical researches in connection with the killing of Afzulkhan. Let us even assume that Shivaji first planned and then executed the murder of Afzulkhan. Was this act of the Maharaja good or bad? This question which has to be considered should not be viewed from the standpoint of even the Penal Code or even the Smritis of Manu or Yagnavalkya or even the principles of morality laid down in the western and eastern ethical systems. The laws which bind society are for common men like yourselves and myself. No one seeks to trace the genealogy of a Rishi nor to fasten guilt upon a king. Great men are above the common principles of morality. These principles fail in their scope to reach the pedestal of great men. Did Shivaji commit a sin in killing Afzulkhan or how? The answer to this question can be found in the Mahabharat itself. Shrimat Krishna's advice (teaching) in the Geeta is to kill even our teachers (and) our kinsmen. No blame attaches (to any person) if (he) is doing deeds without being actuated by a desire to reap the fruit (of his deeds). Shri Shivaji Maharaja did nothing with a view to fill the small void of his own stomach (i.e., from interested motives). With benevolent intentions he murdered Afzulkhan for the good of others. If thieves enter our house and we have not (sufficient) strength in our wrists to drive them out, we should, without hesitation, shut them up and burn (m) (them) alive. God has not conferred upon the *Mlechhas* (n) the grant, inscribed on a copper plate, of the kingdom of Hindustan. The Maharaj strove to drive them

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away from the land of his birth ; he did not thereby commit the sin of coveting what belonged to others. Do not circumscribe your vision like a frog in a well ; get out of the Penal Code, enter into the extremely high atmosphere of the Shrimat Bhagvadgeeta and then consider the actions of great men.

After making the above observations in connection with the original theme, Mr. Tilak made the following remarks *relating to the concluding portion of Professor Bhanu's address* :—A country which (*i.e.*, a people who) cannot unite even on a few occasions should never hope to prosper. Bickerings about religious and social matters are bound to go on until death ; but it is most desirable that on one day out of the 365 we should unite at least in respect of one matter. To be one in connection with Shivaji does not mean that we are completely to forget our other opinions. For quarrelling there are the other days of course. We should not forget that Ram and Ravan felt no difficulty whatever to meet in the same temple on the occasion of worshipping (the God) Shankar. After the lecture, Pad (verses) of the Sanmitra Samaj and Maharashtra Mela were sung and this brought the second day's (celebration) to a close.

On the third day Professor Jinsivale delivered a very long lecture which was replete with information. As it is not at all possible to compress Professor Jinsivale's address in a brief space, we cannot give even a summary of it to-day. We are glad to say that the Kirtan of the pious Ghamendi was, as usual, worth hearing. He took up the same story (subject) of the assassination of Afzulkhan, and though it was (narrated) in the old style, it was full of new thoughts, as is usually the case with the Buva (*i.e.*, Preacher).

A true translation,

(Sd.) N. L. MANKAR,
Sixth Translator, High Court.

H. I. M.'s High Court, Bombay,
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EXHIBIT D.

(Translation of a contribution of Marathi verses printed in column 2 at page 2 of the issue of the "Kesari" newspaper dated Tuesday, 15th June 1897, having at the foot of page 4 thereof a note, as translated, " This newspaper was (is) "printed by Hari Narayan Gokhale at the Arya Bhushana Press in Budhawar "(Peth) at Poona and published by Bal Gangadhar Tilak.")

SHIVAJEE'S UTTERANCES.

By annihilating the wicked I lightened the great weight on the terraqueous globe. I delivered the country by establishing *Swarajya*(a) (and) by saving religion. I betook myself to heaven(b) to shake off the great exhaustion which had come upon me. I was asleep, why then did you, my darlings, awaken me ? I had planted upon this soil the virtues that may be likened to the *Kalpavriksha*(c), of sublime policy(cc) based on a strong foundation, valour in the battlefield like that of Karna(d), patriotism, genuine dauntlessness (and) unity the best of all. Perhaps you now wish to show me the delicious fruits of these. Alack ! What is this ? I see a fort has crumbled

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down. Through (mis) fortune I get a broken stone to sit upon. Why does not my heart break like that this day? Alas! Alas! I now see with (my own) eyes the ruin of (my) country. Those forts of mine to, build which I expended money like rain, to acquire which fresh (and) fiery blood was spilled there, from which I sallied forth roaring like a lion through the ravines, have crumbled down: what a desolation is this! Foreigners are dragging out (e) *Lakshmi* violently by the hand, (f) by (means of) (f) persecution. Along with her plenty has fled (and) after (that) health also. This wicked "Akabaya" (g) stalks with famine through the whole country. Relentless death moves about spreading epidemics of diseases.

SHLOK (METRE).

Say, Ye, where are those splendid Mavlas my second (h) lives, who promptly shed their blood on the spot where my perspiration fell? They eat bread once (i) (in a day) but not enough of that even. They toil through hard times by tying up their stomachs (to appease the pangs of hunger). Oh people, how did you tolerate in the *Kshetra* (j) the incarceration of those good preceptors, those religious teachers of mine, the Brahmins whom I protected (and) who, while they abided by their own religion in times of peace, forsook the darbha (k) in (their) hands for arms which they bore when occasion required. The cow, the foster-mother of babes when (their) mother leaves (them) behind, the mainstay of the agriculturists, the imparters of strength to many people which I worshipped as my mother, and protected more than (my) life, is taken daily to the slaughter house and ruthlessly slaughtered (there). "He himself came running exactly within the line of fire of (my) gun?" "I thought (him to be) a bear?"....."Their spleens are daily enlarged!" How do the white men escape by urging these meaningless pleas? This great injustice seems to prevail in these days in the tribunals of justice; could any man have dared to cast an improper glance (l) at the wife of another? A thousand sharp swords (would have) leapt out of (their) scabbards instantly. Now (however) opportunities are availed of in railway carriages and women are dragged by the hand. You eunuchs! how do you brook this? Get that redressed. He is mad. Lift him up and send him at once on a pilgrimage. He is fond of pleasure. Deprive him of his powers, saying that it would be for a time only. This is the way in which royal families are being handled now." What misfortune has overtaken (the land)? How have all these kings become quite effeminate like those on the chess board? How can I bear to see this heartrending sight? I turn (my) glance in another direction after telling (i.e., leaving with you) a brief message. Give my compliments to my good friends, your rulers, over whose vast dominions the sun never sets. Tell them—"how have you forgotten that old way of yours" when with scales in hand you used to sell (your goods) in (your) warehouses. (As my) expeditions in that direction were frequent, it was at that time possible (for me) to drive you back to your own country. The Hindus however being magnanimous by nature, I protected you. Have you not thus been laid under deep obligations? Make then your subjects, who are my own children, happy. It will be good for (your) reputation, if you show your gratitude now by discharging this debt (of obligation).

Mark of the Bhawani Sword.

A true translation.

(Sd.) N. L. MANKAR,

Sixth Translator, High Court.

H. I. M.'s High Court, Bombay,
Translator's Office, 19th August 1897.

29th July 1897.

(e) The goddess of wealth.
(f) There being a pun upon the word "Kara" which means both the "hand" and "taxes," the second meaning of this sentence may be got at by substituting "by (levying) taxes" for "by the hand."
(g) The elder sister of Fortune Mis Fortune, *Misfortunes* personified.
(h) "Second lives," i.e., "beloved."
(i) Meaning they take only one meal a day.
(j) A sacred place, presumably an allusion to the *Wai Kshetra*.
(k) A sacred grass used in sacrifices, &c.
(l) The text of these words literally means oblique vision.

EXHIBIT E.

(Translation of a Marathi article printed in columns 3 and 4 at page 3 of the issue of the "Kesari" newspaper, dated Tuesday, the 22nd of June 1897, having at the foot of page 4 thereof, a note, as translated, "This newspaper was (is) printed by "Hari Nārāyan Gokhale at the Arya Bhushana Press in Budhwār (Peth) at "Poona and published by Bal Gangādhār Tilak.")

A (certain) person under the signature of "Justice," that is, the deity presiding over "justice," has sent to the *Times* newspaper a translation of one (or) two detached sentences occurring in the two (or) three separate notices (leaderettes) in connection with the local Shri Shivaji festival, published in the last (issue of the) *Kesari*, and has attempted thereby to show that Mr. Tilak has probably in his mind quite a different object in originating the Shivaji festival. Who knows what connection this writer has with "deity presiding over justice"? All we can see is that just as "the deity presiding over justice" is blind, so is probably this writer also ; for he ought to have understood this, that when even a brief summary of the speeches that lasted for two hours and a half altogether—Professor Bhanu's for one hour, Professor Jinsivale's for one hour, and Mr. Tilak's for half an hour—could not possibly have been given in one column of the *Kesari*, how, then, could the "report" have been given? Well, even supposing that the sentence occurring in the separate notice (leaderette) of the *Kesari* fell from the mouth of the speaker, still to take only one sentence out of a speech which lasted for half an hour, without looking at its connection with what preceded and what followed (it) and to go on drawing inferences from it *ad libitum*, is, we must say, a sign of folly or malice. While considering how far the assassination of Afzulkhan was praiseworthy or blameworthy from the point of view of morality, Professor Bhanu had also brought forward proofs exactly similar to those of Mr. Tilak ; but the only principal point (or gist) of Mr. Tilak's speech was that if (one) going beyond even those proofs and inferences considered (the matter) from the (point of) view of philosophy as inculcated in the Bhagwadgita, still Shri Shivaji Maharaj could not be blamed for such a thing. Mr. Tilak contended that when considering (the question) whether Shivaji Maharaj was liable to blame or not, the circumstance that he was not forcibly taking away what belonged to another, but was trying to regain what he had lost, must also be borne in mind ; and while maintaining this, he (Mr. Tilak) used this sentence : "No one had conferred upon the Musalmans the Sanad (a) (*i.e.*, grant) to rule." In the notice (written) for the *Kesari* while writing, the word "Mlechh" has appeared for "Musalmans." But that person who, from that circumstance, strains the meaning which nobody has in his mind to include therein the Christians also, and attempts to make it appear to the Europeans that the Shivaji festival has not been originated with a good object, must really be very mean indeed ; and as long as such persons are to be found amongst us, so long the country will never prosper. How can the Editor of the *Times* newspaper understand these latent things? He knows only how to insert a letter when one is received (purporting to be) against such-and-such a person. But we tell the Editor of the said newspaper only this, that if this strange reasoning evolved by his "deity presiding over justice," is made applicable to the teachers of private and Government schools and colleges, then they also will all become disloyal ; because they, too, have always been teaching students the history of George Washington who swept off English rule from America, or of the English who murdered their King Charles. We are at a loss to know when our English contemporary will realize that there is no (proper) place but a rubbish basket for the letter of the sort of a person assuming the pseudonym of "Justice," who does not fully possess the common sense even to understand what historical enquiry means. Mr. Tilak, the Sarvajanic

(a) A commission or warrant ; a sealed paper of authority, commanding, authorizing, appointing, &c.

Sakta, the Shivaji festival, and now Professor Gokhale also since he has given strong evidence, are disliked by the Editor of the *Times* newspaper. Therefore it is not at all surprising that even if there be any letters censuring the abovementioned individuals or institution (s), but devoid of any foundation, still they will, at some time, be published in that newspaper. The only wonder is that although we are aware of this characteristic of Anglo-Indian newspapers, we again (and again) run up to them for the purpose of causing mischief to our neighbours. Or, what wonder is there even if letters like the letter indited by "Justice" should go to the *Times* from the place from which there was no lack of letters—anonymous or under false signatures—sent to the Plague Committee while the plague was prevalent in the city, with the express object of causing misery to people? This is certainly the outcome of the adverse times that have fallen upon the whole of the country. And we at least cannot properly estimate how much more of collyrium (*ie.*, eye-salve) will be needed (as a corrective), so that those (adverse times) may disappear and "the Shivajis"^(a) from amongst us "may take to the path of the Morays (*b*)."^(b) Well; we do not think that such cries of jackals (? *ie.*, hue-and-cry) will cause any impediment to the Shri Shivaji Maharaj festival. Only the laughers will make an exhibition of their teeth.

A true translation.

(Sd.) N. L. MANKAR,

Sixth Translator.

H. L. M.'s High Court, Bombay,
Translator's Office, 1st September 1897.

9th August 1897.

EXHIBIT F.

(One Rupee stamped paper.)

I, Bal Gangadhar Tilak, hereby declare that I am the publisher of a weekly journal in Marathi named the *Kesari* printed at the Arya Bhushana Press, Poona.

Poona, 22nd October 1887.

(Sd.) BAL GANGADHAR TILAK.

Declared before me,

This 22nd day of October 1887.

(First Class Magistrate's seal.)

(Sd.) A. H. PLUNKETT,

- City Magistrate,

True Copy.

F. C., Poona.

(Sd.) A. H. PLUNKETT,

City Magistrate,

F.C., Poona.

(a) "Shivajis" presumably means "abasera."

(b) Presumably an allusion to Chandrarao Moray and the members of his family who were killed by Shivaji, or his adherents.

EXHIBIT G.

(One Rupee general stamp paper.)

I, Bal Gangadhar Tilak, declare that I am the publisher of the periodical work entitled the *Maharatta* and published at No. 25, Budhwar Peth, Poona City.

(Sd.) BAL GANGADHAR TILAK.

POONA, 3rd September 1891.

Declared before me this 3rd day of September 1897.

(Sd.) A. H. PLUNKETT,
City Magistrate,
F. C., Poona.



Seal of Magistrate of the
First Class, Poona.

True Copy.

(Sd.) A. H. PLUNKETT,
City Magistrate,
F. C., Poona.

EXHIBIT H.

(Translation of a Marathi article printed in columns 2 and 3 at page 3 of the issue of the "Kesari" newspaper dated 14th June 1892, having at the foot of page 4 thereof a note, as translated, "This newspaper was printed and published for the proprietor at the Arya-Bhashan Press at Poona.")

There was previously published (the news) about Mr. Fagan, the Forest Officer, Satara, having fired a bullet at a Dhangar's (a) wife, thinking (her) to be a bear. Proceedings having been instituted (in this matter) the final resolution of Government is now published ; wherein, without blaming Mr. Fagan, the Government also have, exactly like the Saheb aforesaid, shed a few tears which cost nothing and merely with that have disposed of this matter. It is plain that (now that) the tears of Government and of Fagan have commingled, not even (so much as) smoke will now issue out of this affair. We too admit that the bullet which the man Fagan fired at the female Dhangar bear might have been fired at by mistake ; but even for a person committing murder by mistake the Penal Code provides a two years' sentence ; what is that for ? Indeed, sport and blunder are close at the heels of man ; but only they cost the frogs in the tanks and the bears in the forest their lives. If Mr. Fagan's mistake was like the lightning falling all of a sudden from the sky, that would have been excusable. But we have strong doubts how far a Saheb deserves thus to be excused who with his eyes open draws with his (own) hand the trigger of the gun. If Fagan had been in place of the woman and the woman in place of Fagan, would justice have been administered in the same way ? If to commit a murder by mistake were merely an offence cognizable by a Civil Court, then there was no reason whatever to include the above-mentioned offence after expressly amending the Penal Code. The fear of punishment is necessary only for the purpose of preventing the recurrence of such mistakes. We understand that Fagan has in some way settled matters with the woman's relations : but in what kind of way has not yet transpired. Besides, if the white boys should think that by thus amicably settling matters and by shedding a few gratuitous tears, if not from the eyes, from the pen at any rate, such mistakes are digested, (b) then the

(a) A caste of Shudras or an individual of it ; they are shepherds or herdsmen and weavers in wool.
(b) *I.e.*, so disposed of as to permit no fear of punishment.

black bears will have before long to leave India and to set themselves on the way to heaven. The justice administered is quite in keeping with the *regime* of Lord Harris. It is therefore no use writing further (on the subject).

A True Translation.

(Sd.) N. L. MANKAB,
Sixth Translator.

H. I. M.'s High Court, Bombay,
Translator's Office, 8th September 1897.

EXHIBIT I.

(Translation of portions of the Marathi leader (a) printed in columns 3, 4 and 5 at page 2 of the issue of the "Kesari" newspaper dated 2nd October 1894, having at the foot of page 4 thereof a note as translated, "This newspaper was printed by "Hari Narayen Gokhale at the Arya Bhushana Press in Budhwar (Peth) at "Poona and published by Bal Gangadhar Tilak.")

Some high officials of Government instead of finding out the real cause of the differences (Riots) between the Hindus and the Mahomedans and directing (their) attention to making attempts to remove it, have sided with the Mahomedans and begun to persecute the Hindus and especially their leaders, that is, mostly Brahmins. At Yeola Mr. Unwin discharges the persons imprisoned (*i.e.*, arrested) by the police, while at Wai Mr. Kennedy sentences those who were playing music as well as those who were not. If Government with such two irreconcilable decisions before them, do not open their eyes what fault is there on the part of ordinary people if a bad impression is formed in their minds about the good intentions of Government. And we also ask what for is Government wanted if four different procedures are followed in four (different) places as (in the following cases) :—At Nassik Mr. Unwin administers justice in one way ; at Chopda and Raver Mr. Cumin makes some sort of a totally different arrangement as he likes ; at Poona Messrs. Ommaney and Macpherson disagree, while at Wai, in the Satara District, the Magistrate sentences eleven respectable Hindus and sends them to Satara on foot

Some high officials of Government do not approve of this opinion of ours, and unfortunately for us such officials alone being in the ascendant, persecution of the kine and the Brahmins has commenced everywhere. These officials are labouring under the false idea that the present increasing hostile feeling between the Mahomedans and the Hindus is the result not of the mistakes of Government officials, but of the obstinacy on the part of the leaders of the Hindus, especially the Brahmins.

We do not think it desirable to discuss this subject any more at present, yet we cannot, in conclusion, refrain from once more plainly and emphatically saying that the efforts which are being made at present by Government or its officials to crush the

(a) The heading of the article, as translated, is as follows : "Persecution of the Maharashtra Brahmins."

leaders of the Hindus are inconsiderate, unjust and disadvantageous and ruinous to the whole empire. The persecution of the kine and the Brahmins has not been conducive of good to any ruler in India.

We therefore conclude this article after requesting Lord Harris not to give an occasion for his successor to rectify the blunders committed during his regime and after respectfully communicating to his Lordship our humble opinion that the persecution of the Brahmin leaders in the Deccan which have been begun by his Lordship will never be conducive of good in the end,

A True Translation.

(Sd.) N. L. MANKAR,
Sixth Translator.

H. I. M.'s High Court, Bombay,
Translator's Office, 7th September 1897.

EXHIBIT J.

(Translation of a Marathi contribution of six paragraphs, printed in columns 1 and 2 at page 2 of the issue of the "Kesari" newspaper, dated Tuesday, 6th April 1897, having at the foot of page 4 thereof a note, as translated, "This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushan Press in "Budhwar (Peth) at Poona, and published by Bal Gangadhar Tilak.")

THE TEST OF SERVING THE (CAUSE OF THE) PUBLIC.

The interest of our present Government and (their) subjects do not, generally speaking, lie in one (and the same) direction. It is, therefore, not surprising that if any one in his solicitude for the welfare of the subject people begins to exert (himself in their behalf), our Government which calls itself a lover of truth should not bear it; and the more a person begins (tries) to serve the cause of the people the greater is the exasperation of the corporeal representatives of the incorporeal Government, and when such exasperation reaches its climax the brewing of (the storm of) anger finds its vent in the shape of an action (at law) or of some Resolution. As for me, I am fully persuaded that if anybody wants to see how far any individual is serving the cause of (his) country, he should enquire what is the opinion of the editors of Anglo-Indian newspapers and of Government officers about him. If the opinion is adverse, then one should understand that the best service is rendered to the public cause; but if it is found that he is much respected at the Government Darbar; (that) the Governor Sahab himself likes him much (and) consults him in every matter; (that) he gets letters, familiarly addressed, from the Collector Sahab himself; then one should understand that he is some big Rao Sahab or Rao Bahadur! Whoever thinks that the fulfilment of his life's (mission) consists only in this,—"the Sahab spoke to me, smiled; he clasped my hand,"—only such a person will not approve of the above test of serving the public (cause). The only reason of laying down this test to-day is that applying it to the Sarvajanic Sabha, people may see how far its (*i.e.*, the Sabha's) serving the public cause satisfies that test.

All editors of newspapers, when communicating the news that Government has deprived the Sarvajanic Sabha of its right to send in its representations to Government, have expressed their regret—some sincerely, while others out of deference to

public opinion. . But if it is no sin to speak the truth, then I was glad to hear this news. The reason of (my) being glad was only this, that I became convinced that the Sabha must have been doing real service ; otherwise Government eyes would not have been so pained ! I am aware that there is a class of people who entertain the opinion that it is no use acting so : nothing whatever can be obtained by annoying the Government ; if any advantage, great or small, is to be gained, it will be gained only by suavity and gentle behaviour. But whether you take or do not take things gently, they never fail to do what they want to do. The difference is only this : if you supplicate piteously, they put a lump of sugar into your mouth and then they twist (your) ear ; otherwise, they only twist (the ear) ! So if the ear-pulling cannot be avoided in either case, then I do not know why by concealing the vexation (which one feels) from the bottom of (his) heart, (and) by cringing and fawning, one should, for nothing, forfeit his claim to be considered at least a human being.

To die is settled. Now,—whether to die of Navaḥwar (a) or of consumption—that is the only question. In the case of consumption it so happens that the patient does not suffer much pain, gradually wastes away, closes (his) eyes ; there is not the least hope of (his) recovery. That is not the case with Navajwar (a). It is true that for nine days (the patient) suffers a continual burning sensation ; but the result, whatever it is,—whether recovery or death,—is promptly determined. There is perchance a hope of recovery. Then of what disease should (one) die ? (If we suffer) from one disease, death is sure to come ; (suffering) from the other disease, we might, perchance, even recover ; owing to one, we shall lie (in bed) wasting away : the result of the other (will be) prompt. “ Better consumption of course,”—so will the above pleasure-seeking class, driving carriages and horses, say ; and there are also symptoms already of consumption. So, this affair will develope itself into that very disease !

It is a very good thing that the Sarvajānik Sabha has been tabooed at the Government Darbar ! The Sabha will (in consequence of it) be infused with vigour to serve the public (cause) by taking more pains. The Sabha has found leisure to devote itself exclusively to the performance of its primary duty of teaching the people what their rights are, and how to cause them to be given effect to by dinning them into the ears of Government and by bothering its head, although the Government may in (its) vexation, not only stamp (its) hands and feet, but may throw dust on its own head.(b) The Sarvajānik Sabha should certainly pray for redress at the hands of the Government of India, owing to this high-handed conduct of Government ; but besides (the Sabha) should send (its) ‘ agents ’ to different places, establish Sabhas in the principal towns of (different) districts and through them send the people’s representations of grievances to Government direct. Although the Sarvajānik Sabha has been prohibited, still its branches could be opened in different places and they could work. This is the time to show our courage, our pride (i.e., self respect). Therefore people in different places ought to express their displeasure at this peevish Resolution of Government and to come forward to help the Sarvajānik Sabha. There is no reason for any one to entertain doubt as to how the other members (of a body) can perform (their respective) functions when the head which is the principal member is not there. However, if such a doubt is felt, they should bear in mind the fact that the principal *gadi*

(a) A fever of a certain type. It rages with violence for nine days or proves fatal before.

(b) Meaning, it is presumed, may manifest its intense vexation or great displeasure.

(throne or seat of Government) at Satara has disappeared, but its branches, spread in all directions, seem still, by the grace of God, to remain instinct with some little vitality.

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Bless the Bombay Government and its advisers. Well have (they) blazoned (their) power! But why should they be backward in exercising zulum in such manner as they like in broad daylight under the name of the law or of a (Government) Resolution? What are you worth that they should not trample you under foot as they like? In the history of the whole world there is not even one instance of the acquisition of political rights by piteous whining and weeping! Even if you passed seventeen thousand resolutions, got an imitation Parliament (a) (Congress) (a) held, made speeches feelingly in the yearnings of compassion, still there is as much difference between your Parliament and the English Parliament as there is between a (mock) wedding of a toy bride and bridegroom of girls and a real wedding or between a Native Prince of the last century and a Native Prince of the civilized nineteenth century! What sort of strength do you possess that they should at least give you (their) bare attention, let alone (their) doing or not doing (anything) agreeably to your wishes! But our Government is not of the common sort; it is clever. They will by no means show that they hate you, consider you to be insignificant. They have fully appreciated your worth, perhaps they secretly laugh at your mock sports even; but they will never betray their feelings. Only the Resolution of Government regarding the Sarvajanic Sabha appears inconsistent with their usual wily conduct. Instances very seldom occur of Government getting angry like ordinary men. They will, as far as they can, keep humouring you, saying (to themselves) 'they (b) have been well occupied!'

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The poor on account of the famine, the poor and the rich on account of the epidemic, and all persons on account of the Government annoyance "(c) feel sad; where (is one) to go now (c)." Things have come to such a pass. It remains to be seen how many can see the way. Finally,—

(a) The call of death cannot be avoided: trying to save the body (you) cannot save (it). (d) Being thoughtful, you do not understand. What is to be done? (a)

DASANUDAS. (e)

A true translation.

(Sd.) N. L. MANKAR,

Sixth Translator.

H. I. M.'s High Court, Bombay,
Translator's Office, 30th August 1897.

(a) The brackets are original.

(b) *I.e.*, people.

(c)—(c) This is apparently a quotation from some poet.

(d)—(d) This passage may also be thus rendered: 'Being thoughtful do you understand what should be done?'

(e) *Lit.*, 'slave of a slave'; a title assumed for one's self by an earnest humble speaker.

EXHIBIT K.

(Translation of a Marathi letter printed in column 3, page 2, of the Kesari* newspaper of 4th May 1897.)

* The foot-note on page 4 of this issue, as translated, is as follows:—"This newspaper was published by Harī Narayan Gokhale at the Arya Bhashana Press in Budhwar. (Peth) at Poona, and published by Bai Gangadhar Tilak."—(Sd.) N. L. M.

SHRI RAMJAYANTI (a) AND SHIVAJAYANTI (b).

We have many birthday celebrations and jatras (c). In each town, each village and even each hamlet jatras (c) are held, but they do not prove so useful in our (country) as in western countries. Everywhere we observe that a liking for jatras (c) has disappeared, while empty pomp and pageantry have very much increased. Great festivals have shared the same fate as the smaller ones. If difficulties, however trifling, come in the way of the (event) to be celebrated, (all) feeling of love for it disappears, and (people) keep running away and hiding themselves in confusion for (the protection of) (their) evanescent bodies. The last Ramnavmi (d) is an instance in point.

Rumours, as usual, flew about thick even before (the day of) Ramajayanti (a) (arrived) and they had also a partial effect on the worshippers. Without having in the mind any fear (or awe) of that which is the source of all happiness and which increases the duration of life (the people) (make) tireless exertions to save (their) wealth and (their) hollow reputation! Howbeit Ramnavmi (d) was duly celebrated. On such occasions the townsmen in their (holiday) attire visit the temple (of the god) and return (home) after casting a hurried glance at the idol and sit talking over their fated troubles about the plague. None (cares to) hear the Katha (e) (or) to repeat mentally the name of Rama (or) to look at Rama's image; the Kathekari (f) any how disposes of the affair to earn (his) wages, (while his) hearers are thinking about (their) shoes and their domestic affairs and some of them are amusing themselves. Even before 12-30 (g) when (the ceremony of) the birth (of Rama) takes place, many people return to their homes thinking that they have witnessed (the ceremony of) the birth of Rama. The birth (day) of Rama has been (up to) this day celebrated for thousands of years in this fashion and I wish that it should also be celebrated in future. But from the point of view of (the good of) society, even lakhs of such festivals and the knowledge by all young and old of (the story of the) Ramayana will be productive of no good. (Even) a child will be able to say that the Ramayana describes the death of Ravana at the hands of Rama, but no one thinks why (and) for whom it was that Rama killed him and why the whole of that history was reduced to writing by the great and holy sage Valmiki. (And) who would (think about it)? In the first place, those who hear the Ramayana are old folks who turn away from (their) duty. The only thing they do is to repeat mentally (the name of) Rama with implicit faith. As young boys are endowed with capability, it is they who ought to hear such works as the Ramayana (and) the Bharata. The adage of the Puraniks (h) पुराणातर्कं शर्गं पुराणं Puranantalin Wangin Puranant (i) has itself been the cause of the destruction of this sense of duty (amongst the people); and this having continued into force up to this day the Purans have lost their value.

(a) Birthday festival of Shri Rama.

(b) Birthday festival of Shivaji.

(c) Jatra is a periodical festival in honour of an idol to which pilgrims resort.

(d) The ninth day of the light half of Chaitra: the birthday of Rama.

(e) A legend of the exploits of some god related with music and singing.

(f) A narrator of the legends of the gods.

(g) I.e., 12 o'clock, Bombay time.

(h) A public expounder of the Purans.

(i) I.e., the precepts inculcated in the Purans (should be left) in the Purans (i.e., where they are), i.e., need not be observed.

A thoughtful perusal of the life of Shivaji Maharaja from beginning to end will make it evident that it was he alone who made use of the story told in the Ramayana in all its details. To the best of my limited understanding the following is the story (of that epic). "During the rule of King Ravana, many Brahmans were harassed, gods were persecuted (and) sacrifices, &c., were no longer performed. Ravana was, of course, doing what he wanted to do. The Brahmans did not pray to him or to human beings, or to any other thousand mouthed Ravana for deliverance from his oppression, because they were fiends after all. On one occasion all the kine and the Brahmans with fervid devotion and confidence appealed for protection to the Almighty God Himself. How could the merciful God remain patient any longer? He at once gave an assurance to the kine and the Brahmans! Lo! what a wonderful thing then took place! The all-pervading God assumed the human form and played (many) a pastime to serve as examples to human beings. To rescue the kine and the Brahmans (from oppression), he, not minding (his) affection for (his) father and to the great grief of (his) mother, suffered (the woes of) exile in the forest for 14 years. He hardened his frame by living on bulbs and roots. During his residence in the forest he formed a friendship with the monkeys and specially with Marutiraya; and aided by the monkeys of the forest, God in the form of man, killed that most powerful Ravana, who, though living in a small island, had thrown into prison even the gods of the thirty-three orders, and whose favourite repast was human beings; and (thus) released all the gods from imprisonment. The bell which rang in heaven at the time of (Rama's) victory did so only because he had destroyed the powerful demon-warrior by fighting with him. Similar in character was the fight between the inexperienced and slenderly equipped Shri Shivaji Maharaj and the mighty Afzulkhan. God gets such great deeds performed at the hands of human beings themselves (and) therefore agreeably to the adage "if a man exerts himself he will rise from the condition of man to the position of God," man ought to do (his) duty. We are now reaping the fruits of our dereliction of duty in the past and in the present. Does not the above show that Shri Shivaji turned to good account (his) hearing of the Ramayana? Now-a-days we hear the Purans or read stories from books, but the only thing we fail to do is to form a firm resolution in our minds after (due) consideration and to conduct ourselves in a proper manner. The only things we take pride in and which form the subject-matter of our thought are the writings of one, the nice replies given by another (and) the speeches of a third. So will (our) young men, instead of doing this, imitate, during their life-time, most of the things recorded in the life of Shivaji and in the Ramayana? Otherwise it will be just the same whether the festival is or is not celebrated for hundreds of years more. Let that pass. It is, therefore, (my) wish that all Hindus shall at the time of the Shivajayanti think over and cogitate upon the doings, the courage, the firm resolve, and the ingenuity of Shivaji, and instead of supplicating the authorities for protection lay all (their) complaints before God and lovingly implore Him and perseveringly ask Him again to create among us a Shivaji similar to this. Will (the remembrance of) all the following things, viz., the present famine, the arrangements made regarding it, the deaths brought on by the "politicality" (a) of Government, the epidemic of fever, the oppressive measures (resorted to) for its abatement and effects produced by them be kept alive by meditating (upon them)? Otherwise, the people (think themselves) free the moment the Queen utters the formula of (these) four words (namely) "Starve not in famine." But the number of those dying by the famine is going on increasing (we) become pleased, when, the people having already undergone miseries and the gods suffered troubles and Garuda (b) (c) (who is one for all Hindus,) (c) having been destroyed, in consequence of the zulum practised on account of the epidemic of fever,

(a) *Sia.*

(b) The bird and vehicle of Vishnu.

(c)—(c) These brackets are original.

a Governor afterwards expresses his "regret" for those occurrences!! Hollow words did not please Shivaji. Let not, therefore, such a thing happen. Let this be known. The date 2-5-97.

(Your) Obedient servant,
GANESH.

A true translation.

(Sd.) N. L. MANKAR,
Sixth Translator.

H. I. M.'s High Court, Bombay,
Translator's Office, 6th September 1897.

EXHIBIT L.

(Translation of a Marathi article printed in column 5, page 2, and column 1, page 3, of the issue of the Kesari newspaper dated 4th May 1897, having at the foot of page 4 thereof a note, as translated, "This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushana Press in Budhwar (Peth) at Poona, and published by Bal Gangadhar Tilak.")

There is no doubt that many people will have their lost courage revived on hearing that several of the soldiers, who have come here for the purpose of inspecting the houses, are to go back after eight days more. Everybody already knows now of the excess committed by these soldiers during the Rand regime; and at last even the truth of what we had written is becoming manifest, not only here, but even in other places to people like Anant. It is true that Her Majesty the Queen, the Secretary of State and his Council should not have issued an order for needlessly practising zulum upon the people of India without any special advantage to be gained, and that the Bombay Government should not have entrusted the execution of this order to a suspicious, sullen and tyrannical officer like Rand; and for this one cannot sufficiently blame the Home Government as well as Lord Sandhurst. But in our opinion it is the duty of our leaders to find out some contrivance for the protection of our people when it has once been settled that Government is to practise zulum (and) when we are convinced that no one up to the supreme authority will and does afford any redress for this zulum, as this order has been issued directly by the Home Government itself. At such a time it is of no use merely to cry out in the name of (*i.e.*, against) the person practising zulum. As when a house is on fire, the property in it is not saved by merely fuming and chafing at the incendiary; but a fire-engine (or pump), &c., has to be brought to save the house as far as possible, even so is it with the present state of things. In our opinion there will be ample time hereafter to revile Government for its oppressive conduct. The dependence upon others which Lord Sandhurst (has) manifested in the matter both of the plague and the famine, is truly deplorable. But what answer are we to give if any one asks us the question, whether our leaders tried to do anything in suppressing the fire which has at present spread in the city under the orders of Lord Sandhurst and of the Home Government, beyond remaining out of the city and clamouring (from there)? Really speaking, this was surely the time for the leaders and the rich people of Poona to take the lower classes by the hand and assist them and prove the reality of their leadership. But it is very deplorable that this occasion has not been taken advantage of as it should have been. Did we even try to be serviceable to the poor people by giving them this assurance:—"Government is oppressing you, but we are prepared to assist you with our body and our purse (*a*) (not with words) (*a*) as much as it lies in our hand?" No. Then we should think for ourselves in what manner we are the leaders of the people. The soldiers committed whatever excesses they could; (they) defiled (our)

(a)—(a) The brackets are original.

temples, burnt down (our) slabs and mullers and pots, and wherever they found an opportunity to do so they even put into (their) pockets things, great and small ; but we were not only unable to seize even one of them by the hand, but even failed to take such other measures in concert as were necessary. We have already indicated before what these measures are. As the (mere) reviling at rain when it begins to fall with violence would be unavailing for (our) protection, but umbrellas must at once be taken to keep it off, even so we must regulate our conduct at the present time. Directly the Plague Act was passed, we should have observed in what direction the wind was to blow and should have begun to take steps for our protection ; but without doing anything of the kind the wiseacres first betook themselves to flight and, like driving she-goats (while seated) upon a camel, they are now exhorting the villagers—" Never mind even if your heads are broken, but do not bear this zulum." The advice is proper and we also approve of it. (But) what we have to say is only that the intelligent people of Poona should have remained here and should themselves have adopted such measures as would have protected the people, in some measure at least, from this zulum ; and this could have been done if committees for each street had been appointed. But in whichever street we go we find it deserted ; (and) the state of affairs has come to such a pass that " excepting the Telis (*i.e.*, oilmen) and the Tambolis (*a*)" only, nobody can be seen there. Now, after the soldiers go out of the city, all these persons will speedily return and will sit wondering how the inhabitants of Poona could possibly endure so much zulum. Is it not extremely disgraceful to us that in a city like Poona (some) ten or fifteen thousand rupees could not be collected for a Hindu Hospital, and that the person who started it could accommodate only thirty or thirty-five patients and that, too, by charging fees ? What good can result from taking to flight with (our) kit on our back because Government practises zulum ? We should remain in our places and counteract it in a small or large measure as far as practicable. This we are not prepared to do. This much has become manifest from our deeds or from our conduct during the prevalence of the pestilence in our city, that however great a calamity may overtake us, we have not left in us the will, the power, or the capability of protecting ourselves by acting in order and in concert and by taking the poor people by the hand. Just as a town is invested by an enemy, so we are doubly invested by the plague and the soldiers. At such a time the officers of Government should have conducted themselves with gentleness and generosity ; but such is not the case, nor will our clamour be of any avail in bringing this about. Should we not, therefore, take even such measures as we can ? This course of action will not only be religiously meritorious, but it will (also) be possible to learn (from it) a lesson as to how we should act in association on an occasion like this, what measures we should adopt, and how we should find out a way, small or great, for the people to protect themselves even from the oppressive rule of Government. But by our misfortune matters have come to such a pass that we neither want to learn that lesson nor do we want the city which is being ravaged by the plague. We are reduced to such a plight now that if the Government becomes oppressive we have not the ability to punish it ; if we cry out, the Government pays no heed ; we do not understand what the law is ; and (our) leaders are not prepared to make it convenient to give such physical or pecuniary assistance to the people as lies in their power under the circumstances. And that too in a city like Poona. If our eyes are not opened even now, we can only say that it is our misfortune and nothing else. We cannot write anything more than this.

A true translation.

(Sd.) N. L. MANKAR,

Sixth Translator.

H. I. M.'s High Court, Bombay,
Translator's Office, 2nd September 1897.

(a) A caste or an individual of it ; they are sellers of betel leaf, areca-nut, tobacco, &c.

EXHIBIT M.

[*Extract from an article (printed in paragraphs) appearing on the front page of the Mahratta of 23rd May 1897, purporting to be signed by "Philosophy."*]

FREE THOUGHTS.

The plague has brought to our notice many a defect—in the sanitary conditions of the big cities as well as in the moral get-up of the native mind. Bombay is to be rebuilt; if Bombay is to be called "the beautiful" in the true acceptation of the word, the densely crowded parts of the town, the dark dens of filth and dirt, must be pulled down and rebuilt so as to suit the new ideas of sanitation and healthy life. But before commencing the work of destruction, will it not be better for Government to appoint a Commission to enquire into the causes which led to the accumulation of so much dirt and filth, the preordained field for the plague to play its gambols? There may be some truth in the remark that the lower classes of the native community commit unceasingly, though unconsciously, sins both of commission and omission against the most necessary rules of sanitation; but it is sheer folly to say that the native mind is by nature indifferent to the pleasures of a walk along the seaside or in the great gardens of the city. The great bulk of the labourers in Bombay, recruited as they are from the clean and healthy villages of Maharashtra and Konkan, do like to live in spacious and clean houses, do know the wholesome effects of the fresh and open air, and do consider it a privilege of their life to roam among the mango trees adjoining their villages.

But the British rule has compelled the helpless peasantry to leave their beloved fields and happy homes and resort to the dirty and overcrowded parts of Bombay. There they live in filthy huts, eat their bread by the sweat of their brow and return back to their native villages with savings only sufficient to meet the demands of the rigid system of land assessment. The bold peasantry of Maharashtra and the hardy race of cultivators in Konkan no longer shine in the army or navy of the land as in the days of the Peshwas. The dwarfing influence of the British Raj has turned the backbone of Maharashtra and Konkan, once forming the famous cavalry (Hujur Pagas) of the Deccan and the navy of Konkan, their country's pride, into mere servile class of field labourers, destined now to work like slaves for the luxuries of the omnipotent bureaucracy—luxuries far surpassing in vanity and folly the fabulous pleasures of the mighty demons of yore described by the most exuberant fancy of this land of poets.

EXHIBIT N.

[*Extract from an article (printed in paragraphs), appearing on the front page of the Mahratta, dated 30th May 1897, and purporting to be signed by "Philosophy."*]

FREE THOUGHTS.

The Anglo-Indian dailies of the Presidency are publishing letters complaining of the dull inactivity of the Mahableshwar season this year. A dark gloom has spread over the yearly festivities of the merry-making foreigners—not because of the famine, a calamity to the sons of the enslaved land only, not because of the plague, a ghastly terror to the Native populace only of Bombay and Poona, but because many

of the rich Europeans of the metropolis thought it prudent to leave the shores of this infected land and seek refuge in the cold climate of their dear homes in England. Some of the big officers of the State have gone to Europe—far away from plague and famine, and the rich foreign element in the Bombay Bar, too, has followed the worthy example of the brave Justices. The European merchants, toiling in the burning rays of the tropical sun to impoverish the country to the best of their abilities, were forced to resign temporarily in favour of the dire agencies of the angry God, the famine and plague, who are now continuing, in a sudden and drastic fashion, the work of destruction already begun by the flow of Indian wealth towards the West. So the young European with ladies of his family is enjoying a trip to the civilised world, leaving behind the members of the Bombay Government and a few missionaries to go through the yearly routine of balls, dances, and dinner parties, greatly missing the company of many of the agreeable members of the Anglo-Indian society, but scarcely condescending, being incomprehensively busy with the different sorts of enjoyments, to peep down into the miserable valleys of Sahyadri—the abode of the poverty-stricken Mavalas of Shivaji.

Men and women, belonging to that great nation of shopkeepers, cannot but behave like the Marwaris of India. It cannot be expected of them to take care of the interests of those that surround them; “make the purse full to overflowing,” thuswise they are advised who leave the shores of the island of Marwaris in Europe. They are the great worshippers of gold and silver, fully conscious of the charms that lie hidden in the trite saying of Iago, “Put but money in thy pocket.” No wonder then that some of the non-official Anglo-Indians, the prototypes of the Indian money-lenders, should be the first to leave Bombay, soon after the outbreak of the plague, to the great abatement of their official brethren, whose duty compelled them to face the plague, bravely or with conscious timidity at heart, we have not sufficient data to infer anywise positively.

EXHIBIT O.

[Copy of an article appearing on page 4 of the *Mahratta*, dated 30th May 1897.]

EDITORIAL NOTES.

AN ARMS ACT FOR THE BARODA STATE.—There is some reason to believe in the truth of the report that the Baroda Government is thinking of introducing a measure which will have the effect of an Arms Act for Baroda. It is not exactly known whose brain is responsible for the conception of such an innovation, though it is alleged that the measure is to be introduced at the instance of the Political Resident. It is certainly only an innovation, and a mischievous innovation too. It cannot be called a reform. And we duly warn the counsellors of the Maharaja that they seem to be sadly mistaking the character of the step they are going to take. Baroda is no doubt a good Government, but lately it has fallen into the bad habit of making foolish imitations of the British Government, and the Act in question is, we assert, one of such imitations. Apart from the intrinsic demerits of the measure, the most serious objection to the innovation is that it is not at all called for by the state of things in Baroda Raj. We do not think that the returns of crime generally in the Baroda State compare unfavourably with those in any part of the British territory. The subjects of the State are, we believe, as harmless *with* arms as the British subjects

without them. The character of the majority of the subjects of the State, the mild Gujaratis, is proverbially innocent. Not do we think that the Baroda Government need entertain the fears which our ungrateful and oversuspicious Government feels. The British rulers believe that the subjects, if entrusted with arms, may one day use them against the Government. The belief is partially well founded, for the British Government is an alien Government, and the subjects, in trying to get emancipation, will, if constitutional methods fail, have some day to resort to arms. But in Baroda the subjects have a Government of their own. It is also a popular Government. There can be, therefore, no motive for the Baroda subjects to abuse their arms. The chief motive for their abuse being thus absent and the character of the subjects being in itself a guarantee against it, the proposed measure of disarming the people becomes quite inexplicable except by the supposition that somebody in Baroda is making a foolish imitation from his pattern under the mistaken notion that what he is attempting is a real reform. But has that unwise counsellor of the Maharaja never heard the loud cry that is being raised throughout British India against the Arms Act? Does it not strike him that an Arms Act must be necessarily demoralising in its effects? If disarming is an insult to a man for being deemed unfit to be trusted with a weapon, it is no less an injury to him inasmuch as he is deprived of the means of self-protection. The *Amrit Bazar Patrika*, in one of its recent issues, has given a case in which a tiger did much damage to the people simply because they had no arms, and had ultimately to be encountered with sticks, with the result that the brave shikarees were unnecessarily severely mauled. To deprive people of arms is more than to deprive them of the temporary use of them, for ten to one, under the operation of an Arms Act, men begin not only to unlearn their use, but also to fear it. It cannot be said that the European nations are not desirous of minimising crimes, but has any one of them ever tried to secure that end by the introduction of an Arms Act? If the Baroda authorities are really thinking of introducing the measure in question, we cannot but remark that they are demonstrating a sign of that degeneration which has overtaken the unfortunate British subject. As rulers and also subjects of an independent Native State, they ought to have shown greater spirit, if not wisdom.

EXHIBIT P.

[Copy of an article appearing on page 5 of the *Mahratta*, dated 30th May 1897.]

INDIAN PRINCES IN LONDON.—It is a pity that some of our Chiefs and Princes have got greatly mistaken notions of loyalty. In their zeal for exhibiting loyalty to the Queen, they go so far as to forget themselves and the high position which they hold in their own land. The unworthy self-forgetfulness is clearly shown by the mania, which has seized some of our Princes, of going to England for the purpose of spreading their gay plumages before the eyes of the British public. The Queen's Jubilee has afforded them only another opportunity for gratifying their vanity under the pretext of making a homage pilgrimage to the Queen's Throne. These uninvited guests are of course unwelcome; nor is even good grace or common courtesy shown by the host in receiving them. But in their eagerness to lick the dust of the Queen's feet, these Princes swallow up ill-treatment and insults too. They invariably pay the penalty of thrusting themselves where they are not wanted; but we have seldom seen any of them taking a wholesome lesson for his future guidance. We feel extremely nervous about these Princes, when we imagine what insignificant atoms they must prove themselves to be in the crowd of the magnificent assemblage that will throng London in the Jubilee time. They will attract no notice, at least not a regardful notice. The Princes go before the independent

British people, as perhaps the most humbled and whip-tamed of the conquered race of India. And if they catch any notice at all, it must be far from gratifying. The exhibition of the want of self-respect on the part of these Princes is made more glaring and also ridiculous by the fact that they attempt in England all manner of pomp and deport themselves in an obtrusive gay fashion. Reuter announces that the uniforms of the Natives excited much admiration, we fear much irreverent amusement; and that the Prince of Wales "inspected" them at the Marlborough House. This Royal inspection, we think, scarcely means any other than the inspections by a Circuswallah of his brutes in the menagerie, or his fancy animals in their cages, preliminary to their being trotted out in the arena under the smack of the whip. We only wish that they may duly feel a crushing sense of their own insignificance as a reward for the dissipation of their energy and their ryot's money in making these unnecessary tours to England. If they want to prove their loyalty, there are thousand other and more respectable and also useful ways of doing so in their own State.

EXHIBIT Q.

[Translation of the Marathi portion of a bill form partly printed in Marathi and partly in English and having the blanks left therein filled in with writing.]

Kesari ^(a)
Kesari

Bill Number ^(a) Bill No. 181.

Bombay
The date the 23-7-97.

^(a)
To The Proprietor of the Kesari Newspaper.
To The Proprietor of the Kesari Newspaper.

Ra : ^(e) (Rajmanya) Ra : ^(e) (Rajashri) Dattatratraya ^(a) { Dr.
Damodhar Panandikar ^(a) } Dr.

^(a) Items	^(a) Charges		
	^(a) Rs.	^(a) a.	^(a) p.
Subscription for "Kesari" for the year 1897 including postal charges in respect of the issues sent by post	1	8	6
^(a) Total Rs. Total Rupees.....	1	8	6

Errors excepted ^(a) E. E.

^(c) Tukaram Krishnaji ^(d) (a) V. J. Datar

The date the 27-7-97. ^(a) for Manager Kesari Manager Kesari.

H. I. M.'s High Court, } A true translation.
Translator's Office, }
18th August 1897. } (Sd.) S. G. TRILOKAKER,
M. 92. Eighth Translator.
B. R. K.

(a) The text of the portions underlined here is printed in English in the original.
 (b) Thus scored out in the original.
 (c) Written in pencil in the original.
 (d) Written in English in the original.
 (e) These are terms of respects.

EXHIBIT R.

(Translation of what is printed and written in Marathi on an unnumbered page of a book.)

"Kesari" the 15th day of the month of June in the year 1897.

Account of the "Kesari" (a newspaper) published every week.

1	Fadake	By the "post" going to up-country places.			
1	Kaka				
1	Kolagde (?)	Khandesh (white)	810	1 Shanwar Peth	131
1	Tartey	Satara (brown)	911	2 Sadashiv Peth	160(a)
1	Dane	Solapur (yellow)	400	3 Shukrawara Peth	105
1	Kale	Dharwad (deep red)	420	4 Vetal Peth	89
1	Shastri	Indore (pink)	268	5 Raviwar Peth and the Station Side	118
1	Piraj	Nagar (light green)	213	6 Budhwar Peth	141
1	Vaisha (m) paye	(m) Ratnagiri (saffron)	782	7 Kasba Peth	4 × 72
3	in the Office	Baroda (green)	304	8 Camp	9 = 55
4	Sold	Bombay (iron grey)	536		
<hr/>					
16					366(a)
		Khadki (red)	223	(b) going by post.	
		Nasik (white)	197	Bombay	361
		Manuscript addresses	170	Kalyan	75
		Proofs	...	Byculla	0
		Subscribers (to whom) the paper is sent by post.	...	Parcels	80
				Vilayat (Europe or England)	3
			<hr/>		
			5234		1385
		Editors of News- papers	102	Spoilt	12
			<hr/>	Balance	40
			5336(a)		16
		In all sent to the post	1453		<hr/>
			<hr/>		1453
			6789		
			<hr/>		
		In all printed	6789		

A true translation.

(Sd.) S. G. TRILOKAKER,
Eighth Translator.

H. I. M.'s High Court,
Translator's Office, 18th August 1897.

M. 92.
B. R. K.

(a) These figures appear to have been altered in the original.

(b) The text of 'by parcel' is thus scored out and that of 'by post' written above it in the original.

EXHIBIT S.

Form of declaration to be made by Proprietor, Manager, or Publisher of Newspaper.

1	Name of Newspaper.
2	Name of Manager.
3	Place of publication.
4	Language in which published.
5	Day of the week or date of the month on which published.
6	Weight in Tolas with rate of postage (see Rule IV)
7	Number of issues during quarter ending 30th June 1897.
8	No. of copies to be posted at each issue exclusive of No. in columns 9 and 10.
9	No. of copies to be sent in packets to Agents for sale (see Rule V) at each issue.
10	No. of exchange copies (see Rule VI) to be posted at each issue.
11	Name of Post Office or Offices at which Newspaper is, or is to be posted.

Kesari.	
Hari Narayan Gokhale.	
Budhwar Peth, House No. 25.	
Marathi.	
Every Tuesday.	
Under 3 Tolas.	Rs. a.p.
.....	
Three pice.	
13	
5,467	
.....	
97	
Poona.	

Amount of Postage payable.

(To be calculated from entries in columns 6-7-8 and 9)

5,467 Copies at the rate of 3 pice multiplied by 13. Rs. 1,110 7 9
 „ Copies at half above rate multiplied by „ 0 0 0
Rs. 1,110 7 9

(Sd.) K. M. BAL,
 for Manager,
 Kesari.

KESARI OFFICE, POONA,
 6th April 1897.

Accepted as correct subject to the Postmaster-General's approval.

(Sd.)
 Postmaster,
 Poona.

EXHIBIT T.

[Translation of what is written in Balbodh character ⁽¹⁾ on the top ends of the leaves of a cash book stitched together, and the ⁽²⁾ heading on the back of the first page and of the portion ⁽³⁾ consisting of the heading, the date and the credit and debit entries on the same page.]

(1)

The *Kesari* and the *Maratha* Cash-book No. I (for) 1897.

(2)

Shri (i.e., prosperity, &c.)

Daily cash (book) of the *Kesari* and the *Maratha*, Poona, Proprietor, the Hon'ble Bal Gangadhar Tilak, commencing from date 1-1-97.

(3)

Daily cash (book) of the *Kesari* and the *Maratha*, Poona, commencing ^(a) from date 1-1-97.

The date the 1st of the month of January in the Christian year 1897, the day of the week Friday.

<i>Cr.</i>	Rs. a. p.	<i>Dr.</i>	Rs. a. p.
Balance of the previous day.	.....	Debited to the <i>Arya Bhusan</i>	
Credited on the date afore-		account ... ..	.....
said ... ..	.....	The balance of this	
To the amount of the sundry		day, being hand-	
sale of the <i>Kesari</i> for the		ed over for be-	Rs. a. p.
sale of 2 Issues	0 1 0	ing credited, is	
Ledger page 15, credited to		debited (here)...44 7 6	
the account of the subscrip-		Ledger page 24—	
tion for the <i>Maratha</i> ... ..	.....	Balance for the	
Particulars—		next day	
Parashram Bal-	Rs. a. p.	..... 44 7 6	
vant Kále, new		Forty-four rupees and seven and a half	
page No. I....	4 0 0	annas. The hand-writing of Narayan	
Dhondo Balvant		Mahadeo Karkun.	
Joshi, new			
page No. II .	7 4 0		
Dorabji Padamji			
(Inward)			
No. 65 ...	6 6 0		
	17 10 0		
	17 10 0		
Ledger page 12—			
Credited to the account of			
the Subscription to the			
<i>Kesari</i> .			
Particulars—			
* * *			
* * *			
* * *	*26 12 6		
	26 12 6		

A true translation.

(Sd.) GANESH KESHAV VAIDYA,
Third Translator.

H. I. M.'s High Court, Bombay,
Translator's Office, 2nd September 1897.

EXHIBIT U.

No. 1385.

KESARI OFFICE,
POONA, 27th June 1897.

To

MESSRS. WEST END WATCH Co.,
BOMBAY.

SIR,

The term of your Notice about the Watches in the *Kesari* expires on the 29th instant. If you wish to renew the contract please let me know, so that I will be inserting your Notice from 6th July and send bill.

Yours faithfully,
(Sd.) K. M. BAL,
for Manager.

(Address on the back of the card.)

MESSRS. WEST END WATCH Co.,
29, Church Gate Street,
Bombay.

EXHIBIT V.

No. 1525.

KESARI OFFICE,
POONA, 14th July 1897.

To

WEST END WATCH Co.,
29, Church Gate Street,
BOMBAY.

SIR,

As requested in your letter dated 30th June, I have commenced inserting your Notice from 1st July 1897 in the *Kesari*. I enclose herewith a Bill No. 138 for Rs. 133-5-4 for one year.

While remitting the amount please kindly send it payable to Mr. K. M. Bal, Acting Manager, *Kesari*, and oblige.

Yours faithfully,
(Sd.) K. M. BAL,
for Manager.

P.S.—On receipt of remittance I will send a stamped receipt as usual.

(Sd.) K. M. BAL.
f 25

EXHIBIT W.

Offered Rs. 20 for three months.

KESARI OFFICE,
POONA, 11th June 1897.

No. 1243.

To

THE CENTURY PUBLISHING Co.,
BYCULLA, BOMBAY.

SIR,

Yours of the 9th instant duly to hand. A copy of the *Kesari* is sent to your address. Your advertisement requires the space of about 6 inches in a single column. The charge for inserting in the *Kesari* for 6 months, *i.e.*, 26 insertions, will be Rs. 60-10 and for one year, *i.e.*, 51 insertions, Rs. 114-12. The charges to be paid in two instalments, *i.e.*, 1st instalment in advance and 2nd after 2 and 4 months.

Yours faithfully,
(Sd.) K. M. BAL,
for Manager.

EXHIBIT X.

KESARI OFFICE,
POONA, 18th June 1897.

No. 1287.

DEAR SIR,

Yours of the 16th instant duly to hand. Sorry to inform you that I cannot comply with your request. Charge for 3 months, *i.e.*, 13 issues, will be Rs. 36-9 payable in advance.

Yours faithfully,
(Sd.) K. M. BAL,
for Manager.

(On the back of the Post Card.)

The Century Publishing Company,
Byculla, Bombay.

EXHIBIT Y.

केसरी KESARI.

बिल नंबर BILL No. 118.

पुणे POONA, 19-6-97.

To the Proprietor of the *Kesari* Newspaper,

केसरी वर्तमानपत्राचे मालक यांचे

THE RESIDENT ENGINEER,

B. B. & C. I. Railway.

Dr.

यांत्रकड येणे

Items. तपशील.	Charges. भाकार.		
Advertisement charges regarding the notice for the tenders of doubling the line between Dahanu and Sachin inserted in the <i>Kesari</i> on the 8th and 15th June 1897, lines 29.			
1st insertion at 4 annas	7	4	0
2nd do. at 3 do. (Twelve Rupees Eleven Annas only.)	5	7	0
Total Rs. एकूण रुपये...	12	11	0

सुकुमुल द्यावी घ्यावी E. E.

(Sd.) K. M. BAL,

for Manager, *Kesari*, केसरीचे म्यानेजर.

(On the back as follows.)

150

6

No. 3468-97 of 5-7-97.

Certified correct for Rs. 12-11-0, twelve and annas eleven only, and forwarded for payment chargeable to Capital.

Sd. _____

Ag. RESIDENT ENGINEER,

The Chief Auditor and Accountant.

Examined and passed for Rs. 12-11-0.

(Sd.) T. WRIGHT,

for Chief Auditor and Accountant.

Date 7th July 1897.



<p>Passed for</p> <p>Rs. 12 Annas 11.</p> <p>Sd. _____</p> <p>For Government Examiner, dated 9-7-97.</p>
--

CERTIFIED to be a true copy

this day of September 1897.

(Sd.) M. H. STARLING,

Clerk of the Crown.

No. 1.

[*Translation of what appears under the heading Editorial notes printed in column 2nd, page 3, of the issue of the "Kesari" newspaper, dated this 23rd April 1895, having at the foot of page 4 thereof a note as translated, "This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushan Press in Budhwar (Peth) at Poona, and published by Bal Gangadhar Tilak."*]

A good many days have elapsed since we heard the verse (beginning with) "Do resound the name of Shivaji," but no one is met with acting on the lines of the advice conveyed thereby. Some days since our contemporary of the Native of opinion has published a letter of a gentleman who had witnessed with his own eye the deplorable condition of the shrine of Maharaja Shivaji at Raigadh. Reading it we feel as worthless the life of us, the inhabitants of the Maharashtra, and particularly of the Sirdars born in the family of that great personage. The valour of Maharaja Shivaji is of course well known in history. It is not at all necessary that it should be described in ordinary cant phrases. We need cite no other evidence of the immortal fame of Maharaja Shivaji, when Lord Harris, who was a formidable enemy to the interests of the Maharattas, has extolled his valour and made a declaration that the Maharaja Shivaji has made his name famous in history. The said Maharaja Shivaji's tomb is in the Fort of Raigadh, ten miles from Mahad in the Colaba district. It was in that fort that the Maharaja Shivaji was crowned in 1674. The Maharaja had to undergo a good deal of trouble and expense in building this stronghold. The Maharaja held this fort in such high esteem and had such a confidence in its invulnerability that he could enjoy sound sleep when he had locked up its (main entrance) Delhi gate after throwing in the various spoils taken in distant campaigns. In this very fort the dead body of Shivaji Maharaja was interred after the campaign of Jalna and this is that self-same shrine. About that shrine Douglas Saheb says in his book "Bombay and Western India":—

"The tomb of the Maharaja is on the yonder hill. Its interior is covered over with trees and shrubs; large trees have grown out of the stone pavings of its caravansaries; the temple in the vicinity is in a wretched plight and the image therein has been thrown on the ground." He further says, "Nobody now cares for Shivaji not one rupee is spent on the annual repairs of this tomb of Shivaji Maharaj, who was master of an enormous kingdom acquired after so much bloodshed and expense; who was founder of the Maratha Gadi (throne) and who carefully secured sovereignty for the Rajas of Kolapur, the Bhonsales of Satara and the Peshwas of Poona, by a single person of these." Well our present kind British Government had been annually spending money through the agency of a special Department created for that purpose on the repairs of old dilapidating buildings, temples, and caves. In 1885 our popular Governor Lord Reay, at the recommendation of Mr. Sinclair, issued orders for the renovation of the shrine of the Maharaja at Raigadh and repairs were accordingly made at the time. Since then, the sum of rupees five is annually spent on behalf of the Government on the repairs of the tomb. That an enormous amount is spent on this work is due only to the endeavours of the said Mr. Sinclair. It is useless to blame the Government in this matter. It is the business of those who were able to set their feet on this Maharashtra owing to the exploits of the Maharaja Shivaji and who may be said as eating his bread till this day. If they fail to do this they will deserve the charge of ingratitude made by foreigners. The people of the Maharashtra should avail themselves of this opportunity "to vindicate the name of

Shivaji." We need not at all remark that it would be highly creditable to those generous and grateful descendants of the Maharaja who opened their purses for contributing towards tokens of memory of the insignificant Lord Harris should at least now renovate the shrine of the Maharaja Shivaji, in view of the structures of foreigners against them. It is certain that these Sansthaniks and Sirdars will speedily accomplish this work, if critics like Mr. Douglas call upon them to do so. But that those ordinary people of the Maharashtra who entertain a high respect for the exploits and benefactions of the Maharaja Shivaji should give up their lassitude, hold meetings at different places in view of collecting funds, and thus vindicate their gratitude in the face of the world ought not to be left for us to say.

A true translation.

(Sd.) GANESH KESHAV VADYA,

Third Translator.

H. I. M.'s HIGH COURT, BOMBAY,

TRANSLATOR'S OFFICE, 7th September 1897.

No. 2.

The "Times of India," Wednesday, May 29, 1895.

In the year 1885, in noticing the Mahratti poem of Mr. P. B. Joshi on the tomb of Shivaji, we brought to the notice of the Bombay Government, as well as of the Mahratta public, the dilapidated condition of the mausoleum of the founder of the Mahratta Empire, and exhorted them to take steps to put it in a decent condition. Shortly after this a public meeting was convened at Poona, at Hirabaug, under the auspices of Mr. (now) Justice Ranade, Mr. Purandare, and other leading citizens of the town, and it was resolved to send a memorial to Government on the subject and, if necessary, to raise a fund for defraying the expenses incidental to the repair and maintenance of the tomb. By this time the subject appears to have engaged the attention of the Bombay Government, and as the tomb is situated in the reserve Government forest of Raighur in the Kolaba district, and is, as it were, in the very heart of that famous fortress, it would have been impolitic to hand over the site to the care and custody of any irresponsible party. Government, therefore, wisely took the matter in their own hands, and issued immediate orders for the repairs of the tomb at Government expense, and the necessary repairs were carried out in the year 1886. Government also issued a resolution sanctioning a small sum being spent annually for the maintenance and repair of the place, and this sum is, we believe, annually utilized for the purpose for which it was intended. This action of Government appears to have satisfied the wishes of such influential representatives of the Mahratta community as the Hon'ble Mr. Justice Ranade and the late Mr. Justice Telang, and, therefore, these gentlemen took no further steps in the matter. But this judicious action of Government does not seem to have satisfied the expectations of some of Shivaji's countrymen in the Deccan, and these admirers of the great Peshwa are now encouraging a movement throughout Maharashtra on the pretence that the tomb is being neglected by Government, that it is in a thoroughly ruinous condition, and that funds are necessary for repairing it and for holding a great patriotic demonstration at the fort of Raighur. If the tomb is under the care of Government, and, as we understand, was thoroughly repaired long ago, it is difficult to see the need for this movement.

No. 3.

The "Times of India," Tuesday, June 11, 1895.

SHIVAJI'S TOMB.

TO THE EDITOR OF THE "TIMES OF INDIA."

Sir,—It appears that there is a strong belief in some Anglo-Indian quarters that it is not with entire singleness of purpose that the Maharattas in the Deccan have set themselves to work to raise a fund for the repairs and maintenance of Shivaji's tomb at Raigadh. And you have, it seems, endorsed this view. One cannot be responsible for anything and everything that comes in the print, whether English or Vernacular, but as far as the movement has gone, I can assure you, as one who personally knows many of the promoters and sympathizers of the movement, that there is not the smallest ground for supposing that there is anything beyond the avowed objects of the movement. It is only sufficient for me to draw your attention to the proceedings of the meeting held in Poona for the purpose. It was the only meeting of the kind, the popularity of the objects of which brought together in a public movement Chiefs, Sardars, and the people. It has the full sympathy of H. H. the Maharaja of Kolhapur—himself a lineal descendant of the great Shivaji—as well as that of the Honourable Mr. Justice Ranade, certainly a man of the people.

The old as well as the young generation of the Deccan nobility was well represented; for among those that were present were the Swami of Chafal, the representative of Shri Ramdas Swamy, the spiritual guide of Shivaji, the Pratinidhi of Aundh, who presided at the meeting, the Pant Sachiv of Bhor, the Daphade Senapati of Talegaum, the Shekhamira of Wai, the Chiefs of Ichalkaranji and of Kurundwad, senior and junior, Purandhore, Khasgiwale, and many others. Some of them are the lineal descendants of the Ministers and the Sirdars of Shivaji. One who saw the large audience of the meeting would not but have been struck with the composition of the gathering. Almost all the influential persons, then present in the town, were to be seen there. Apart from the strong and influential gathering of the nobility, the meeting had the peculiarity of bringing together all the influential and well-to-do classes of Poona.

The movement is really spontaneous. This can be seen from the fact that public meetings were being held and subscriptions collected in many places in the mofussil. Before the Poona people awoke to the necessity of holding a public meeting to shape and properly organize the movement, the people in the mofussil were already seeking for a central organization to which they might send in their money. A sum of five hundred rupees or more has been collected comprising entirely of contributions in annas, and similar sums have been pouring in without anybody making an appeal, so to speak. This clearly shows the intensity of the feeling of the Deccan people as regards Shivaji Maharaj and the consequent popularity of the present movement. The co-operation of the Chiefs and Sardars is mainly to be attributed to the fact that the ancestors of many of them and the patrons of the ancestors of the remaining few owed their greatness to Shivaji. I need not mention here that the question of the repairs and endowment of the samadhi (tomb) had more than once in 1885 engaged the serious attention of many influential persons, notably among them were the late Regent of Kolhapur and the promoters of this movement. Unfortunately the untimely death of the Regent and many other causes, small or great, added to the

chronic lethargy of the people. The movement was dropped for a time. Lord Reay's Government, however, did something in the matter. This was alluded to with gratitude by the speakers in the Poona meeting. But what little has been done by Government is really quite inadequate for the purpose. One who has seen how sumptuously endowed are these memorial temples even in small States can well imagine what the feelings of the Maharatta will be when he finds the temple and the tomb built in honour of the founder of the Maharatta Empire in such a state of neglect and destitution—destitute of even the customary pageantry and festivals ; while his descendants of the Kolhapur House, or even his servants and their descendants, have the good fortune of having their temples and tombs as much or perhaps more attended to than what they were themselves in their own lifetime.

There is no doubt that the illustrious Shivaji is held in a very high estimation by the educated public, while the uneducated peasantry regards him as the incarnation of the God Shiva. While there are so many relics before them of his mighty deeds, it is only too natural that they should be so regardful for his memory. I admit that non-political movements are generally very rare in Poona, and this fact may lead to a misunderstanding and consequent distrust about the present movement. But there is "no use striking the ground, saying it is a snake," as the Mahratti saying goes. Confidence begets confidence, and it is no wonder if distrust on one side should create distrust on the other. In my humble opinion a distinction must be made between movements and movements, and I am sure that the intelligent and sympathetic public, both English and Native, will see that it is a grave political blunder not to appreciate the sincerity of any truly popular movement, and to discredit it on first impressions, or taking as serious the rabid utterances of vulgar persons, whether newspaper writers or others. The Maharatta nation—if I may be allowed to use the term—is trying to do something for the memory of their greatest of heroes, and they expect from intelligent and sober-minded persons, especially from men of civilized countries, not only their sympathy, but guidance and support as well.

Ichalkaranji, 7th June 1895.

B.

No. 4.

[*Translation of a Mahratti article printed in column 5 at page 3 of the "Kesari" newspaper, dated Tuesday, the 15th December 1885, having at the foot of page 4 thereof a note as translated, "This newspaper was printed for the owner at the Arya Bhushan Press in Poona."*]

The tomb of Shri Shivaji Maharaj is in a very dilapidated condition and all (people) must have heard that endeavours are being made for a long time for the purpose of collecting subscriptions, &c., for repairing this (tomb). We now hear that it is resolved that the work of repairing (the tomb) is to be taken up by Government and Lord Reay has given orders to the Public Works Department to prepare plans and estimates in connection with that. What Maharashtra individual is there who will not praise this worthy act of Lord Reay Saheb ?

A true translation.

(Sd.) ANNAJI B. ANGAL,

Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 9th September 1897.

No. 5.

[Translation of a Marathi article printed in column 1 at page 3 of the "Kesari" newspaper, dated the 30th April 1895, having at the foot of page 4 thereof a note, as translated, "This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushan Press in Budhwar (Peth) at Poona and published by Bal Gangadhar Tilak."]

We are highly pleased to find that (our) article last time about the deplorable condition of the tomb of Shivaji Maharaj at Rayagadh has caused a movement at some places at least. There is the tomb of Rajaram Maharaj at Singhad and the arrangements there are very excellent. A festival is annually held in the month of Falgun and there are in addition three persons, a Pujari^(a) a Guroav^(b) and a Mali^(c) specially employed (respectively) for the daily Puja^(d) Naivedya^(e) and looking after the flower garden. The said expense is carried on by Government. When such is the arrangement regarding the tomb of one of Shivaji's descendants, we do not understand why the tomb of Shivaji himself should be in such a deplorable condition. A student has sent over to us two annas for being spent towards (the accomplishment of) this object. Though this amount is very small there is no doubt that the people^(f) of Maharashtra will be pleased to see the pride about *Swarajya* that has awakened in the mind of the said student. We hope that others (i.e.,) the Sardars and other people of Maharashtra will come forward on noticing this gift of a student. We will publish in our paper an acknowledgment of any amount of money that anybody may send over to us for this object.

A true translation.

(Sd.) ANNAJI B. ANGAL,

Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, September 1897.

No. 6.

[Translation of portions of a leading article printed in columns 4 and 5 at page 2 and columns 1, 2 and 3 at page 3 of the issue of the "Kesari" newspaper, dated this 4th June 1895, having at the foot of page 4 thereof a note, as translated, "This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushan Press in Budhwar (Peth) at Poona and published by Bal Gangadhar Tilak."]

A gigantic meeting held for the purpose of repairing the delapidated samadhi (tomb) of Shri Chhatraputi Shivaji Maharaj.

As announced by us, in our last issue, a grand public meeting of the residents of this place was held in Hirabag last Thursday, for the purpose of giving an organised character by appointing a Treasurer, Secretary, &c., to the movement now going on for repairing the delapidated tomb of Shri Shivaji Maharaj. It is no wonder that thousands of people had assembled at the meeting held in the Capital of the Peishwas

(a) Worshipper.

(b) Servant who looks after a temple, &c.

(c) Gardener.

(d) Worship.

(e) Food offering.

(f) Shivaji's rule was known by this name. It also means one's own Government.

to perpetuate the memory of Shri Shiva Chhatraputi whose exploits gave, though for a short time, a high place to Maharashtra in Indian History. A good many meetings consisting of three or four thousand people have been held here ; and we would not have said that there was anything special in this meeting of Thursday last, if it had been of a similar type. But anybody will admit that the presence of the Sardars of Maharashtra whether it be from an inward sense of the importance of the objects of the meeting or for any other reason, gave the meeting a truly unprecedented character. Indeed it can fairly be said that a meeting of such a character was never held before in Poona * * * *

For the Chaphalkar Swami the descendant of Shri Ramdass the Pratinidhi of Oundh, the Sachiva of Bhor, Ichalkaranjkar, Kurandwadkar and the Senaputi Dabhade of Talegaon and other chiefs and Sardars were present at this meeting, not only this, but they themselves conducted all the proceedings of the meeting. It must be considered a great good omen that a beginning of this sort should take place with the object of perpetuating the memory of Shri Shivaji Chhatraputi, and we are positive that an endeavour begun on such a basis, can never take a long time to succeed.

THE COMMENCEMENT OF THE PROCEEDINGS OF THE MEETING.

The meeting was to be held at half past five and in order to accommodate all people sitting arrangements were made in the open portion of the Hirabag.

According to custom seats were provided for the President and the Sardars on a slightly raised platform. The chairs were arranged thereon according to their ranks. Even at five o'clock nearly the whole space was occupied and about the end (of the meeting) there was an excessive crowd. Shri (mant) Dabhade, Shri (mant) Kurandwadkar, Shri (mant) Ichalkaranjkar and other Sansthaniks came even before half past five. Soon afterwards came Shri (mant) Pant Pratinidhi and Shri (mant) Sachiva. Almost all the prominent gentlemen of the city were present at the meeting and besides there was a very large number of other people. On the dais raised for the President, in the centre, Shri (mant) Guru Maharaj Chaphalkar Swami sat, and there were chairs for Shri (mant) Pant Pratinidhi, and Shri (mant) Pant Sachiva on either side. It is needless to say that the first rank is given to Shri Gurunarya Chaphalkar Swami amongst the Maratha Sansthaniks as he is the Guru, i.e., the preceptor of gharane (dynasty), and amongst the other Sansthaniks Shri (mant) Pant Pratinidhi occupies the foremost place by his age, experience and rank. Shri (mant) Ichalkaranjkar, Shri (mant) Bapoo Saheb and Shri (mant) Bala Saheb Kurandwadkar, Shri (mant) Dabhade and other Sardars, sat on the dais itself on either side of the President. The seats being so occupied, Shri (mant) Senaputi Dabhade of Talegaon read the invitation letter signed by himself and Ra :

(a)

(Rajmanya) Ra : (Rajeshri) Tilak, and proposed that Shri (mant) Pant Pratinidhi should be elected President, and that the work of the meeting should be commenced. Shri (mant) Pant Sachiva of Sansthan Bhor seconded this proposal.

Then Shri (mant) Pant Pratinidhi, having occupied the Presidential seat himself stated to the people the objects and purpose of the meeting. He said "The only object of to-day's meeting is to raise a fund for taking good care of the tomb of Shri Shivaji Maharaj and for erecting a Chhatra (Mausoleum) thereon, and from the interest of the fund so raised to continue the worship (of the tomb) and to hold annual festival celebrations, that at present the British Government have decided to spend four rupees per year for the tomb. But that, as this sum is insufficient, if people were to collect subscriptions and to inform the descendants of the Maharaja

(a) Term of respect.

who are at Kolhapur of this circumstance, no difficulty would come in the way of making proper arrangements." After this short speech from the President, Shri (mant) Bala Saheb Ichalkaranjikar read to the meeting telegrams of sympathy from the people of Chikodi and from the Hon'ble Mr. Justice Ranade. Mr. Justice Ranade made a further suggestion in his telegram that a permanent fund should be raised for such a purpose.

First Resolution.

After reading these telegrams Shri (mant) Bapu Saheb Karandwadkar, the well-known Sansthanic of taste in the Maharashtra, proposed the first resolution before the meeting as follows :—“A fund should be collected for the purpose of making proper repairs to the tomb at Raigadh of Shri Shivaji Maharaj and of building a temple, &c., thereon, according to the deserts of (Shri Shiv) Chhatraputi Maharaj and for the purpose of making such arrangements as would secure a permanent establishment, periodical celebrations, &c., so as to preserve the grateful memory of the favours of Shri Shiva Chhatraputi Maharaj for all time.”

In bringing forward this resolution Shri (mant) Bapu Saheb showed, on good ground to the meeting, that the views and objects of the present meeting were identical with those of the one held in 1885.

* * * *

Second Resolution.

Afterwards, in order to carry out the object of the above resolution, Shri (mant) Bala Saheb Karandwadkar placed the following propositions before the meeting, viz. :—“That a Committee of 50 gentlemen, including the leading Sardars, Jaghirdars, Inamdars, Rao Bahadurs, and others, should be appointed, with power to add to their number other great persons in other places, and that Shri (mant) Bala Saheb Natu be appointed Treasurer, and Shri (mant) Senaputi Dabhade, Shri (mant) Baba Saheb Ichalkaranjikar and Ra : Ra : Tilak be appointed Secretaries.”

* * * *

Third Resolution.

Then Shri (mant) Baba Saheb Ichalkaranjikar rose to propose a vote of thanks for the Chairman. He said : “The pleasant duty of thanking the President Shri (mant) Pant Pratinidhi has been entrusted to me for his acceptance of the Presidentship of this unprecedented meeting and for his carrying its important business to the end. Although Shri Pant Pratinidhi is aged and is attached to old ways, we cannot too much praise his readiness to help with great courage and singleness of purpose, every movement in the interest of the public weal. There hardly remains anything worth mentioning about the objects of this meeting beyond what has been stated by Shri (mant) Bala Saheb Karandwadkar. But in this connection, I must say a few words about a writing in an English paper which has included Shivaji Maharaj amongst the Peshwas. To say that the Hon'ble Mr. Ranade and the late Mr. Telang and other leaders of those times were of opinion that there was no necessity (of the work) of the Committee of 1885 (to continue) as Government had, by giving help, repaired the tomb, is to state what is entirely erroneous, as will be shown by the telegrams from Mr. Justice Ranade just read to. The previous speakers have stated to you what causes operated to leave the work of the Committee of 1885 unfinished, and I am sure you will not neglect the work any further.

A true translation.

(Sd.) GANESH KESHAV VAIDYA,

Third Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 10th September 1897.

No. 7.

[Translation of the leading article headed, THE GREAT FESTIVAL OF SHIVAJI, in the "Kesari" of 14th April 1896, page 2, column 5, and page 3, column 1.]

It has been a matter of constant and painful surprise (to us) as to why we, the people of Maharashtra, did sleep soundly so long? Should we not have to hang down our heads if we are asked by a foreigner how we have up to this day forgotten the event about which we should always be thinking, which we should never forget even in dreams, and which should give a particular turn to our mind. The existence of a people on the surface of the earth who have never made their name resound in history is in a way shameful. Should we not always cherish him in our hearts who has removed this disgrace for us? Again, the people of no other country in the world would have forgotten the great man who laid the foundation of our empire, who maintained our Hinduism, and who gave a particular direction to our religion. In European countries, not only the greatness of their deities, but the names and qualities of warriors are constantly sung by the people. But (we) need not go so far; we have hitherto commemorated the names of incarnations like Rama, Krishna, Hanuman, and others (born) in this country, and are still doing the same. In this view was it not then imperative upon us to have awakened in time? But the past cannot (now) be recalled. The only consolation is that our Maharashtra people have now awakened to their duty and are discharging their debt. At Raigadh to-morrow, *i.e.*, the Vaishakh Shudhu second our people are going to celebrate the great Shivaji festival.

So long the bones of Shivaji Maharaj have rested in solitude on an uninhabited and desolate mountain fort. It is needless to say that the mountain fort at which people did not even throw a passing glance will to-morrow be full of crowds and will present an attractive appearance on account of *Kathas(a)*, *Kirtans(a)* and other devotions. Any one will admit that the work of these people of Mahad, who have brought this festival into prominence, is deserving of credit. It seems likely that this being only the third year of to-morrow's celebration, it will not assume that appearance which it deserves. Still, that this affair has at last commenced is in itself a matter for joy. It is rash at once to expect that festivals like this should assume a national shape and have their importance immensely increased. Even in Greece the Olympian and Nymian games and other great festivals that used to be celebrated in ancient times took considerable time before they assumed a national character. Till the days of Salon very few Athenians went to these festivals. But it appears from history that this great man being greatly desirous that his countrymen should attend these festivals and earn prizes, promised rewards of considerable value at the expense of public treasury with a view to encouragement. In Greece there were in ancient times many small states, and these always used to quarrel among themselves. But in proportion to the growth of the importance of the festivals there they became all united. Those athletes, swordsmen or divers who earned prizes in those festivals, when they returned to their States, were held in high estimation and were honoured by the people till their death. At last these festivals rose so much in importance that people from the whole of Greece began to attend them. Not only that, but people from neighbouring countries, *i.e.*, from Egypt, Asia Minor, and others began to attend. He who will not desire that our would-be festival of to-morrow should attain such importance may well be said to be no Hindu at all.

(Our) readers must bear in mind that the fund which is being raised in the name of Shivaji has no connection with to-morrow's festival. There is not as yet formed any definite opinion as to what direction should be given to the festival which will be celebrated (with money) out of this fund, and how it should be

*At the foot of page 4 of this Newspaper there is a note, "This Newspaper was printed by Hari Narayan Gokhale at the Arya Bhushan Press in Budhwar (Peth) in Poona and published by Bal Gangadhar Tilak."

(a) Legends of the exploits of some god related with music and singing.

arranged, and in what places it should be held. All these matters, of course, will sooner or later be settled by majority. From this (however) no one should suppose that there is no occasion just at present to perform properly our duty in celebrating this festival. Every citizen of Maharashtra must give a helping hand to this festival to the best of his ability. Famous *Puraniks*(a), *Hardasas*(b), *Shastries*(c) speakers, as well as swordsmen, fencers and dexterous riders and gymnasts, and other gifted persons in (this) country must go to Raigudh and adorn the festival (by their presence). It is evident that these men will not at present be honoured in the way they deserve. But we do not consider that after some time these men will return (from Raigudh) empty-handed, the reason is that, notwithstanding that no subscriptions have been received as yet from rich and middle class people. If 15 or 16 thousand rupees have been collected in the name of Shivaji from small subscriptions without much trouble, there is reason to assert that this fund will, in course of time, grow very considerably. Only our people must for some time celebrate this festival by spending money from their own pockets. There are some among us who turn up their noses and describe this festival as a childish movement. But since the number of these is very small, it is not necessary to think much about them. But there is some fear that our rulers will hamper such a festival at every step. Only the other day the Collector of Kolaba had tried to upset to-morrow's festival. Raigudh being included in the forest, the managers of the festival asked for permission of the Forest Officers, as there was to be a large concourse of people there, and it was also given to them without effort. But our Revenue Officers have a quite different manner, and so it is not that they would sit quiet without giving at least a little trouble. The Managers communicated with the Mamlatdar of Mahad by a *yadi* (letter) with a view to secure police and magisterial arrangement at Raigudh. But our Mamlatdar Saheb being one who is guided by others put the responsibilities upon the Collector Saheb. What the Collector Saheb wanted happened by itself. What then? Although there were in the *yadi* (letter) express words to the effect that we propose to hold a festival, they were disregarded and either of his own accord or through the representation of others, the festival was construed (by him) into a fair or pilgrimage, and the law applicable to pilgrimages was found, and a reply was given to the applicants to the effect that as the application was not in time, it was all the same whether permission was given or not, and the permission was refused. As all the arrangements for the festival were complete and invitations had been given to people of outlying provinces, this (circumstance) constituted a difficulty, and therefore the Managers were obliged to go to Mahableshwar and undergo trouble. After going there the meaning of the law was explained to all the Councillors. Even then, the permission could not be had. Ultimately the complaint had to be taken to the Governor Saheb. If Lord Harris had been the Governor of Bombay at this time, he would certainly not have given the permission. On the contrary he would have given some piece of advice not palatable to the people of Maharashtra. But the present Governor Saheb being generous and good tempered, the Managers were fully heard and permission was given immediately. Therefore what objection is there if it is said that he has made us the people of Maharashtra in a way his debtors. Lord Sandhurst has done this act, which indeed obliges us to acknowledge his obligations often times. It need not be told that after to-morrow's festival is over, some of the Anglo-Indians will try to mislead Government with reference to this festival by writing misrepresentations, because even before this, beginning in this direction has been made to some extent. It is true that we will not be afraid if any one saddles upon us any false imputation, yet considering the temper of rulers towards us, we must act in a way that no room whatever should be given them to attach blame (to us), and therefore it is not necessary that we should suggest

(a) Public expounders of *Purans* (i.e.,) sacred and poetical works.

(b) Celebrators of the praises of the Hindu deities.

(c) Those who have studied *Shastri as*, or institutes of religion, law or letters.

to all wise men that the Managers, and the people intending to assemble at Raigudh, should preserve as much moderation as they can in their behaviour, action, and speeches. It is not that to-morrow's festival is to be held at Raigudh alone. Devotion to Shivaji Maharaj is so much aroused in the minds of the people of Maharashtra, that as we learn from newspapers, arrangements have been made to hold similar festivals here at Junnar, Baroda and other places. Therefore we desire that those who can, should not hesitate to attend the festivals at these places.

A true translation.

(Sd.) ANNAJI B. ANGAL,
for Chief Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 10th September 1897.

No. 8.

[*Translation of portions of a Marathi article printed in columns 1, 2, 3 and 4 at page 2 of the "Kesari" newspaper dated the 21st April 1896, having at the foot of page 4 thereof a note as translated, "This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushan Press in Budhwar (Peth) at Poona and published by Bal Gangadhar Tilak."*]

THE FIRST CELEBRATION IN HONOR OF THE BIRTHDAY OF SHRI SHIV CHHATRAPATI AT RAIGUDH.

The celebration of the birthday of Shri Shivaji Maharaj, the first (of its kind) which took place at the Fort of Raigudh last Wednesday, deserves particular attention from every inhabitant of Maharashtra. It is about 75 or 80 years since Raigudh has become desolate and it is more than two centuries, or thereabouts, since its glory has disappeared. During this (long) interval the fort may have scarcely witnessed a great celebration like the one on Wednesday. The coronation of Shri Shiv Chhatrapati in Shak 1596 (A.D. 1674-75) at this fort was perhaps the last great festival that was here celebrated. That the place of the coronation and of the tomb of that great man who gave the pleasure of independence to Maharashtra for two centuries should have been so utterly forgotten by the Marathas and should be reduced to such a state as (to make one say):—"The position of the mountains strengthens the idea that it is the same"—is (due to) the queer course of time or of our ill-luck * *

* * * * *

These two difficulties were those of (obtaining) permission. The Fort of Raigudh having been included two years ago in the reserved forest, in the first place the permission of the Forest Officers was needed. This permission was soon got through the goodness of the said officers. The Collector of the Kolaba District, Mr. Lamb, meddled unnecessarily and tried to throw difficulties in the way of this business. It is not known what idea this Saheb Bahadur has got in his mind as regards this festival. The fact is that although there was no necessity whatever for his permission, he made out an argument that there would be shops opened during the festival, and that when there would be a group of shops they would constitute a market; and of his own accord first submitted to the Commissioner a confidential report that the festival could not be held without the permission of the District Magistrate under Act IV of 1862, obtained his (*i.e.*, Commissioner's) permission and issued an order. This order reached the Secretary to the festival on the first of April. It was then indeed very uncertain whether in the (interval of) fifteen days an order from the

Government, setting aside this illegal order, would in time come to hand or not and this uncertainty began to make some of the people above-mentioned feel some little pride also for their prudence. But fortunately and by the favor of our present Governor, His Excellency Lord Sandhurst, all the difficulties were removed and a Government order was promptly issued directing that the law about markets did not apply to festivals of this kind, and that the permission of the District Magistrate was not necessary and copies of it (order) were despatched to the Commissioner, the District Magistrate and the Secretary to the festival. We are sure that the people of the whole of Maharashtra will very gladly thank His Excellency the Governor for having taken the credit of making the first festival possible in his *regime*, having (due) regard to justice and public opinion, notwithstanding that the subordinate officers had taken it into their heads to put unlawful obstacles in the way of the festival which the whole of Maharashtra thought it was necessary to celebrate, not only this, but which might well be said to be a sort of congress of Maharashtra and which in short the people of Maharashtra were ready to celebrate with great delight.

* * * * *

The Police Bahadurs also graced the hall of the gathering on the occasion of the *Kirtan* (a). The Police Bahadurs with their superior officers came to the Fort with great pomp in the morning of the festival and were present in the gathering hall on the occasion of every function of the festival. They left the Fort on the second day of the festival.

* * * * *

After these addresses were over the Honourable Bal Gangadhar Tilak made a speech giving a resume (of what had taken place). In the speech (he impressed upon the audience) that it was the duty of every Hindu to celebrate the festival of Shivaji, that their Rulers would never come in the way of this festival, that a desire to celebrate such festivals should arise in them was but the outcome of the (liberal) education which was so very nobly imparted to them by their Rulers, that they should in this way every year celebrate the festivals of such ancestors of theirs as were very valiant and noble in order, that their memory should be perpetuated amongst them and that to do this is just similar to the celebration of the birthday of their sovereign, Her Majesty, the Queen and Empress of India, or to what their Rulers have of late resolved in Parliament to do in England in memory of Oliver Cromwell, one of the most valiant ancestors of the English or to what the French people do in memory of Napoleon, their great warrior. (He further said) that they should not consider that in entertaining the idea of celebrating every year the festival of their *Chhatrapati* Shivaji Maharaj and of taking steps to cherish his memory for ever there was disloyalty of any kind whatever, and that if any body should tell them (that it was so) they should not believe such a representation as true. He assured them that their kind Rulers and Her Majesty, the Queen and Empress of India, would never be against them in their doing such a thing. To this effect the Honourable Tilak made a speech.

* * * * *

A true translation.

(Sd.) ANNAJI B. ANGAL,
Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 9th September 1897.

(a) Celebrating the praises of a god with music and singing.

No. 9.

The "Times of India," Saturday, April 21, 1894.

THE STORY OF PRATAPGAD.

We are glad to see that our Asiatic Society is not restricting its scope to purely philological and archæological work, as it threatens now and again to do, but also launches out on occasions like that of yesterday into the field of Indian History. Mr. R. P. Karkaria's paper on Pratapgad Fort, delivered last evening, was not only exceedingly interesting but would be attractive to those readers who would not care to follow him in his somewhat minute historical inquiry. Pratapgad is famous in Mahratta history for its connection with the celebrated episode of the meeting of Shivaji with the Bijapur General Afzul Khan in which the latter was killed by the Maharatta Chief. Every one who reads Indian History knows of this meeting and has formed an opinion, got from the ordinary hand-books, about the great Maharatta's treachery,—how he artfully inveigled the frank Mahomedan to an interview unarmed, how he himself was fully armed and armoured, how on seeing "his friend the enemy" he pretended to be in mortal fear, and how, when re-assured by Afzul advancing alone, he thrust his treacherous *wagnakh* concealed underneath his fingers into Afzul's body in the act of embracing him. Mr. Karkaria discusses this account copied uncritically from Grant Duff, the standard historian of the Maharattas, by ordinary writers and shows that Duff took it from the contemporary Mahomedan chroniclers, who had evidently great prejudices against the Mahrattas, and from Fryer and others who had no source of information, but mere gossip and hearsay, and who also were biassed against the power which was a standing menace to them. By the side of this Mahomedan version adopted by Europeans, Mr. Karkaria put for the first time in English in its entirety the account which the Maharattas themselves give of it, and which is to be found in their *bakhars* or original chronicles. They hold that it was not Shivaji but Afzul who was anxious for an interview, as he had pledged his honour to the Bijapur Court to bring Shivaji dead or alive in a short time, and could see no other way of redeeming his honour but by capturing him at a pretended friendly interview. He therefore sent an agent to Shivaji to arrange for a meeting. The quick Mahratta, however, spied out the secret and prepared to hoist Afzul with his own petard. He therefore went armed and armoured. Afzul took Shivaji's head into his hand during the customary embrace and pressed it hard and also struck him with his sword. Shivaji, for his part, plunged his weapon into his adversary's body and despatched him. This version is to be found in the Mahratta *bakhars*, though no historian except Scott Waring and he, too, only casually has tried to do the Mahrattas the justice of putting it by the side of the Mahomedan account. Mr. Karkaria forcibly points out the improbability of this latter and greater probability and credibility of the Mahratta view, and every historian of Shivaji must fairly weigh both sides which seems not to have been hitherto done.

No. 10.

The "Times of India," Saturday, March 7, 1896.

SHIVAJI AND THE PRATAPGAD TRAGEDY.

Mr. Karkaria in a recent address advises the Brahmins to ransack their *bakhars* and bring into light an authentic history of the glorious deeds of their national hero, Shivaji, and to exonerate him from the charge of treachery with which his name has been connected by the English historians, on the unreliable authority, as he says, of partial and biassed Mahomedan historians. But the fact that so many educated Brahmins, labouring, as they do under a false impression that injustice has

been done to the memory of Shivaji in depicting him in such dark colours, should have failed to vindicate his character in a satisfactory way up to this time, while a stranger, both from national and religious points of view, should come to appreciate his real merits, seems very surprising, and leads naturally to two significant conclusions, *viz.*, first, that either the Brahmins, in spite of their literary attainments and zeal in reviving the glory of their national hero, have failed to find in the *bakhars*, written in their own language, historical evidences which are so patent to a foreigner, or, secondly, the contents of the gospel upon which Mr. Karkaria relies for authority are either not clearly understood by him in their originals, and in learning them second-hand he has been made a scapegoat of by the interested party, or being understood, he has omitted to take into consideration such of them as do not suit his purpose. The former theory will not stand in the face of so many educated Hindoos who have been actually spending their time and energy in doing their duty to their national hero by searching every nook and corner for some hidden *bakhars* which may throw a new and favourable light on the subject. Attempts are not wanting, I fear, to fabricate brand new *bakhars* to suit their purpose, and to impose them upon the public as old and genuine ones. The latter theory, however, is not without proof and I shall deal with this point in the present note.

For the sake of brevity I shall take, for the present, a single episode in Shivaji's life, namely, the Pratapgad tragedy, and show from the evidence of the very *bakhars* in which Mr. Karkaria has such implicit faith, and upon the so-called reliable authority of which he has based his arguments, how totally erroneous and misleading his opinions are respecting that tragedy. For this purpose I make use of Krishnaji Anant Sabhasad's *Life of Shivaji*, [Mr. K.N. Sane's second edition of 1889] throughout this note. It is the oldest, or, at least, one of the oldest *bakhars*, written in 1694, by an old courtier of Rajaram, and an eye-witness of what happened in Shivaji's life-time. For Rajaram, when he ordered Krishnaji Anant to write a life of his father, said "You should write a life [of my father] from the beginning as you are acquainted with the previous [*i.e.*, Shivaji's] regime." [Vide page 4, para. 1.] Mr. Karkaria also seems to have based his arguments chiefly on the authority of this *bakhar* as it appears from his remarks respecting Gopinathpant. Grant Duff also refers to this work, which he had obtained from the Raja of Kolhapur and he has lodged a copy of it with the Literary Society of Bombay.

Since Mr. Karkaria holds such *bakhars* to be more reliable than the histories written by Mahomedan scholars like Khafikhan, it will not be out of place here to remark in passing, at first, that both the *bakhar* writers and Mahomedan historians are equally partial and biassed in their own way, and that justice requires that if we credit or discredit the one as reliable or unreliable we should credit or discredit the other also in the same way. If, for example, Mr. Karkaria infers from the writing of epigrams like "Kafir ba [not "bar"] Jebannam raft" [The infidel went to hell, *i. e.*, died] that its writer was a partial and biassed Mahomedan and hence unreliable, it is but just that he should not omit to draw the same inference with respect to the writer of a *bakhar* when he takes a similar liberty and likens Afzalkhan to Duryodhan, or, worse still, the loyal and brave Dilerkhan to the Demon "Hedamb," who is one of the blackest scoundrels mentioned in Ramayan. It may be remarked also in favour of the witty epigram in question, that it is primarily intended to give the date of Shivaji's death by way of *memoria technica* and not to show dislike of the author for him. The numerical value of the epigram is 1081, Shahur year, corresponding to 1680, A. D.

This reasoning apart, I will now turn to the point at issue, and show, by examining the contents of the *bakhar*, how little the evidence furnished by it bears out Mr. Karkaria's theory, according to which it was not Shivaji but Afzalkhan who had planned to kill the noble Chhatrapati [he was not Chha-

trapati then], while the former merely turned the tables on him in self-defence. His principal contention is that " Afzalkhan was a Pathan, and therefore, like other Pathans, he was naturally treacherous. It was, therefore, but natural that he should have behaved treacherously towards Shivaji." How far Mr. Karkaria is justified in calling Pathans naturally treacherous, will be considered later on. Suffice it, for the present, to remark here that Afzalkhan was not a Pathan but a Deccani Mussalman. The foreign, that is to say, Arab, Persian and Afghan element had become nearly or quite extinct at the time of the accession of Mahmud Adilshah (1626-1656 A. D). Foreign enlistment was discontinued and the Moghal armies absorbed all Arab, Persian and Afghan adventurers. At the close of Ibrahim's [father of Mahmud's] reign the Deccani Mussalmans were the strongest party. [*Vide Bombay Gazateer* Vol. XXIII, page 424.] It is a very vulgar error which many persons fall into when they think every Mahomedan who bears the appellation of " Khan " is a Pathan. They forget that the word " Khan " is a title of dignity and not an epithet expressive of some clan of race. The present Sultan of Turkey, for instance, is called Sultan " Abdul Hamidkhan " though he is not a Pathan. The inference of treachery on the ground of Afzal's supposed nationality thus fails, and it, therefore, remains for Mr. Karkaria to prove, to bring the charge home against him that he was habitually treacherous. He must furnish, for this purpose, instances of Afzal's treacherous acts previous to his death, from any history he likes. And so long as he does not furnish us with them he cannot justly say that it was Afzal who, true to his habit of dealing treacherously with every one, behaved treacherously on the occasion in question also. While, on the other hand, how easy it would be to make use of the same line of argument in proving from the evidence of the bakhars themselves, that to use treachery to gain his object was Shivaji's second nature, will be clearly seen from the following acts of treachery committed by him within a short period of three or four years prior to his murdering Afzalkhan.

1. One Shimga holiday Shivaji went to his step maternal-uncle, Sambhaji Mohita, who was appointed by Shahaji (the father of Shivaji) to manage his *jagir* of Supe Mahal, on a pretext of asking for *post* or a holiday present from him, and finding an opportunity imprisoned him and secured his 300 horses and the great wealth which he possessed. [*Vide* page 6.]

2. The fort of Purandhar belonged to the Bijapur Government. One Nilkantrao, a Brahmin, was the commandant of it. He died and his two sons quarrelled among themselves. Shivaji went to them on a pretext to mediate and settle their dispute, and finding an opportunity imprisoned them and took the fort. [*Vide* page 7.]

3. Chandrarao Moré, a powerful Maratha Chief, was reigning in the Konkan. Shivaji wanted to take his kingdom. He, therefore, said to Raghunath Ballal Sabnis, one of his faithful adherents: " The kingdom of the Konkan cannot be obtained without killing Moré. None but yourself can do this work." He then sent to him to Chandrarao ostensibly to negotiate a treaty. Raghunath acted up to his master's orders, and during a private conference stabbed Chandrarao and his brother Suryaji mortally and escaped from the place. Shivaji then easily took Javali and other places of the deceased Moré. [*Vide* page 8.]

4. Another brother of Chandrarao, Hanmantrao, was still alive and secure in his place of " Chaturbet " near Javali. Shivaji saw that unless Hanmantrao was got rid of, Javali would not continue long in his possession. He, therefore, sent Sambhaji Kavaji Mahaldar to him on a pretext to open negotiations of marriage. Sambhaji went there; and during a private interview, stabbed Hanmantrao to death. It may be remarked here that this is the same Sambhaji who figured again in the

Pratapgad, tragedy, bowstrung the palanquin-bearers of Afzalkhan, and cut off his [Afzal's] head. [Vide page 8.]

5. Surve kings were reigning in Shringarapur. Their ministers were Shirkes. Shivaji bribed them and made them turn traitors to their lords, and by their help drove the Surves from their kingdom and became master of it himself. [Vide page 8.]

This is a list of *some* of the treacherous acts committed by Shivaji directly or indirectly, shortly before the Pratapgad tragedy. They were committed by him not for avenging any wrong, nor in self-defence, but simply for the sake of self-aggrandisement. It must also be remembered that all the victims of this foul treachery were men of his own caste and creed. Nor was he treacherous alone. He was cruel too. "There was in Siuter Khore a troublesome man named Babaji Rav. Shivaji captured and blinded him." [Vide page 8.] It may be of interest to see how Mr. Karkaria will exculpate his spotless hero from the abovementioned charges which the writer of the bakhar himself lays against his name, not, of course, with a view to expose his weakness, but to praise his skill in attaining his objects. It will not be difficult to judge now who was habitually treacherous, Shivaji or Afzalkhan; and which of the two consequently, was more likely to behave treacherously during their memorable interview at Pratapgad.

I shall next show that the evidence furnished by the bakhar in connection with the case is not so much in favour of Shivaji, as Mr. Karkaria alleges it to be, as it decidedly is of Afzalkhan. It was from the beginning the intention of the Bijapur General to capture Shivaji and not to kill him, while the latter had from the very first determined to kill his adversary as will be seen from some quotations from the bakhar.

a. When Afzal volunteered to lead the expedition, he promised the Queen-Regent that "he would capture Shivaji and bring him *alive* to the Court." [Vide page 10.]

b. When Afzal arrived at Wai, he thought of a plan "to send [some one] to the king [Shivaji] on deputation, make peace with him and by inspiring confidence in him to apprehend him *alive*." [Vide page 10.]

c. When Shivaji sent Pantojipant to Afzal to negotiate peace and to induce him to go to Javali, he instructed the Pant also to ascertain, somehow or other, from Afzal's men, what he had in his mind to do with him [Shivaji]. Accordingly, the Pant bribed Afzal's confidants and elicited from them, it is alleged, the desired information to this effect:—"Shivaji is a rascal. By fighting he will not fall into our hands. We should manage to bring about an interview with him and during it we should *apprehend* him. Such is the plan of the Khan." [Vide page 13]. It may be remembered here that the word *अपहृत* [should be captured] and not *मृत* [should be killed] is invariably used in the bakhar, in mentioning the plan of Afzal. The writer of the bakhar, partial as he is, does not give the slightest hint of the intention of Afzal to kill Shivaji till he comes to describe the actual scene of their meeting. On the other hand, there is overwhelming evidence in the same bakhar of the intention of Shivaji, from the very beginning, to kill Afzal.

a. When Shivaji heard of Afzalkhan's arrival, he resolved to gather his forces and to give battle near Javali. But his followers advised him not to fight, but to submit and make peace with Afzal. He feared that submission might perhaps lead to a rebel's death. And now mark what an insidious dodge he plays with his timid and credulous men with a view to inspire them with courage for helping him to kill Afzal. He pretended to have seen in a dream the goddess Bhavani of Tuljapur, who said to him, ["I am pleased with you]. I will help you in every way. I will kill

Afzalkhan by your hand. I [will] make you successful. Do not be in anxiety." [Vide page 11.] He mentioned this dream to his principal nobles. He also argued that if he submitted he might lose his life, and it was, therefore, more advisable to fight since the goddess was pleased with him and "he would," therefore, "kill Afzalkhan and reduce him to dust" by her help. It will not be out of place to remark here, that while the goddess was true to her supposed promise in killing Afzal through Shivaji, she altogether failed to keep her promise made to Shivaji on another and similar occasion, when she had vouchsafed to continue sovereignty of the Deccan as far as the Narmada, in his house, for *twenty-seven* generations! [Vide page 31.]

b. When the artful Pant induced Afzal to go to Javali, and brought him there, as pre-arranged, he returned to his master, Shivaji, and said, "I have brought Afzalkhan here as desired [by you]. I will now manage to bring about an interview between him and you. You should do your work [then] boldly, *i.e.* [kill him.] [Vide page 15.]

c. The day previous to his interview with Afzal, Shivaji said to Nethaji Palkar, his captain, "To-morrow I [will I go to visit the Khan,] kill him [*lit.* conquer] and return to the fort. I [will] then fire [gun] but once. You should then go down and fall upon the Khan's army." He gave similar orders to Moropant Peshve and stationed his chosen men in various places in ambush in the thickets round about the place of meeting. [Vide page 15.]

The foregoing are some of the typical quotations from Mr. Karkaria's own gospel, and they clearly explain the intentions of both the parties. In the face of such conclusive and overwhelming evidence, both of Shivaji's habit of acting treacherously and of his intention to act so on the occasion in question, it may be safely assumed, that Mr. Karkaria has either evolved his facts from his inner conscience and not from the bakhars; or that his faculty of weighing historical evidences is very defective. It is for the impartial reader to judge now from the bare outline given above of certain undisputed incidents, whose intention it was from the beginning to kill his adversary treacherously during that memorable interview. That the plan of Shivaji to kill Afzal was skilfully preconceived, will also be evident from his careful precautions to meet every emergency. While the Bijapur General, least suspecting any treachery, or wanting to resort to it himself to kill his opponent, as it is alleged, did not make any such preparations.

I shall next deal with the groundless accusation brought against Afzal of "having attempted to plunge his poniard into the side of Shivaji, in the act of embracing him." Here for the first time Krishnaji Anant, the writer of the bakhar, gives us a hint of Afzal's intention to kill Shivaji, and this is the only argument in favour of Mr. Karkaria; and upon the weak foundation of it, it seems, he has built his whole theory respecting the tragedy in question. It needs, therefore, a careful examination. It must be remembered that the writer of the bakhar himself says, that when Afzal went to the place prepared for meeting, he was accompanied by only four men, *viz.* Sayyad Banda, a veteran soldier, Krishnaji Pant, his karkun, and two menial attendants. Of these the Sayyad was killed along with Afzal. The fate of the remaining three is unknown. The writer is not consistent in his statement respecting Krishnaji Pant, from the beginning, as will be shown later on. As regards the two attendants they could not have escaped alive to tell the tale of the fate of their master to the main body of the followers of the Khan, which was left behind at a bow shot distance at Gopinathpant's request, in the face of those men of Shivaji who were lying everywhere in ambush ready to cut off the retreat of the fugitives. The account of the memorable meeting therefore, which has come to our hand, is after all an *ex-parte* one, and its real nature, consequently, may be better gleaned from the events that preceded it than from the representations of the writer of the bakhar,

whose judgment was influenced, not only by the reverence with which he regarded Shivaji, whom he considered an incarnation (of Shiv) (*vide* page 19), but by a natural respect for Rajaram, his son, at whose express order he wrote the bakhar. It will be next seen that of the four followers of Afzal only Sayyad Banda was the man who could and who did defend his master against any possible danger. The Brahmin and the two menial attendants were useless appendages in this respect. Shivaji knew this, and he, therefore managed to persuade Afzal, through the artful Gopinath, to order the Sayyad to stand far aloof. Had Afzal any evil intention in his mind, he would never have allowed this indulgence. On the other hand Shivaji, when he came afterwards to the place, was also accompanied by three men, *viz.*, Gopinathpant, his supposed karkun, Jiu Mahala and Sambhaji Kavaji Mahaldar, the notorious assassin of Hanmantroe Moré. Though the latter two were brought in as "hudekaries" or menial attendants, they were both of them good swordsmen and well armed too. As regards the principal actors in the tragedy, Afzal Khan himself had put on a (cotton) gown only and the only weapon which he carried was a जमदाद (Jamdad, a sort of poniard) and not a large sword as Grant Duff and others think. It was more for show than for use. Shivaji, on the other hand, had put on a chain cap under his turban, and a chain armour on his body. It must be noticed also that while the writer of the bakhar is careful enough to say that Shivaji had put on a chain cap under his "mandir" or turban, he does not give us the least hint that he had concealed his chain armour, too, under a cotton gown as some think. While the very fact of his having concealed a *beechna* in his right hand and a *waqhnakh* in the left shows that there was nothing but treachery in his mind, and that he wanted to make use of them against his unsuspecting visitor, during the act of the customary embrace. For that was the only opportunity for making an effectual use of such weapons. Moreover, he had cleverly lulled the suspicions of Afzal Khan by calling him his uncle and by making a show of timidity. Now, during the customary embrace both the hands of Afzal had naturally fallen crosswise on the back of Shivaji. To think, therefore, that Afzal would, under such circumstances, attempt, even if he wished, to plunge his poniard into the (left) side of Shivaji is the height of absurdity. For to say that Afzal, knowing as he did that Shivaji had put on a chain armour, tried to wound him at a time when he was in such an awkward position, is tantamount to saying that he (Afzal), a soldier to the back-bone, did not know what sort of protection a chain armour could give to the wearer of it. The real fact probably might have been this : Afzal carried the poniard in his left hand as usual. During the act of embrace that hand naturally came to the left side on the back of Shivaji. The end of the hilt of his poniard, at that time, might have come into contact with the metallic armour of Shivaji and produced the rustling sound to which the writer alludes. And probably this fact was construed by him into an attempt to wound him. That Afzal did not dream of behaving treacherously on that occasion is further evident from the fact that whereas he, as soon as he received the dastardly blow from his opponent, cried out "Treachery, help," no such cry for help, on the other hand, was raised by Shivaji, as it is quite natural for a man to do under such circumstances, however brave he may be when Afzal first dealt the alleged blow. The partiality of the writer and his attempt to throw the blame on Afzal instead of on Shivaji is further evident from the fact that he construes the warm and friendly embrace given by Afzal to Shivaji, after the Muhammadan fashion, into an attempt on the part of the former to hold firmly the latter into his armpit ! But with what intention he did so the author does not clearly explain. Here we have a good example of how ignorance, real or feigned, is ready to put a wrong interpretation on a good or well-meant act. The very word *baghalgir shudan* as used in Persian for an act of embrace shows in what way a Muhammadan would naturally embrace a friend or visitor. To interpret that passage, therefore, as expressive of Afzal's evil intention is simple nonsense. It will be remembered that the writer gives a similar description of a customary embrace, when he writes of an

interview between Shivaji and Dilerkhan. (*Vide* page 35.) The writer there says that "Dilerkhan embraced the King *angrily*. He held him with force for some time." Dilerkhan had a dagger in his hand at the time and he was greatly exasperated too, and yet the writer does not show there that the Khan, who was a real Pathan, and, therefore, according to Mr. Karkaria, a naturally treacherous man, took advantage of that opportunity to plunge his dagger into Shivaji's side. In short, it will be seen from what has been stated above, that the only statement—and it is after all a hearsay one—which seems to be in favour of Mr. Karkaria's theory, has not the ring of truth in it.

As regards Gopinathpant, Mr. Karkaria holds, on the strength of the evidence of the bakhar, that he was Shivaji's and not Afzal's karkun as Grant Duff says. Really speaking, the fact of Gopinath's having been a servant of the former rather than that of the latter has not much bearing on the question, *viz.*, which of the two, Shivaji or Afzal, acted treacherously on the occasion. The fact that Afzal was thrown off his guard and was deceived by the artful and false representations of a Brahmin go-between, be he a servant of Shivaji or Afzal, remains a fact after all. But in laying great stress upon this unimportant point Mr. Karkaria seems to have nothing in his mind but to throw a shade of doubt upon the validity of the English historian's opinion on the tragedy. The fact, however, is that several manuscript copies of the same bakhar do not tally with each other on this point. One copy does not mention the name of Krishnaji Anant as Afzal's karkun at all. It says on the contrary that Gopinathpant or Pantajipant was Afzal's karkun. And this seems to be more consistent with what the writer says further on in connection with the affair. For example, when Pantajipant returned to Pratapgad from his deputation to Afzal, Shivaji sought a private interview with him at night, and requested or rather entreated him to tell on oath what the Khan in his mind had to do with him saying: "You and I are not different persons (from national and religious points of view). If you save my kingdom I will entrust you with the management of it. I will give you immense wealth too. You should tell me the real state of things." (*Vide* page 14.) Now if Pantajipant was Shivaji's own servant—and a very trustworthy servant too (*vide* page 12)—there was no necessity of soliciting him so earnestly to tell the truth and of holding out to him hopes of great rewards that he might tell nothing but the truth. By the nature of his very position as a servant of Shivaji, as it is supposed, he was expected to reveal the truth. The safest way to decide this point, if it is worthwhile to do so, is to examine the sanad of Inamdars of Hivre and ascertain the fact, as Mr. Sané suggests.

I shall now conclude this note by exposing the fallacy contained in Mr. Karkaria's proposition which says that Pathans are naturally treacherous. I would ask Mr. Karkaria to prove the universality of this proposition in the face of contradictory evidence which is to be found in the very body of the bakhar. How, for instance, will he account for the loyal and untreachorous conduct of Ibrahim Khan Pathan, who was one of the famous Captains of Shivaji himself, or better still, how was it that Dilerkhan, a real Pathan, allowed Shivaji to escape unhurt when he was actually in his power! The scene of the interview between Shivaji and Dilerkhan resembles in many points that between him and Afzal, and is worth perusing. (*Vide* page 35.) Mr. Karkaria then must either show that Ibrahim Khan and Dilerkhan were not Pathans, or acknowledge that it is not fair to say that all Pathans are naturally treacherous, and to deduce from it that Afzal Khan, being a Pathan, as it is alleged, was also naturally treacherous.

M. J.

The "Times of India," Tuesday, March 10th, 1896.

SHIVAJI AND THE PRATAPGAD TRAGEDY.

TO THE EDITOR OF THE "TIMES OF INDIA."

SIR,—When a person undertakes to refute a writer's view, it is at least expected by that writer and by the public that these views should first be read and understood by that person. But your correspondent "M. J." does not seem to have done any thing of the kind. Though he has paid me the compliment of thinking it worth his while to devote two columns to me, he has very strangely not shown me the kindness of reading what I have written on the subject. Nay, he has been unkind enough to go and read something else and to attribute to me things I never said! I have spoken and written, I think, enough on the subject. Two years ago I spoke before the Royal Asiatic Society of Bombay, and as late as January last, I gave an address on it to the Mahratta gentry at Satara. But my critic seems not to have heard me on any of these occasions. I have written about it in the *Calcutta Review* for July 1894, and also have published a pamphlet at Poona. But my critic has not read either. Will it be believed he does not show a single sign of having a knowledge of my real views as expressed in the above places? He says: "Mr. Karkaria also seems to have based his arguments chiefly on the authority of his *bakhar* as it appears from his remarks respecting Gopinath Pant." Now there is no *seeming* and no *appearing* in this matter. I have said in the most explicit terms what my basis is. I have taken the most important of these *bakhars* for a basis of my account. This is the *bakhar* of Shivaji by Krishnaji Anant Sabhasad, who was an official at the Court of the first Rajaram and wrote a few years after Shivaji's death in about 1695. There are many other *bakhars* of Shivaji, especially that by Chitnis, written at the beginning of this century which contains many important traditions and other matters not quite authenticated. But Sabhasad's account, as it is one of the earliest is also accepted as authentic and trustworthy, especially in the painstaking edition of Mr. Kashinath Narayan Sane. Now after this, how can any one be in doubt about my sources? But let this pass.

There is a more serious matter than this, not only has he not read my writings but he has the astonishing boldness to quote as my words assertions which are not mine at all!! He says: "His (Mr. Karkaria's) principal contention is that Afzal Khan was a Pathan, and therefore like other Pathans, he was naturally treacherous. It was, therefore, but natural that he should have behaved treacherously towards Shivaji." Now this is not only not my "principal contention," but not my contention at all! These two sentences that he purports to quote from me are not mine at all. I challenge him to point them out in any of my writings. I have never said that Afzal was a Pathan, not that being a Pathan, he needs must have been treacherous! The main part of his so-called "refutation" of my theory rests on this supposed "principal contention" of mine. He seems to have raised a man of straw to have the pleasure of knocking him down. He triumphantly winds up with "Mr. Karkaria must acknowledge that it is not fair to say that all Pathans are naturally treacherous and to deduce from it that Afzal Khan, being a Pathan as it is alleged, was also naturally treacherous." Mr. Karkaria will do nothing of the kind. He knows too well to argue *a dicto simpliciter ad dictum secundum quid*, and thinks his critic owes him an apology for putting into his mouth such an absurd and patent fallacy as this, and hopes that it will be soon forthcoming.

A critic who shows such ignorance and resorts to such strange methods would not deserve further notice, but I am tempted to take this opportunity of saying

something about my views on this subject. Your critic says that I hold "such *bakhars* to be more reliable than the history written by Mahomedan scholars like Khaji Khan." I don't say this. What I have said is: "The Mahratta version (of this particular *Pratapgad episode*) is just as trustworthy as the Mahomedan." I have never declared for the greater general reliability of Mahratta *bakhars* than that of Mahomedan histories. Though if I did do that, I would have the very great authority of Scott Waring for that, who had a very close knowledge of the materials for Mahratta history both indigenous and Mahomedan. "The Mooslims," he says, "view with animosity and anguish the progress the Mahrattas have made in the conquest of their fairest provinces, and which of late years must have been aggravated by the bondage of their King, the unfortunate representative of the house of Timoor. From such persons little that was favourable to the Mahratta character could be expected. The facts they give are garbled and perverted, whilst the slightest circumstance against them is seized upon and extended to an immeasurable length. . . . Not so the Mahratta histories. Excepting in the letter addressed to the Peishwa by the late Mulharao Holkar, no attempt is made to make the worst to appear the better reason. Victory and defeat are briefly related; if they pass over the latter too hastily they do not dwell upon the former with unnecessary minuteness. They do not endeavour to bias or mislead the judgment, but are certainly greatly deficient in chronology and in historical reflections." (Scott Waring, *History of Mahrattas*, 1810, p. viii.) The unreliableness of Mahomedan historians is notorious. You yourself have pointed that out in a recent leader quoting Sir Henry Elliot than whom no better authority could be found to know their worth. But still in spite of this, I did not say for a moment that we should implicitly follow the Mahratta and reject the Mahomedan account of this *Pratapgad* affair. After giving the former by the side of the latter, I proceeded to judge of the probabilities of the case and to ask my hearers and readers to weigh these probabilities. I came to the conclusion that the Mahratta account has the greater probability on its side and gave my reasons with your permission. I extract the following passage which contains some of my reasons:—

"The whole, like most disputed incidents of history is a question of probability. And the Mahratta version of this incident shows to have a greater probability on its side than the other. Can it be believed that a greater and skilful General like Afzal should be so simple and unwise as to trust himself to a person like Shivaji and have an unguarded interview, especially when only a short while before this, he had his eldest brother Sambhaji, the favourite son of his parents, treacherously murdered? . . . Again the Bijapur Court had treacherously taken his father Shahaji a prisoner through their agent Ghorpade, and Afzal must have known how deeply the son felt for this treachery to his father. *On the other hand Shivaji was known to Afzal and other Mahomedans as treacherous*, and in the beginning of this very campaign they believed him though there is some doubt as to his guilt in this matter—to have caused the assassination of the Raja of Jaoli. The desecration of the temples of Bhawani and other gods of Tuljapur and elsewhere along the route of the Bijapur Army, had greatly incensed such a staunch and enthusiastic Hindu as Shivaji was even then known to be and Afzal could have easily guessed that he was an irreconcilable foe. It was such an enemy—a man whose father was treacherously imprisoned by his King, and whose brother was deceitfully killed by himself, whose gods he had insulted, and whose temples he had desecrated; it was such an enemy in whose arms the current account wants us to believe Afzal Khan trusted himself in friendly embrace."

"We would refuse to believe this even of an age which was guiltless of frequent treachery and about men who were pretty scrupulous in their means. But

Shivaji's age was quite different, and his contemporaries free from scruples to an uncommon extent. What we call treachery was considered almost a lawful means of gaining the ends and at its worst was very lightly thought of. It was only the party that was worsted by it that complained. When both sides tacitly recognised it to be a legitimate mode of warfare, its heinousness must to some extent have disappeared. The Mahomedans employed it to the full as much as the Mahrattas. And the very Bijapur Court, implicated in the tragedy we are considering, furnishes many more examples of this than those given above. A short time before this event, Khan Mahomed, Adel Shah's Prime Minister, was inveigled and treacherously murdered at the City gate in open daylight, and people thought lightly of it. His son Khawas Khan, the Commander-in-Chief, met with a similar fate during the latter days of Shivaji's life, when he was treacherously killed by Abdul Karim, the Prime Minister. Abdul Karim treated Dinanath Pant who had instigated him to do this deed in a similar way and killed him treacherously. Nor did the Deccani Mahomedans stand alone in this respect. The Northerners were just like them. What was it but gross treachery when Aurangzeb having inveigled Shivaji by false promises to his Court kept him a close prisoner? Aurangzeb gave similar instructions to Khan Jehan as regards Abdul Karim. Rao Karran of Bikanir was to be dealt with in a treacherous way by Diler Khan according to instructions from Aurangzeb, but Bhow Sing gave him timely information and he escaped (Fereshtah's *Deccan* by Scott is the authority for all these facts). And the history of the last Mogals, the Childerries and Childeries of Delhi, furnishes many instances of gross unscrupulousness and breach of faith.

"But it is rather hard upon men of that age with its own peculiar ideal and methods to judge them by our present high standard," &c.

I must apologise for this long extract. But it contains much that is of importance concerning my view of this Pratapgad tragedy. From this it will appear how wide the mark is all that my critic says. He also gives a list of Shivaji's what we would call treacherous deeds and quietly asks "How Mr. Karkaria will exculpate his *spotless hero* from the abovementioned charges."

Does he now see that that part of his so-called refutation really goes to strengthen my case? If Shivaji was so much more treacherous as he asserts, does he see that there is so much less likelihood that a skilful and experienced general like Afzul Khan should have entrusted himself in his friendly embrace at an unguarded interview? And then who saw that Shivaji is a *spotless hero credat* who will? Certainly *non ego*. I never said so. On the contrary in the imperfect condensed report of my Satara address which appeared in your paper, I distinctly said that Shivaji was by no means an ideal hero; and that he was not *so black* as he was painted. This is then another instance of making me say what I have never said.

Again, when my critic takes the trouble to quote from the *Bakhar* to show that Afzul wanted to capture Shivaji alive, he also supports me as I say the same thing. Surely there is very little difference in the treachery of taking a man captive alive by inveigling him and of killing him outright in the same way.

There are many other points on which I might write. But that may be done when my critic shows a better knowledge of my writings and of the subject, and when he employs a more straightforward method than he has done at present. But I cannot resist the temptation to point out his ludicrous mistake about the "*Kafir bar Jehanum raft*" of Khaji Khan, which he calls a witty epigram! It is neither the one nor the other. It is not an epigram certainly; and what wit is there in saying: "The infidel has gone to hell!" It is a chronogram, giving the date of Shivaji's death. And when such words are discovered for the purpose of recording the date, can any one believe "M. J." when he says that they are "not intended to show dislike of the Author for him." What else do they show? Certainly not love

for him! No it is nothing else but a case of malicious ingenuity set to work by intense hatred. And this is not shown in this instance alone. Throughout his narrative, Khaji Khan uses approbrious epithets and abusive language towards Shivaji and I will not defile your columns by quoting it.

One other point, and I have done. Shivaji's dream about Bhawani, he calls an "insidious dodge." I wish he had used more respectful language about such a matter. This appearance of the goddess Bhawani plays a large part in Shivaji's career, and any one who now-a-days calls it all an "insidious dodge" shows a deep ignorance of physic and psychologic phenomena. It might have been an illusion, but that Shivaji was insincere and was all along telling a lie cannot be maintained. Apart from the consideration that an "insidious dodger" and a habitual liar which this critic's hypothesis would make him out to be, could not have been the man to have moved a whole nation to deeds seldom surpassed in their annals. Does not history furnish many such instances of illusions sincerely believed by great men who were led to do great deeds by them? And are all such heroes to be set down as "insidious dodgers"? Was Alexander a "dodger," when he believed he was the son of Jupiter Ammon? Was Mahomed a "dodger" when he said he was the chosen prophet of God who revealed himself to him in many a vision? Was the Emperor Constantine a "dodger" when he said he saw the sign of the cross with the legend *sub hoc signo vinces* in the heavens before his great victory? But why need I multiply instances. They will occur to every reader of history.

Yours &c.,
R. P. KARKARIA.

Castle Hill,
Matheran, March 7.

No. 12.

The "Times of India," Tuesday, April 7, 1896,

SIVAJI AND THE PRATAPGAD TRAGEDY.

TO THE EDITOR OF THE "TIMES OF INDIA."

SIR,—Mr. Karkaria once more assures your readers that "he had used for a basis of his account the most important of the *Bakhar*, viz., that written by Krishnaji Anant Sabhasad, as it has been accepted as an authentic and trustworthy authority," and yet by repeating that "Afzal had murdered Sivaji's eldest brother Sambhaji only a short while before the Pratapgad affair," and also by remarking again in connection with the murder of the Raja of Javali that "there is some doubt about Sivaji's guilt in this matter," he clearly shows that if he has perused the *Bakhar* at all, he has done so quite perfunctorily. Or it may be that he believes in the efficacy of persistent repetition of fallacies. Misleading statements like the above could not but make me express my doubt, in my previous communication about his having ever consulted the *Bakhar* in the original Marathi personally, by saying that "Mr. Karkaria seems (I may now say *pretends*) to have referred to the said *Bakhar*." Will Mr. Karkaria be pleased to quote the chapter and verse of his gospel which says that it was Afzal who had killed Sambhaji? The truth is that the only passage in the *Bakhar* which alludes to Sambhaji's death is that said to have been uttered by Sivaji in reply to his counsellors' advice to submit to Afzal. Sivaji said: "(They) will kill me as they killed Sambhaji" (page 11, line 7). Now this passage does not show in the least that it was Afzal who had killed Sambhaji, and yet Mr. Karkaria has the boldness to say so on the so-called authority of the *Bakhar* in question. Even Mr. K. N. Sane, B.A., Principal of the Training College, Poona, with his thorough knowledge of the language and contents of the *Bakhar*

could not do more than remark, in explanation of this passage, that "the (writer of the) *Bakhar* seems inclined to think that Afzal or some one of his relations had killed Sambhaji treacherously." While the real account of the death of Sambhaji is that given by Grant Duff, J. Scott, and other historians of note. They all agree in saying that "Sambhaji was killed in 1659 in an action against a refractory Zemindar of Bijapur. He was sent by his own father Shahaji to punish the said Zemindar." Again, Mr. Karkaria states that "one of the instructions given to Sivaji by his mother on his final leave-taking was to remember that treacherous deed (murder of Sambhaji by Afzal) and, if possible, to avenge it." Now this statement also is altogether false and unwarranted by the *Bakhar*. The leave-taking affair is described therein in the following laconic way :—Sivaji placed his head on his mother's feet and took leave of her. The mother blessed him and said, "Shivba ! (You) will be victorious." (Page 12.) It may be remarked here that this last sentence gives further significant proof of the pre-conceived plan of Sivaji and his men to kill Afzal. Similarly, the account of the treacherous murder of the Raja of Javali as given by Krishnaji Anant in his *Bakhar* is so lucid that it leaves not a shadow of doubt about Sivaji's having instigated it, and yet Mr. Karkaria says that "there is some doubt about his guilt in this matter !" Such is the nature of Mr. Karkaria's knowledge of the language and contents of "the authentic *Bakhar*" and with such knowledge he boasts of "having ascended higher in point of time than Duff and succeeded in showing that he (Duff) merely stereotyped the one-sided Mahomedan and the hearsay European contemporary accounts." I make myself bold to say that Mr. Karkaria's knowledge of Duff's work is of a par with his knowledge of the *Bakhar* in question. Otherwise he would not have passed such improper remarks against Duff in the face of his (Duff's) statement in the most explicit terms in a footnote at the beginning of the third chapter of his history, to the effect that in writing the history of the Mahrattas he had recourse principally to Mahratta manuscripts, such as, for instance, *Krishnaji Anant Sabhasad's bakhar*, Mulhar Ramrao Chitnees' bakhar, a life of Sivaji, procured from the descendant of Chander Rao More, Raja of Javali, a life of Sivaji obtained from the Kulkarni of Kolhar near Bijapur, a history of the Mahrattas by the Deshpandya of Kathare Desh, and several others. But to return to the subject regarding the alleged iconoclasm of Afzal, Krishnaji Anant says :—(Afzal) broke the Maharajah's (Sivaji's) family goddess Bhavani, put (the pieces) into a handmill and ground (them) into powder. As soon as Bhavani was broken a heavenly voice was heard saying: "O Afzal! Wretch! On the twenty-first day from to-day I (shall) cut off your head, kill all your army, and satisfy (with the blood and flesh of the victims) nine *krors* of chamindas!" (page 10). Now in the very words of Mr. Karkaria I may say here, *mutatis mutandis*, that "the strong bias of this varnished account is patent, and it is hard that it could have been accepted without any scrutiny by Mr. Karkaria." Krishnaji Anant's account of Afzal's alleged iconoclasm stands in strong contrast with that given by the author of "Shiv Digvijaya" bakhar recently published at Baroda. This author says—and his version seems to bear an impress of truth on it—that prior to Afzal's arrival at Tuljapur Bhavani had appeared in a dream to the *badoes* or Brahman servants of the idol, and said that Afzal might insult her. The *badoes*, consequently, removed and concealed her, and under such circumstances, therefore, it was impossible that Afzal might have broken her.

It will be seen from the above that Afzal still remains guiltless on all the counts, despite Mr. Karkaria's attempt to implicate him into them on the supposed evidence of the bakhar. Similarly his hero still stands pre-eminently charged with the treachery of having instigated the murder of the Raja of Javali. The delineation, therefore, of the character of Afzal as an open-hearted and untreacherous man, and of Sivaji as a cunning and treacherous man, as given in my previous communication, remains the same. In support of my estimate of Sivaji's character

I may now put before the readers a good etching of him taken by a *European* and *contemporary on the spot*. Neither Grant Duff nor Elphinstone seems to have been aware of it. The gentleman in question says:—"Sivaji is distrustful, secret, subtle, cruel, perfidious, insulting over whomsoever he gets into his power, absolute in his commands and in punishment more than severe, death or dismemberment being the punishment of every offence if necessity require, venturous, and desperate in execution of his resolves." [Escalot to Sir Thomas Browne, author of "*Religio Medici*," 1664. Scene Surat, ætat 37.] I know, of course, that Mr. Karkaria will not give credence to this etching of his hero by a *European* and *contemporary on the spot*, as he holds all such writers unreliable, because, he says, "they dreaded and detested Sivaji." This is a good example of Mr. Karkaria's so-called impartiality in weighing historical evidence. He rejects all the accounts of Sivaji's life and character given by the contemporary *European* writers, calling them hearsay and absurd, whereas he accepts readily all the really absurd and hearsay things written by Krishnaji Anant in connection with the Pratapgad affair, after a lapse of thirty-five years.

In connection with Mr. Karkaria's assertion that "the Bijapur Court had treacherously taken Sivaji's father Shahaji prisoner through their agent Ghorpade," it may be observed that "the best and most authentic bakhar of Krishnaji Anant does not say at all that Shahaji was ever imprisoned by the Bijapur Court, much less treacherously. The bakhar is quite silent on this point. Its version about this affair runs thus:—The Bijapur Court on hearing of the serious nature of Sivaji's rebellion wanted to suppress it through Shahaji. The Queen-Regent wrote a letter to Shahaji, who was then in Bangalore, commanding him, under penalty of confiscation of his Jahagir, to check his son from following such a course of life. Shahaji wrote in reply that though Sivaji was his son, he ran away from him and was not then under his control. He further assured the queen that as for himself he was loyal to his king, and added that the king should punish his son or deal with him in any way he liked, and he (Shahaji) would raise no objection to it. The Bijapur Court on receiving such reply from Shahaji appointed Afzal to march against Sivaji and suppress his rebellion. Such is the account given by Krishnaji Anant in connection with Shahaji, and what we know, therefore, about his imprisonment is from Grant Duff. This great historian says that when the Bijapur Court heard of a rising in Shahaji's own Jahagir, headed by his own son Sivaji, Shahaji was asked to account for it. Shahaji failed to give a satisfactory explanation. The Bijapur Court then naturally suspected that Shahaji might have had his hand in it. Consequently, as Shahaji was a powerful Sardar, commanding a large army, in order to check further progress of the disturbance, that Court sent, as a matter of policy, a private order to Baj Ghorpade, another Sardar who was serving then in the same part of the country with Shahaji, to seize and confine him. "This object," says Duff, "Ghorpade effected by treachery: he invited Shahaji to an entertainment and made prisoner." Now this is an instance of one Mahratta acting treacherously against another Mahratta. Sivaji knew this, and, consequently, when he avenged this wrong, he did so by killing the Ghorpade and several members of his family in fulfilment of an express injunction of his father Shahaji.

But when the treacherous character of Sivaji has thus been proved to the hilt and Mr. Karkaria fails to exculpate his hero from the charge, he very skilfully adopts a different line of argument and says that "if Sivaji was so much more treacherous as I assert, there is so much less likelihood that a skilful and experienced general like Afzal should have entrusted himself in Sivaji's friendly embrace at an unguarded interview." Now though in emphasising the assertion, that "Sivaji was known to Afzal and the other Mahomedans as treacherous," Mr. Karkaria indirectly admits that his hero was really a treacherous man, yet he does not do so without greatly distorting the fact in a way to suit his purpose. For it must not be forgotten that a man

cannot be known to be treacherous before some of his treacherous acts have become known to the public. However treacherous Sivaji might have been, he was certainly not known to be so either to Afzal or any other Mahomedan at Bijapur before the Pratapgad tragedy. The only news which the people at Bijapur had heard about Sivaji was that he had turned out a *pund* or free-booter. Such an event was not of uncommon occurrence in those days, and consequently it was less likely to attract any serious public attention. On the contrary, it was known to many in Bijapur and the Karnatak that though Sivaji became *pund*, he did not lose respect for his sovereign to such an extent as to dare even to kill his representative. Everyone knew, for instance, how Moulana Ahmed, the Adilshahi Governor of Kallian, was treated by Sivaji with the utmost respect, and honourably allowed to return to Bijapur, when the Moulana had fallen a prisoner into the hands of Sivaji. It must also be remembered that Sivaji's principal object was always to gain money, and when that object was realised, he would generally do no one harm wantonly. "His desire of money is so great that he spares no barbarous cruelty to extort confessions from his prisoners, at least cuts off one hand, some times both. . . . There were then about four heads and twenty-four hands cut off." (Escalier to Browne) All the acquisitions which Sivaji had made prior to 1655 were made without bloodshed. The correct and reliable account of the secret assassination of Mores of Javali which Sivaji's adherents had committed at his instigation, shortly before the Pratapgad tragedy, had not reached the Bijapur Court. And, lastly, the most important fact to be remembered is that prior to the Pratapgad tragedy Sivaji had never gone so far in his treachery as to kill any person himself treacherously. All these facts could not but have helped greatly to lulling instead of rousing the proud and open-hearted Afzal's suspicion, if any, respecting Sivaji's intended treachery. Moreover, the treachery of Sivaji generally assumed different shapes at different times, as Krishnaji Anant himself avers. For Sivaji had commenced his career as a petty robber; circumstances favoured him in his enterprises; every new success enlarged his ambition, as well as added to the stock of his previous experience, and enabled him to invent new plans to cope with new obstacles in the way to attain his ends. Really speaking, the Bijapur Court was not fully alive to the real magnitude of the danger which had threatened them from Sivaji's quarter, till their eyes were opened, though too late, by the sad end of Afzal and his army. Afzal always thought Sivaji an insignificant enemy. Sivaji had the cunningness enough to strengthen Afzal in this belief by affecting the utmost sorrow for his past conduct, pretending to have no thought of opposing so great a general, and by making a show of submission without giving a single battle. Moreover, a feeling of security which the consciousness of personal strength and courage, as well as of being the representative of a powerful Government commanding a large army, gives rise to, in the heart of a man, often deceives him so much as to make him think lightly of, and become less guarded in, his dealings with an apparently insignificant enemy, and thus make him fall an easy prey to his machinations and treachery. History does not furnish a few examples of this. How easily could Sivaji deceive a Mussulman general by his delusive proposals will further be best illustrated by the conduct of Seede Jouhar, only a very short time even after the Pratapgad tragedy. This brave Bijapur general had actually hemmed in and entrapped Sivaji in the Pauhala fort, but Sivaji effected his escape from the place by resorting to his old dodge of throwing his enemy off his guard by artful and false proposals of surrender and peace. It will be thus seen that it was in no way strange and impossible that a skilful and experienced general like Afzal should have entrusted himself in the friendly embrace of a wily enemy.

To sum up. Afzal had neither killed Sivaji's brother Sambhaji, nor insulted the Hindoo gods. He did neither know, nor was it possible for him to know, the treacherous character of his opponent Sivaji. On the contrary, Afzal was an old

friend of Shahaji, a fact which Sivaji had taken full advantage of by calling himself Afzal's nephew. He greatly under-estimated Sivaji's power of offence and defence on account of the show of ready submission which Sivaji had made as soon as Afzal appeared in the part of the country he was ravaging. And thus it was that the proud and unsuspecting Afzal naturally fell an easy prey to the novel and original plan of Sivaji. And hence it is that an enumeration of Sivaji's treacherous deeds, made in my previous note, instead of holding up Mr. Karkaria's views, as he supposes, renders them less tenable. Mr. Karkaria next proceeds to say that "Sivaji's contemporaries were free from scruples to an uncommon extent. What we call treachery was considered almost a lawful means of gaining ends, and at its worst was very lightly thought of." He then gives a list of men whom he alleges, by way of proof, to have been the victims of treachery. But in doing so he garbles and perverts certain facts which were likely to show that what he called treachery was not necessarily to be so. I may explain this by giving a brief account of the so-called treacherous murder of some of the Bijapur nobles only. It is also necessary to give such an account here, as it will clearly show to the readers how Mr. Karkaria, in judging of Sivaji's conduct in connection with the Pratapgad tragedy, "insists on extenuating circumstances even at the risk of being called a casuist, and also on considering each case of historical wrong separately with its peculiar circumstances and not involving all indiscriminately in one universal anathema of condemnation," but in judging of the treacheries of the Deccani and Northern Mahomedans he does not follow, for reasons best known to him, the same rule. As for the history of the remaining persons mentioned in that list, the readers are requested to refer to the work of J. Scott. Shah Jehan had destroyed the kingdom of Ahmadnagar about the year 1637. He next turned his attention to Bijapur. Prince Aurangzeb, the Moghul Subedar of the Deccan, advanced with a large army against Bijapur, and Khan Muhammad, the Prime Minister and Commander-in-Chief of the Bijapur Government, set out to oppose him. Aurangzeb corrupted Khan Muhammad, and he, therefore, shamefully neglected every opportunity by which he might have impeded the march of the Moghuls. Aurangzeb ultimately laid siege to the capital which at last had to capitulate. Such is the traitor Khan Muhammad! Grant Duff says of him: "Khan Muhammad, the Prime Minister, who had betrayed the cause of his king, was *justly condemned*." But Khan Muhammad's punishment was confined to himself only. After his death his son Khavas Khan was raised to his position. At that time contentions prevailed amongst the Deccanics and Afghans of Bijapur. Dinanathpant, who was much in the confidence of Khavas Khan, artfully promoted the inveteracy of the parties in hopes that he should succeed whatever chief might be displaced. He advised Khavas Khan to seek assistance of the enemies of his master, the Moghuls, in expelling the Afghans from Bijapur. Khavas Khan acted accordingly. The miscreant Dinanath then communicated this news to Abdul Karim, the leader of the Afghan faction, insidiously observing that if the Habshee (Khavas Khan) should make the fort and kingdom an offering to the Moghuls it would put an end to Abdul Karim's and his own fortune. Abdul Karim thereupon, to save the Bijapur kingdom, took Khavas Khan prisoner and put him to death. Abdul Karim afterwards came to know of Dinanath's intrigues, and consequently he put him, too, to death, thus verifying, says J. Scott, the observation that "he who digs a pit for another often falls into it himself." It is true that treachery was the means employed to bring about the end of the traitors to their country and their lord, and Grant Duff also says that they ought to have been tried in any regular manner and then condemned. But when we remember that there is a vast difference between the merely titled nobility of the West and the really powerful nobility of the East, we shall clearly see that it was quite impossible to follow such a course in those days when every nobleman with a powerful army of men of his own tribe was himself to a great extent a saviour or destroyer of his king and kingdom. Any attempt, therefore, to cashier or condemn them in legal ways

was likely to end, if not in total annihilation, at least in serious calamity to the State. Yet this fact does not prove that a resort to treachery was in those days considered almost a lawful means of gaining an end. The history of the time furnishes many instances of persons, both Mahomedans and Mahrattas, who were far too noble and upright in their conduct to resort to treachery for gaining their objects. Anyone who carefully peruses the history of Mahrattas like Zunzarroo Ghatge, Mores, and Bandals, and of Mahomedans like Seede Joukar, Prince Muazzin, and Dilerkhan (especially in connection with his treatment of Sivaji's eldest son Sambhaji) under critical circumstances, will come to the conclusion that Mr. Karkaria's sweeping remarks against the supposed low standard of morality of the age are far from being just. It must also be borne in mind that the history of the last Moghuls is not the history of the Moghuls of the time of Aurangzeb. Moreover, it is not proper and just either to judge of the conduct of a certain man principally from the bad conduct of his contemporaries, or to denounce a whole people from the bad conduct of a few individuals amongst them, and if Mr. Karkaria's contention on this point is to be received as sound, we shall hardly find any nation, in any age, to be free from unscrupulousness and breach of faith. In short, from this point of view also, what seems to be so highly improbable to Mr. Karkaria respecting Afzal's having entrusted himself in Sivaji's embrace is not in reality so improbable, but on the contrary every way probable.

I reserve my remarks on other points on Mr. Karkaria's letter for a future occasion.

M. J.

BOMBAY, March 31.

No. 13.

(Translation of a Marathi article printed in column 4 at page 3 of the Kesari newspaper dated the 24th March 1896, having at the foot of page 4 thereof a note as translated, "This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushana Press in Budhwar (Peth) at Poona and published by Bal Gangadhar Tilak).

The six-monthly meeting of the Deccan College Indian History Club will be held in the Deccan College at 4-30 p.m. next Saturday, the 28th of March. On this occasion Professor Bhanu will deliver a lecture on the subject of "The Death of Afzulkhan." All the members (of the Club) and all (other) gentlemen taking interest in the history of India are requested to be present at the said meeting.

A true translation.

(Sd.) ANAJI B. ANGAL,

For Chief Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 9th September 1897.

No. 14.

[Extracts from the Deccan College Quarterly (Anglo-Marathi) for the Month of April 1896, Vol. IV, No. 4, at pp. 7 to 16 and pp. 31 and 32.]

PAGES 7—16.—THE STORY OF THE DEATH OF AFZUL KHAN.

The successful rebellion of Shivajee against the Vijaypur Government, aggravated by its suddenness, excited even the imbecile and factious Musalman Government of Vijaypur to think seriously of the matter and to make extraordinary efforts

to put-down the aspirant rebel. Afzul Khan, an officer of high rank, volunteered his services and solemnly promised that he would, in no time, bring the rebel to Vijyapur in chains or would annihilate him and his on the battle-field. A well-appointed army was placed at his disposal, and he set out on his expedition. On his way he destroyed the famous idol at Tuljapur, and violated the sanctity of the temple of Vithoba at Pundharpur. At the Mahadev Hills he came to know that Shivajee had changed his seat of residence from Rajgad to Pratapghad, a well-built fort naturally defended by a dense forest and a hilly ground. The Musalman Commander had to change therefore his plan of attack. He came to Wai and encamped there instead of proceeding to Pooona according to his original plan. Afzul Khan was, some years before, the subhedar of this (Wai) district. Like a good commander he had then observed the inaccessible configuration of the ground and of the forts where Shivajee confined himself now. Afzul Khan at once saw the dangerous responsibility of maintaining a prolonged guerrilla warfare against the Mahrattas who were known even then for their persevering patience in this kind of warfare. Afzul Khan could not afford to lose time, as the kingdom of his master was attacked by the Delhi Moguls in the north and by the Karnatic Palegars in the south. There was also the additional difficulty of getting supplies for his army in this comparatively less fertile district.

He therefore naturally resolved to open negotiations of peace, which he thought he would be able to manage by his adroitness and by the high promises of promotion he would make to a comparatively petty rebel chief. With this confidence in his wisdom he sent his Vakeel Krishnajeel Bhasker to Shivajee at Pratapghad.

Shivajee had, in the meanwhile, made every arrangement to fight out his cause of independence by means of a warfare, which would at once tire out the insolent impatience of the followers of Islam and would encourage his followers to look full in the face of their opponents. What kind of system this Mahratta warfare was, the veteran and best-equipped soldiers of Aurangzeb knew afterwards. In short Shivajee intended to maintain his ground even in spite of the pusillanimous advice given by his councillors. Moropant Pingle and Nitajee Palkar, the leaders, respectively, of the infantry and the cavalry, were called upon to at once proceed to Pratapghad with their forces, and everything for the defence of the fort was got ready.

In the midst of these preparations, arrived the Vakeel of the Khan. He was honourably received by Shivajee. In a Durbar held on the very next day of his arrival, the Vakeel dwelt at length on the friendship existing between the Khan and Sahajee, the father of Shivajee, the desire of the Khan to promote the interests of Shivajee, the feeling of satisfaction entertained by the Emperor for the wonderful exploits of the son of Sahajee, the brave commander in the Karnatic, the awkwardness of Shivajee's rebellion; and stated in unmistakable terms that the prospects of Shivajee would be bettered if he would at once accept the suzerainty of the Vijyapur Emperor. Shivajee, it must not be forgotten, had kept himself well-informed of the plots and machinations of the Mussulman Commander and was, therefore, well aware that all this was a feint to draw him out of the hilly district, and either to compel him to fight on the open plains or to lure him personally into the camp of the General and to imprison him on the spot. He, therefore, sought a private interview with the Vakeel and appealing to his religious and national sentiments by powerful eloquence and the irresistible charms of money, Shivajee succeeded in eliciting the whole truth from the Vakeel. Being now officially or semi-officially informed of the dark plots of the Khan, he made up his mind to turn the tables against the Mussulmans by checkmating their plans at every point. He then consented to be present at an interview to take place at a site to be settled afterwards, to be friends with the Vijyapur Government, and to accompany Afzul Khan,

if necessary, to the capital. Next, he asked a person by name Dattojee Gopinath Bokil of Hivere to repair to Wai and to give the Khan distinctly to understand that he would not go down the hills unless every cause of misunderstanding is entirely removed at a personal interview to take place near Jawali at the foot of Pratapghad. Every alluring temptation inducing Shivajee to go to Wai having failed, Afzul Khan agreed to move from Wai, to take the main body of his forces to Jawali, and to fix his camp at Pargaon, where rich provisions were to be kept ready by the host of the place. It should be remembered that Afzul Khan agreed to every proposal made by Shivajee, because he had full confidence in his personal prowess, in the traditional prestige of his own government and the forces that were at his disposal. His plan was to beget confidence by an apparently confiding behaviour and to capture Shivajee at the place of the interview and to drag him away to Vijayapur in the midst of the confusion in the Mahratta camp that might ensue the seizure of the rebel chief. Battles in India, he knew, were lost or won by the fate of the leader, and he expected that the Mahratta rebels would scatter like chaff as soon as they would see their so-called chief led prisoner by the eminent representative of a constituted authority. It will be seen, however, that he miscalculated the force of love and admiration inspired by Shivajee amongst his followers.

Shivajee, on the other hand, pursued a policy of his own. He wished to capture or, if necessary, to kill Afzul Khan. His mother and the goddess Bhawanee we are told, had blessed his project. He was prepared at this moment to sacrifice his own life for the cause of the Mahratta independence. The name of Afzul Khan was execrated by his fellow-brethren for the Khan's violent sacrileges at Tuljapur and Pundharpur. His death, he was aware, brought about by means, fair or foul, would, instead of exciting any sympathy for the dead, call forth the applause of his own countrymen. The qualms of conscience were satisfied when he saw that he was only trying—with the surest hopes of success, of course—to avert a blow that was foully aimed at one who in himself represented the living type of the Mahratta love of independence. He, therefore, made the most skilful disposition of his army and so arranged his forces at the top and at the bottom of the fort that, at every point of attack, the Mahrattas or rather the *mavlis* would outnumber the Mussalmans by more than half. The forces were secreted at different places and were ordered to move out at a signal settled between himself and the several leaders of his forces. Like Hannibal, the best general of all time, ancient or modern, Shivajee made Jaoli, the Trasymenus of the Moslems in the Dakhan.

The day of the appointment drew near. The time and the place were settled. The place selected was carefully examined by the confidential servants of Afzul. At the time appointed both the main actors set out to play their respective parts on the stage. Both of them repaired to the place with the most unfair motives agitating their hearts. Afzul Khan went there with confidence or rather with over-confidence. Shivajee went to the place prepared to die or to win. They played for big stakes. Afzul Khan was a giant in strength and well supported by a long sword.

Shivajee, more discreet and more circumspect, took every care to provide himself with arms of offence and defence. The notorious *waghnaiks* (tiger-claws made of iron) were on his left hand. According to the most authentic account, Afzul was the first to be on the scene. He was incensed to see the rich tent, the princely carpets, and the grand array of pearls and diamonds in the possession of a pigmy creature like Shivajee. His cupidity, mixed with jealousy, was aroused. He was beside himself. He was doubly angry, angry because Shivajee was not there to receive him, and because Shivajee was too rich, and that, too, at the expense of his master. Reason and discretion were drowned; and immediately after the personal identity of Shivajee was ensured, he violently drew towards himself

the person of Shivajee by a wrestling manœuvre, and under the pretext of embracing him pressed his neck in his left arm-pit, and lastly, unsheathing his sword, tried to flesh it in the body of Shivajee. Shivajee had anticipated something like this and had made his arrangements. His chain-armour protected him at the moment. With great, I might say, with divine presence of mind, he tore the entrails out of the stomach of Afzul by means of the iron *waghna*s on his left hand moving that hand all the way of his own back. The pain was intense. The Khan pushed him aside. Shivajee used his *bichwa* or short sword. Like a desperate gambler who had lost all along the line, Afzul cried, but at the same time made a thrust at the head of his opponent. The head of Shivajee was guarded by a helmet and then Shivajee with a blow running diametrically from the left shoulder to the right side, cut the body of the monstrous Afzul into two and the huge corpse went to the ground with a crash.

I think it is out of place here to inquire how many persons were present at this interview. Suffice it to say that whatever the number, the other persons present took no part in the scuffle which must have lasted for not more than 5 minutes and which must have been fought out on a ground at some higher level or on a dais. Of all the Mahomedan eye-witnesses, none survived Afzul and the Mahomedan version must therefore be imaginary and unreliable.

The story as narrated above is supported by the ballad of Agyandas and all the *Bakhars* excepting that of Pratapghad.

These *Bakhars*, &c., may be classified, as under :—

<i>For the story.</i>	<i>Against.</i>
Ballad by Agyandas.	
<i>Bakhars.</i>	
1. Krishnaji Anant. 2. Chitnis' <i>Bakhar</i> . 3. A short <i>Bakhar</i> of the Maratha Confederacy. 4. Shiva Digvijaya. 5. Shiva Pratap.	1. Pratapghad <i>Bakhar</i> . 2. Khafikhan. 3. J. Scott's. Deccan.

This view is also mainly supported by Waring Scott who published his book in 1798 and indirectly by Bernier who says nothing of the craftiness of Shivajee.

To criticise the authorities:—

I. Mahomedan writers carry no value in regard to this point because :—

(a) The scuffle lasted but for 5 minutes at the utmost and no persons other than Shivajee and Afzul Khan were present on the dais; and also

(b) No Mussalman of respectability was allowed to escape.

(c) So the writings of Khafikhan (who apparently is at one with the Maratha writers as regards minor details) are valueless because they are based on inferences surcharged with national bias and religious prejudices against the Marathas who were in his lifetime demolishing the edifice of the Mussalman Empire in India. Khafikhan wrote in the middle of the 18th century.

II. Maratha *Bakhars* are worthy of credit for—

(a) They make matter-of-fact statements.

(b) They do not hide the faults of their hero, *e. g.*, they tell us that Jawali Raja was treacherously murdered at the instigation of Shivajee. The same writers tell us that Shivajee formed the plan of killing Afzul Khan immediately after he knew that Afzul Khan was bent upon capturing him. They give every minute detail of the way in which he armed himself for aggression as well as for defence.

They do not paint the event in any more favourable light by making Afzul Khan strike the first blow. He was unpopular and his murder might have been loudly applauded. They might have, therefore, if the facts warranted, told us that Shivajee dealt the first blow. But there is not a whisper breathed against Shivajee in this particular instance. Personal or family bias they have, but they have nothing like the modern national bias. They state facts against their own national heroes with an undisturbed equanimity. And lastly all the *Bakhars* but one agree in the main.

III. I think Grant Duff is not justified in making the following statements :—

- (A) *Shivajee first sent his Vakeel to Afzul Khan.*
- (B) *Shivajee lured Afzul Khan to repair to Jawali.*
- (C) *Shivaji was treacherous and Afzul Khan was simple.*
- (D) *Shivaji dealt the first blow.*

Let us examine these statements one by one.

- (A) *Shivajee first sent his Vakeel to Afzul Khan.*

This is inaccurate. (1) Because Shivajee was safe on the mountain. The fort was well supplied with provisions and he was determined not to give the enemy any chance ; but he was prepared to cut off the supplies of the enemy, to starve him out, and, in short, to annihilate the army of the enemy without any loss to himself. This he successfully did afterwards at (1) Panhalla and at (2) Chakan, which fort held out for nine months against the army of the Moguls led by Shahistekhan.

- (2) Afzul wished to dispose of this business as soon as possible.
 - a. He knew the inhospitable nature of the soil.
 - b. He had no supply of provisions.
 - c. All *Bakhars* say so.

So Afzul Khan must have been compelled to open negotiations of peace. *In the course of these negotiations for peace he intended to seize Shivajee.*

- (B) *Shivajee lured Afzul Khan to repair to Jawali.*

This is also inaccurate, Shivajee only mentioned the place. He preferred that place to all others, because he could defend himself there by making his own arrangements and he was afraid, and rightly too, of being dragged away to Vijaypur if he repaired to Wai.

Afzul Khan asked if his men could find food and water for themselves and if his animals could get fodder at Jawali. The question was satisfactorily answered. He had no other excuse to bring forward.

It is useful to remember that Afzul accepted with apparent cheerfulness every proposal of Shivajee. (1) He went to Jawali. (2) He went to the place appointed with the defined number of followers. (3) He went so far as to acquiesce in the proposal of Shivajee that he should be recognised as an independent ally (*Chitnis' Bakhar*). All this cannot be explained by the over-simplicity of Afzul. There was a system in his simplicity. The ruling idea of his mind was that he would be able to take possession of Shivajee as soon as the latter would be brought in his presence. To say that Afzul wanted to make peace with Shivaji in order that the Government of Vijaypur might be strengthened, is to forget the future course of events, is to ignore the solemn pledge of Afzul in the Vijaypur Durbar and is also to put out of mind the machinations of Afzul in the camp. Lastly all the *Bakhars* agree in saying that Afzul went to the place of his own choice.

- (C) *Shivajee was treacherous and Afzul Khan was simple.*

Afzul Khan cannot be said to have been a simpleton. He took every precaution against foul play. He went with a number of men well armed. He himself went there with his shield and sword. He carefully scrutinised the place of interview.

Shivajee might be said to be treacherous if treachery be defined as an act expressly undertaken to avert the blow of foul play on the other side. Shivaji in fact played his game with the weapons Afzul himself was using. I admit he did not allow himself to be caught in the snare. I admit his conduct to some extent led Afzul to believe that Shivajee suspected no treachery at the hands of Afzul. But I do not know if this could be called treachery. It is merely self-defence. Treachery you might call it, but you will have to remember that it was resorted to, to parry the blows aimed at him by his antagonist. Foul play there was on both the sides ; but on the one side it was aggressive and on the other defensive. In short, Shivajee proved himself to be of the same mettle of which Clive, Wellington and others were made.

(D) *Shivajee dealt the first blow.*

This is false. He might have but he did not. Afzul was chaffed with fury. He did not know his own mind. He saw the person of Shivaji and was bent upon destroying the fell enemy there and then. Shivaji abided his time because he was well armed and because he was supported by his followers on all sides. His statement, as mentioned by the Chitnis' *Bakhar*, "The Khan himself aggressive first! Well done, now is the time to show my strength," proves that he did abide his time.

All *Bakhars* (except the Pratapgadh one) say that Afzul unsheathed his sword first. There is no reason to disbelieve them since the writers of that period were strangers to modern sophistry that tries to interpret rather than state facts. "You should not kill your enemy in cold blood," is a doctrine which their political morality did not accept and they therefore could not have hesitated to mention Shivajee's foul play exaltingly if it had been a fact. In short Afzul must have played the part of an aggressor.

I think therefore that Afzulkhan opened the negotiations of peace, he went to Jawali of his own accord ; and lastly that he dealt the first blow. I admit that Shivajee did not remain an indifferent or passive spectator. He used the very same weapons that Afzul was using against him,

Grant Duff is led away by his too much respect for the Mahomedan writers, who, in this case, at least, have no right to pronounce any verdict, as the facts supplied to them were not verified by them and as their violent prejudices against the Marathas have not allowed them to withdraw rational inferences,

Grant Duff is wrong in stating that Duttojee Gopinath was a servant of Afzul. He was in the service of Shivajee ; at any rate he was not pledged up to this time to any of the parties. No *inam* of Hivere was granted to him at this time, as I learn from a copy of the sanad given by a later king to one of the family of the Bokils.

PAGES 31 AND 32.—Notes.

* * * * *

Professor C. G. Bhanu delivered a lecture in Marathi expressing his view of the Pratapgad tragedy at a meeting of the Deccan College, Indian History Club, held at the College on the 28th of March 1896, Professor Bain presiding. We print elsewhere a brief summary of the lecture in English under the title of "The Story of the Death of Afzulkhan." We leave it to our readers to judge how far Professor Bhanu succeeded in establishing his contention—we are perfectly convinced that he has got at the truth. However, it would be useful for those who take an interest in Indian History and in History in general to bear in mind the remarks passed by Professor Bain on the occasion. He said he saw no necessity of the discussions raised over the question. Public men like Shivajee are not to be tried by the standard of private morality. The grand duty of establishing the Maratha independence devolved upon Shivajee, and almost anything he did for it was excusable in him. He did it for his nation.

No. 15.
The "Times of India," Friday, March 5, 1897.

STRAY LEAVES FROM MY NOTE BOOK.—No. XXXVI.

"VERIFYING" WITH SIR RICHARD TEMPLE.

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I had the great good fortune to have taken part in several tours of verification with Sir Richard Temple, but will only select two of them for this paper.

Soon after Sir Richard arrived in Bombay he projected a small tour of "verification" at Sivaji's great fortress, Raigarh. I was at Rutnagherry, and the Collector of Kolaba was a new man, so I received orders to join the Government House party at Dasgaum, on the Savitri, about eleven or twelve miles from the eastern point of ascent of the mountain, and about five miles from Mhad of evil repute. Of course Sir Richard (who had sent on horses) insisted on first verifying the little stone landing-place and the two dharamsalas constructed by poor Grey—whose lamentable history I related a few weeks ago. Then after a good square meal Sir Richard made a sketch of the pretty little tank at the Travellers' Bungalow, while the staff and I saw to the arrangements for the ascent (on horse back), and, what was of more importance still, the descent on the following morning, and a cross-country ride from Raigarh to Mbaisla in Habsan, at the head of the Rajpuri river which runs down to Jinjira. Light tents had been sent up to the summit of Raigarh already. The staff included (I am nearly certain) Dr. Waters and Captain Dean Pitt.

At last about two or three in the afternoon of about as hot a day as you would wish to find we rode off. The intervening ride to the foot of the fortress was hot, but pleasant enough. Then came the ascent which, please to remember, is on the eastern face, and is tolerably bare of scrub, seeing that it is basalt—the last part of the ascent being bare rock, where we had to dismount and drag our nags up.

I wonder if that miraculous outburst of patriotism among the Brahmins the year before last in favor of Sivaji's memory yielded enough to put the road in a passable state, so that these patriots may the easier ascend with their votive offerings? I wonder whether the red-hot resenters of British Gothism have ever taken the trouble to recover from Mhad the corner and carved stones, the pillars and woodwork, which are to be seen built into the houses of the better classes, or into their cow-sheds.

However, I will resume my narrative. The toil of the ascent was at once forgotten by the marvellous beauty of the scenery when once we had gained the plateau of the summit. *Pertabghur* in its majesty, *Torna* in its audacious lofty isolation, all the peaks bristling around "*Arthur's Seat*," the *Saddleback*, looking within a stone's throw, *Mhyputghar*, in placid slumber, were all visible, watched by the last rays of the setting sun, while the tiny stream of the Savitri and its numerous petty tributaries glistened like silver as they wound about below us. It is, indeed, a fair scene which needs a more worthy pen than mine to depict.

A mangy, ill-clad, ill-favoured old *Poojari*—whether a Maratha or a Brahmin I forget—conducted us to what people call the tomb of Sivaji. It has often been described of late, and I need not waste my ink over a lump of decaying stones and mortar. We then proceeded to the "*Chowthara*" or plinth, still in fair order, of the great Durbar hall in which it was Sivaji's wont to receive each year his various

leaders, to distribute the spoil they had collected since last Dussera. The plinth faces west, if I remember aright. Sir Richard mounted it, and we all stood around him, while he made a heart-stirring recitation. I see the scene now vividly before my eyes. I seem to hear his very words. He first described the wild Mawalis and Hedkaris, all armed to the teeth, with shield, spear, and dagger, gathered round the foot of the "Chowthara"—bales of spoil scattered about, gold and silver, jewels, rich clothing, and cash galore; the great warrior Chiefs gathered in a semi-circle around the Founder of the Maratha Empire, who, gorgeously arrayed, his good sword "Bhowani" lying ready to his hand, sat on the Kincob cushions of the throne, awarding praise or blame as seemed meet. A shortish wiry man with looks of unusual intelligence, his visage generally displaying frank rough humour—his long ape-like arms—which Grant-Duff tells us are thought a great beauty among the Maratha race—(I never heard of this myself, *par parenthese!*) folded on his knees or held up in gesticulation. The whole scene mayhap was lit by the rays of the rising sun, dispelling the masses of fleecy clouds in the valleys beneath, or, more likely still, a nocturnal Durbar lit up by waving torches, the back distance all in gloom, the light glinting off the polished shields and glittering spoil,—fierce faces appearing and disappearing, the tocsin resounding with enthusiastic cries "Jey! Sivaji! Jey!" Behind an embroidered *purdah* stretched across the back of the chamber, from which ever and anon peeped faces of the wives and female members of the family, exultant in the tumult. In the rear, fittest place for them, appeared a few white-clad Brahmins, like snakes in the grass—subservient, humble, treacherous, as is their wont.

"Anon," declaimed Sir Richard, "the scene changes. The great Sivaji is dead and burnt on this plateau. It is the craven Sambhaji, his son who for the first time ascends his father's fortress, his mind filled with blood-thirsty intent, a discontented soldiery following him presaging evil, with scant spoil to divide, the very crows and vultures seeming to scent blood in the air. The last surviving queen-mother has been deserted by all but Annaji Dutto, and a few faithful adherents, the white-livered Brahmins have long fled, and are endeavouring to make terms for themselves with the nearest party in power by the sale of secrets, by treachery of every kind. The queen-mother is well nigh alone when she is summoned to the ghastly Durbar. Knowing that she has no chance of mercy in her widow's weed, she ascends the "Chowthara," and then with all the strength given to her at the supreme moment, she holds forth, the craven Sambhaji, meanwhile, cowering on the throne his father had so recently occupied. 'Unworthy son of the great Sivaji,' she says, raising her shrivelled arm, 'if son thou art, which many here doubt, I defy thee, do thy worst—thou comest hither, I know, for my blood and that of thy father's faithful servants, and thou art now about to shed it. We die, but' (raising both arms with clenched fists to heaven) 'may the wrath of the great *Ishwar*, may the curse of *Bhowani* descend upon thee and thine.' No cries of 'Jey Sambhaji then,' but a deadly gloom over the whole assemblage—a silence only broken by the guttural curses of the Mawalis. The queen-mother, her face now yeiled, and afterwards Annaji Dutto, are led away to execution, and the murderer seeks to drown his conscience and allay his fears by revelry and riot!"

I do not think that ever in my life I have been so impressed as by this declamation by Sir Richard. It was simply magnificent, and he never faltered for a word.

I commend these two pictures to the gifted globe-trotting artists who frequent your shores, but to my own mind only Gustave Doré could have done them justice.

Well, Captain Dean Pitt and I went down to sleep at the village at the foot of the mountain, while Dr. Waters stayed behind with his Excellency. Pitt and I had to trace and mark the route for the morning, with Mhars set at intervals holding up long bamboos tufted with grass. We had to do this almost at a foot's pace, as we

moreover had the precious tiffin basket to carry and leave half way. Sir Richard must have started much later in the day with Waters, for he was bent on sketching. I know also that he gave various stringent orders about the care of the buildings, and I have no doubt the Collector received in due time a pungent "minute" on the subject.

The rest of the ride to Mhaisla was simple enough. Pitt and I rode at a foot's pace throughout the sweltering day, with one break for tiffin from the basket. Sir Richard and Waters rode nearly full speed, for our signal men remained staunch at their posts like the good fellows they always are. Thus Pitt and I had scarcely revelled in our well-earned "tubs," when his Excellency burst into camp, and on my asking if he were not tired (the distance was over 13 miles), he exclaimed "Tired? Not a bit! never enjoyed any trip so much"! We dined where we were, and then after sundown got into some boats provided by the Nawab of Jinjira, and went down on the tide to the May Frere. His Excellency did not land. There was a bit of a sea on, and as was his wont, Sir Richard, ensconced in a deck chair, fought with sea-sickness as he did with any other obstacle, but was fain to admit when I ventured to ask him how he felt "Very *piano*! Crawford, very *piano*,"

I may be pardoned here for a short digression which occurs to me in connection with Mr. R. P. Karkaria's pamphlet on the Pratapgarh (or as I spell it Pertabghur) Fort, where he attempts, with complete success, to refute the general ideas erroneously held by many persons concerning the so-called murder of Afzul Khan, the Mogul leader at that spot. Mr. R. P. Karkaria may be consoled. Writers who, like Grant-Duff, Fryer, and others, merely copy their accounts of the tragedy from each other, must not be regarded as authorities by any student of Maratha History. Mr. Karkaria has gone to the very best source for information, the old *Bakhars* and documents still happily extant; and he has produced a really reliable and authentic account. There can be no doubt that Afzul Khan came prepared not only to encounter treachery, but to employ it himself when opportunity offered. Neither must Mr. Karkaria believe that the hitherto popular version of the tragedy has obtained general credence even among Europeans. To me it has always read like a chapter in one of Cooper's Red Indian stories; and I fancied I was reading an account of an encounter between the Crow Chief "Clawing Catamount" (Sivaji) and the equally celebrated Iroquois leader "Hissing Serpent" (Afzul Khan). I have always admired Sivaji's pluck, cunning and superior military skill, and have despised the conquered Afzul, who would infallibly have "murdered" (!) Sivaji at that meeting if Sivaji had not killed him! The mode of warfare, the morals of those centuries gone by, are not to be judged by Exeter Hall standards of the present day. We are dealing with times when armed men struggled hourly for their lives and *shuffled not*! No! no! Let us still cry "Jey, Sivaji Maharaj, Jey."

A. T. C.

No. 16.

The "Times of India," July 8, 1897.

A SPEECH AT THE SIVAJI MEETING.

TO THE EDITOR OF "THE TIMES OF INDIA."

SIR,—My discourse on the 13th of June, 1897, was in the main a repetition of what I had said before a meeting of "The History Club" held in the Deccan College under the presidency of Professor Bain. On this present occasion I dwelt at large on three more points, which are as follows:—

I began with an expression of my unwillingness to address a meeting or take any part in the Shivaji festivities, firstly because of the dire visitations of the

Plague and Famine, and, secondly, because of the fact that I did not like to speak before an audience gathered at the instance of persons with whom I agreed in no point except in admiring the character of the great Shivaji, informing them, moreover, that I was pressed with so much persistency that I feared my refusal would be imputed to a desire on my part to arrogate an undue importance to myself, an idea never present to my mind. I then narrated the story of the death of Afzul Khan and proceeded to amplify the hint that was thrown out by Professor Bain in his presidential remarks, by saying that supposing Shivaji to have been on the aggressive (an absurd supposition in my opinion) students of history cannot impeach him for violating rules of ordinary morality. His conduct can be defended on ultra-moral grounds. My thesis was as follows:—"When a system of Government becomes weak and antiquated; when centrifugal forces predominate over the centripetal, then an inspired personage like Shivaji may, on extraordinary occasions, take recourse to means that the ordinary moral code cannot justify. But three conditions are necessary : (a) He must on no account be selfish and must not work for self-aggrandisement ; (b) success must invariably follow his steps ; and (c) he must have a divine inspiration. If these conditions are satisfied, then we, ordinary men, cannot and have no right to criticize the conduct of such a hero, because his case is not covered by the current rules of morality. Ordinary men do and must condemn such actions, but History, which comes to be written after a century or so, and, therefore, is written generally without bias or prejudice, does justify this violation of moral rules, satisfying itself that the above-mentioned conditions are fulfilled."

I concluded this point by saying "It is not for us, selfish men and irreligious as we are, and have shown ourselves to be recently to drag down persons like Clive, Hastings, Washington, and Shivaji—though all do not stand on the same pedestal, and though there may be a difference *inter alia* in the degrees of their greatness—to the level of ordinary men and then to criticize them. Nor is it desirable that we men of these socially and morally degraded days, should ever dream of attempting to do anything like Shivaji. In short, this is a question of history and not of politics. Lastly, I implored the audience as well as the public in general by requesting them to sink our differences, petty and in most cases personal as they are, and take in hand some useful work that we can efficiently do. The work of raising the intellectual and moral status of our continental country is hard, heavy, and tedious, requiring the hearty co-operation of all parties from all sides. For we suffer not from one malady alone but from several. Let us, therefore, allow every one to work in his own way, only taking care to see that his work and his motives are honest and not calculated to injure directly or indirectly the immediate as well as the prospective interest of our country. Advancement in matters religious, social, and industrial must precede or at any rate go hand in hand with political progress. The work of regenerating a fallen—and every way fallen—nation is long and tedious. It will require a number of generations, nay a number of centuries. Let us, therefore, begin to work with patience. Remember, Shivaji was the last term of a series of great men, silently and quietly working from the twelfth century, for the religious emancipation of the Mahrattas, with a view to facilitate their material advancement. It is, therefore, desirable on an occasion like this to learn the lesson "bear and forbear" that all of us may be able to carry out in our own humble way the work of regeneration. This was practically the burden of my address.—Yours, &c.,

C. S. BHANU.

Poona, July 5.

No. 17.

The "Times of India" Wednesday, June 30, 1897.

SEDITION OR PREJUDICE—WHICH?

TO THE EDITOR OF THE "TIMES OF INDIA."

SIR,—Your continued malicious remarks about me and the journals published by me compel me to write this letter. I do not expect any praise from you, but I once believed the *Times*, under its present editorship, would at least be fair; but your recent articles have more than disappointed me in the matter. The shocking tragedy at Poona which we all deplore may have obscured your judgment. But I have little to do with your motives. What I want to show is that you have entirely misrepresented my position both as a journalist and a private gentleman during the time the plague operations were in force in Poona. I should have attributed this to your ignorance of the language in which the *Kesari* is published, as well as of what was going on in the city at the time, had I not perceived a deliberate intention in your writing, as well as those of "Shackles" and "Justice," to pervert and misrepresent obvious facts at a time when they think they can do greatest mischief by such misrepresentations. Now let me first of all disabuse you of the idea that either the *Mahratta* or the *Kesari* wrote anything during the plague so as to incite the people to break the peace or to have recourse to force. The attitude taken up by these papers was briefly this:—(1) That *stringent* measures for the suppression of plague were *necessary* and that Government, acting on best advice available, were accordingly determined to carry them out. (2) That opposition to the measures was undesirable, and that the only course advisable was to accept the principles and to represent to Government if any unnecessary harshness was caused in its execution. (3) That the leaders of the people, so far as lay in their power, should try to assist Government by establishing private plague hospitals, segregation camps, and committees for each peth (ward) or lane, to take charge of the property of the segregated person or to go with the searching parties. Take any issue of the *Kesari* and you will find therein appeals to the leading gentlemen in the city to stand by their posts and assist the Government by doing everything in their power to render the plague measures acceptable to the people. Your correspondent "Shackles" speaks of "vigilance committees"; but I must tell you—and you can find it if you choose—that this is a mistranslation. All that I have urged is the formation of committees for each lane or peth, to look after the property of the segregated persons, and even this was to be done with the knowledge and consent of Mr. Rand, the Chairman of the Plague Committee. The phrase "futility of mere clamour" is again misrepresented by you. Any one who reads the passage in the original will see its meaning clearly. What is meant and said is, that it was no use complaining against the plague measures from outside the town, but that we must form committees and work to help the people. "Do not complain but work" was the advice given, and if this is sedition, then the Anglo-Indian vocabulary must be more comprehensive than the common English. Perhaps your present feelings may prompt you to say that all this was on paper, and that my conduct might have been inconsistent with my words. This is rather a delicate matter to handle, as it involves a question regarding personal acts. But howsoever reluctantly, I think I must, at the risk of being called egoistic, say something as to what I did at the time. I was not satisfied simply with taunting or advising the leaders to organise peth committees. I myself went (with other friends whose work I may once for all here state I do not wish to under-rate in any way by stating what I did personally) into a number of peths and tried to establish such committees, but found that it was not possible to do so, as most of the leading men had gone out of the town. As regards the Hindu

Plague Hospital, I think I can claim a considerable share of the credit of starting and maintaining it in good order. I used to visit it twice a day, going into the different wards and making inquiries about the patients. Then as regards the segregation camp, it was soon found that the persons taken there were greatly inconvenienced by being required to cook their own food, and that though the Plague Committee paid two annas per head per day to the poor, it was not sufficient to purchase a day's provision. Here again I, along with other friends, had to work hard to establish a kitchen, where two regular meals were given for two annas to any one in the segregation camp. The loss, which came to about one and a half anna per head per day, was met from subscriptions raised for that purpose. In short, I tried to do all that was possible for me to make the plague measures acceptable to the people, and everything that was done was done with the knowledge and consent of the Chairman of the Plague Committee. It was only after the plague had well nigh disappeared that I went away to Sinharh to take a short rest. Any one in Poona can bear witness to these facts.

Such being my work, I think I am entitled to say that you are doing me sheer injustice by representing that either myself or my paper did anything to excite feelings of disaffection amongst the people. It was my firm conviction that stringent sanitary measures would do considerable good, if they would not stamp out the plague altogether; and I have not only expressed this conviction in the paper, but have done as much as a single citizen of my position could do to practically show how people should help themselves and not blame the Plague Committee for everything. But unlike yourselves I could not shut up my eyes to complaints and grievances, which from personal knowledge I was convinced were real and well founded. I, along with other friends, was the first to bring them to the notice of the Plague Committee, but I regret to say that the Committee, from whatever cause, never took any serious notice of them. I know of a number of cases where persons were wrongly sent to the segregation camp or plague hospital, or their property was wantonly destroyed; and if the papers which I publish, along with others, loudly complained about these grievances, it was because the Plague Committee could not, or would not, redress them. You and your correspondents, I know, hold the opinion that the complaints were unfounded. But my personal experience is otherwise, and I still hold that the Plague Committee could have executed their task equally well in a far more conciliatory manner. If we could make the segregation camp a little more comfortable by having a kitchen therein, the Plague Committee could have certainly done better. This is not, however, the place to go into these details. All that I wish to urge is that it is a sheer mistake to believe that the native papers have excited the feeling of dissatisfaction during the time of the plague. The Press accepted the principle, but complained about the unnecessary harshness in its execution. You are probably aware that the Bombay Government itself anticipated dissatisfaction, scavengers' strikes or riots if plague measures were stringently carried out (*vide* Plague Blue Book), and it so telegraphed to the Secretary of State. If you blame the Native Press now you must equally blame the Government of Bombay for openly recording their fears in a telegram which is now as much known to the public as anything said in the Native Press. Anglo-Indian journalists like yourselves can, I know, be hardly induced to take the right view of the question. But still I must state what I honestly believe to be the case, *viz.*, that the unnecessary stringency of the plague measures, and not the writings of the Natives Press, are responsible for the feelings of dissatisfaction referred to by you. His Excellency Lord Sandhurst was indeed anxious to see that the plague measures were carried on with the least possible annoyance to the people. But his Excellency's wishes were little attended to by the lower executive authorities, and Government, I am sorry to say, did not exercise sufficient control over them.

Here, I think, I must stop. You have, it seems, chosen to follow in the footsteps of the *London Times* in making reckless charges at such a time against individuals, communities, or institutions. In my opinion it is neither fair nor conducive to the ends of justice to take up such a line at the present time. I may, however, in conclusion, say that it is extremely foolish to ignore all the work done by individuals, and the good sense and the patience of a community as a whole, simply because a fanatic took it into his head to perpetrate a horrible deed, which, as I have said above, all of us equally deplore. Further discussion must, I think, be reserved for cooler times, when we shall be ready to look at men and things with unjaundiced eyes.—I am, &c.,

B. G. TILAK.

POONA, June 28.

No. 18.



9th March 1897.

DEAR MR. TILAK,

His Excellency has read your Memorandum on the Plague Operations in Poona with much interest and has directed me to send it to Mr. Rand.

Yours very truly
(Sd.) J. J. HEATON,

Hon'ble Mr. Tilak.

No. 19.

Mahratta OF 4TH APRIL 1897.

SIR,—We beg to send to you the following suggestions regarding the Plague Operations as at present carried on in Poona, and hope that they will receive the consideration they deserve at the hands of the Plague Committee. Several of us have gone with the house-to-house searching parties, and have also other opportunities of knowing how and where the present operations work harshly on the people. If these hardships are removed, we feel sure that the operations of the Committee would be carried on more smoothly and successfully than at present.

2. The object of the present arrangement is threefold—(1) to find out persons suffering from plague and send them to a hospital; (2) segregate the persons who may have come in close contact with him; and (3) to thoroughly disinfect the room or the house where a case has occurred and to destroy things that cannot be disinfected.

3. The house-to-house search is undertaken for the first purpose. The work is done by British soldiers, who search every day one of the blocks into which the city is divided. Native gentlemen are requested to accompany them, but as these gentlemen have neither power to check excesses nor any recognised status in the searching parties many of them feel that their presence is not of much practical use, now that the people know what house-to-house search means. There have been again complaints regarding the disappearance of cash or other property in the houses opened in the owner's absence, and small boxes have been broken open in some cases. Cases have also occurred where soldiers have gone into Hindu temples or places of worship in spite of the remonstrances of the Hindu gentlemen accompanying the party. It also happens sometimes that persons not suffering from plague are unnecessarily taken to the Plague Hospital. We need not point out that one such case—and the news travels fast in such cases—materially adds to the uneasiness of the people, and that it is better not to interfere in such solitary and at best suspected cases than to remove them to the hospital and thereby aggravating the panic. We think that all these irregularities and annoyances may be put a stop to by:—

(a) forming Volunteers' Committees for each lane or block and authorising them to report any excesses committed during the search of the blocks assigned to them;

(b) publishing the rules according to which house-to-house search is carried on:

(c) providing that in cases where the owners are absent from Poona the house may properly be locked up and sealed by the Committee, so as to render its second search unnecessary;

(d) ordering all the Hindu public places of worship in a block will only be searched by Hindu gentlemen accompanying the search parties, and Mohamedan places by Mohamedans;

(e) directing that where the owner of a house is ready to take the search party over the whole house, several parties should not simultaneously enter the same house to the confusion of the owner; and

(f) taking care to see that suspected cases are removed to the hospital only after full inquiry by the medical advisers of the Committee.

4. As regards the second object, *viz.*, segregation of the healthy, we are glad to state that some of the inconveniences are removed by the rules recently published, but still much requires to be done to make the arrangements comfortable to the

people. For instance, little time is allowed to the people to make arrangements for the safe custody of their house-hold goods or cattle and for taking with them things that they may require in the Segregation Camp. To remove this and other inconveniences, we beg to suggest :—

(a) that before segregating any healthy person sufficient notice should be given to him to make arrangements for removal ;

(b) that if necessary the Committee should receive for safe custody sealed boxes containing valuable property ;

(c) that in large houses or where the property is very great or there is cattle to be looked after a man should be allowed to stay in the house to take care of the property or the cattle ;

(d) that better arrangements regarding latrines, water-supply and provision-shops should be made at the Segregation Camp ;

(e) that Voluntary Committees of private gentlemen should be allowed to make arrangements to help the persons segregated, of course under the supervision of the Plague Committee or any officer appointed by it ;

(f) that the allowance of annas two should be increased to annas three per day ;

(g) that greater care should be taken to segregate only those who may have come in close contact with the sick or who may have been long in the same room with him. Exceptions may be made in the cases of pregnant women and decrepit person or persons who are ill from other causes, these being segregated if necessary in their own houses.

5. Regarding the disinfecting of the houses and property you have already ordered that nothing except the bedding and clothing of the sick is to be destroyed except under medical direction. For the better carrying out of these orders and the removal of other grievances in this respect, we suggest :—

(a) that the officers, who destroy or burn any articles should be asked to report the articles destroyed or burnt ;

(b) that in cases where the owner is absent the Committee should remove the property to the warehouse before keeping the house open for disinfecting purposes ;

(c) that, as stated above, a man on behalf of the owner should be allowed to be present when the whole property is not removed or where only a room in a house is to be disinfected ;

(d) that greater care should be taken to verify the numbers of the houses to be disinfected so as to avoid giving unnecessary annoyance to other house owners.

6. These suggestions are made in a spirit of co-operation. You may have noticed that there is no opposition to house-to-house search from the people. They only wish that it should be carried on, as His Excellency was pleased to observe, with the least annoyance to them or interference with their customs ; and we believe that, if the above suggestions are adopted, the object can be attained not only without impairing the efficacy of the present operations, but actually increasing it by securing the willing co-operation and support of the people.—We beg, &c.

(Sd.) B. R. VAIDYA.

„ G. K. GARDE.

„ V. N. PHATAK.

„ B. P. JOSHI.

„ B. G. TILAK.

No. 20.

Translation of what appears under the heading 'Editorial' notes printed in column one at page 3 of the "Kesari" newspaper dated this 9th February 1897, having at the foot of page 4 thereof a note as translated—"This newspaper was printed by Hari Narayan Gokhle at the Arya Bhushan Press in Budhwar (Peth) at Poona and published by Bal Gangadhar Tilak."

We have received some letters *re* the suspension of land revenue from which it appears that Government officials are bringing considerable pressure to bear on the ryots in Khandesh, Kolsba and other districts. We have already said that the order of the Collector of Poona insisting on the full payment of the revenue by sowcars zemindars, mortgagees, &c., who get their lands cultivated by tenants is inconsistent with the provisions of the Famine Code and the local Sarvajnik Sabha has in this connection addressed a lengthy and argumentative memorial to Government. If the Government of the Central Provinces and of the N.-W. P. have applied to the Malguzars and Talukdars in those provinces respectively, the principle that if the sowcar is ready to grant remission or suspension to his tenant, he is entitled to similar remission or suspension from Government, we see no reason why the same should not be made applicable to the sowcars in the Bombay Presidency. The report of the Famine Commission, the Famine Code and the practice in the C. P., the N.-W. P. and the Punjab are in this respect in the sowcar's favour. If after all this the Bombay Government realises the full revenue from the sowcars, its conduct will have to be characterised as arbitrary and oppressive. A local contemporary has on this subject raised a queer objection and has given it as his opinion that Government should grant no remissions to the sowcar, in support of which our contemporary quotes an extract from a speech of the Chief Commissioner of Nagpur. But the same speech from which the said extract has been culled, goes on a little further after two or three sentences as follows, when addressing the Malguzars, "Suspension of revenue has been granted to you only in order that you may grant similar concession to your tenants. If the Government takes from you half the amount of land revenue you are to take only one-half of the stipulated share (of the yield)." From this it is clear what the state of affairs in Nagpur is, and what the opinion of the Commissioner there is. But who (can see this clearly)? Only he who knows anything about the subject or has eyes to see for himself. When in the absence of any information (on the subject) or of an attempt to acquire it, one writes on such a subject, supposing it to be something like a (social) reform topic on which one may expatiate freely, or to serve some other purpose, the writing must necessarily be as in the present instance, groundless and erroneous. Better far is it not to write on such a subject. Well, we have no desire to speak at further length of such writers. The requests made by the Sarvajnik Sabha are reasonable and well-supported, and if Government will not grant them a brush of orpiment will have to be passed over the report of the Famine Commission appointed by Government itself. Not that the members of the Famine Commission were regardless of the interests of Government and we do not think it good for us to be officious enough to advise Government that the suggestions of the Commissioners are disadvantageous to it. It rests with the pleasure of Government to do a thing or not to do it, and we are to ask something or not according as the claim is valid or otherwise. It is sufficient for our purpose if our demand is reasonable and well-supported, and any one will see from the memorial of the Sarvajnik Sabha that the present application is so (reasonable and well-supported). Only, the sowcars must patiently set forth their claims before Government. Wherever notices have been served upon them they must send their petitions to the Collectors, and through them

to the Government, and we believe that if such applications are made and the work carried on in earnest, at least some of the grievances will be redressed.

A True Translation.

(Sd.) GANESH KESHAV VAIDYA,

3rd Translator.

6-9-97.

No. 21.

[*Translation of the leading Marathi article printed in columns 3, 4 and 5, at page 2 of the "Kesari" newspaper, dated 16th February 1897, having at the foot of page 4 thereof a note as translated.—"This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushan Press in Buldwar (Peth) at Poona, and published by Bal Gangadhar Tilak."*]

The Bubonic Plague and Government.

As soon as the European nations learnt that the plague in Bombay did not abate, although *lakhs* of rupees had been spent for rendering the city quite clean, but that on the contrary it was spreading with great force in all parts of the city, that although migration had reduced the population of Bombay by three-fourths, the daily mortality was still increasing a good deal, and that the bubonic fever broke out wherever the Bombay people had fled, great restlessness was caused among them. All the European nations resolved to hold at Venice a conference of scientific men from different places to discuss [the nature of] the bubonic plague and the means to check its spread. The Secretary of State [for India] was very much alarmed when he saw that all the nations there (*i.e.*, Europe) were engaged in thinking of preventing the vessels coming from India, from touching at any of the European ports and of preventing the importation of Indian goods also into Europe; and thinking that things had come to such a pass owing to the negligence in the matter of the Bombay Government and the Government of India in the beginning, he gave very strict orders to His Excellency the Viceroy to adopt special measures in the matter. The result of all these circumstances was that His Excellency the Viceroy and his Council got an Act called the "Epidemic Diseases Act" passed on the 4th of February 1897 in order to acquire for himself special powers and to give similar powers to the Governors of the different Presidencies for the purpose of checking the spread of the plague. By virtue of this Act the Government of India and the Local Governments have, in order to prevent the spread of epidemics, got full powers during the present epidemic and on any similar occasions of dangerous epidemics in future to inspect steamers touching at or leaving any port in India, to detain their cargo and passengers, similarly to examine persons travelling by railway at any station, to place such restraint as may be thought proper, to remove affected passengers travelling by it to hospitals erected for [the treatment of] epidemic diseases and to do several other things. Elsewhere we give the rules regarding the powers which the Bombay Government has, under the Act, conferred upon the Municipal Commissioner of Bombay. A perusal of those (rules) will show that Government has now become very strict indeed in this matter.

The plague is a disease of such a nature that if at the outset proper remedies are adopted to prevent it from spreading it is possible that perhaps it may

disappear in its embryonic stage. But if it once spreads and especially if it spreads to more places than one, it certainly becomes uncontrollable. It is a sort of fire igniting by slow degrees, and when once it has spread over a considerable area, even if a number of water pumps or other [fire-extinguishing] machines of any kind are applied, it becomes difficult to extinguish it. It only subsides of itself when the fuel itself is exhausted or when, owing to the change of seasons or through some other cause, its burning power diminishes. Scientists have not yet been able to discover even the natural causes which take place in the world for the origin and destruction of such a disease. All that is known concerning this (disease) is that when this disease breaks out it can be communicated from one person to another, and by this means it goes on spreading to a large extent, and that it disappears when certain causes for its destruction which are beyond human control take place. We have suggested above that it is possible to check it at the outset and that in only one way. It is to stop altogether communication of the place affected by the disease, that is to say, of the persons and articles therein with other places. This method could perhaps to a considerable extent have been adopted when [the plague] had just appeared in Mandvi. But whether because through our misfortune the Government Doctors did not understand the form which the plague would take in future or because of their negligence or owing to some other cause such a step was not taken. It was only after the epidemic had spread to a considerable extent that steps began to be taken to separate the plague-stricken from the healthy. This is what is called "segregation."^(a) Now, although from a scientific point of view separation of the afflicted or segregation is of great use, still the adverse notions of the community about hospitals, the arrangements in hospitals, the usual way in which the rulers conduct themselves towards the ruled and divers other reasons have rendered it almost impossible to bring it (segregation) into practice, as is clearly indicated by the examples of Bombay and Poona. To what extent the impression that a hospital means a place for killing persons has gained a wide expansion and taken a deep root in our community will be easily seen from the fanciful rumours in connection with this, which one often hears in Poona and in Bombay. These rumours are so absurd and foolish that we do not think it proper even to mention them here. This terror about hospitals has been aggravated by the acts of some of the unscrupulous policemen. Howsoever baseless these adverse notions about hospitals may be, they have got so strong a hold on their (people's) minds that to get rid of them is not a work which could be accomplished in one or two months or years, but several generations must pass for its [accomplishment]. The whole community being firmly determined not to send a [plague] patient to the hospital, even though he were to die [at home] for want of treatment, the Municipal officers do not even know if a plague case has occurred. Not only this, but the said officials being on inspection duty in the district most affected by the disease, people remove the sick person in the house from that part of the town to some other part of it. We know of many cases of [plague] patients having been so removed from Ganesh and Ravivar *peths* ^(b) to Budhwar, Vetar, Sadashiv, Bhavani, Shanwar, Kasba and other *peths* ^(b). It is clear that the result of this is quite contrary to the intended object. Thus the very arrangement brought into force for checking the spread of the disease in directly results in this way that there is great assistance given to the spread of the disease from one part [of the town] into other parts. The work of segregation, that is, the separation of the diseased is of such a nature that it can never succeed even to a small extent, without the co-operation of the people. It appears that the officials of the ruling class do not understand sufficiently this state of things. For if they did,

[(a) The English word "segregation" is used in the original in Marathi characters and also in the English characters in brackets.]

[(b) *Peth* is a district or division of the town of Poona.]

the Government would not have rejected the rules which were submitted for the sanction of Government and which were framed by the local Municipality as to how and under what circumstances segregation was to be enforced. Government want to segregate all the patients (plague patients) and in trying to do so on an average even one patient per day is not sent to the hospital. If the arrangement proposed by the local Municipality had been adopted and the unlawful threat of the police stopped, the towns-people would not have been so much panic-stricken; thousands of persons who have now gone out from here would not have so gone; hundreds of patients would not have been removed from the affected *peths* (b) to the other *peths* (b) or to other towns; the spread of the disease caused or likely to be caused by their removal would not have taken place; and the sick would not have been concealed as at present; and the terror about hospitals would have been lessened at least to a small extent and at least a few more sick persons than at present could have been segregated. We personally visited the plague hospital erected near the *sangam* (c) jointly by the three Municipalities. We feel convinced that the arrangement and the convenience there are likely to be comfortable to at least to the lower classes of people. But the huts will not suit the middle and the higher classes. We have suggested to the managers of the hospital that somewhat better huts may be erected for these classes at a little greater outlay, and that, if necessary, some fee may be imposed on the patients. Whether such arrangements are carried out by them or not, if the people themselves collect some subscriptions for the purpose and erect private hospitals on different, good and convenient sites and give the management of them into the hands of persons selected by themselves, the arrangement would be satisfactory. Some persons here intend organizing such private hospitals, and we suggest that they should soon carry out that (intention). The Government has appointed for our city an Assistant Collector to enforce segregation; to remove filth from the houses of the people; to remove tiles or bore holes in the walls [of the houses] for ventilation, if they are ill-ventilated; to remove people living in exceedingly dirty and ill-ventilated localities to other places; to disinfect, in whichever way that may be necessary, the room, the clothes, and the house or anything belonging to a person who may have died of the plague and to carry out other things strictly. Mr. Rand is the Assistant Collector who became famous at Satara, and is to take charge of these duties in a day or two. From the present inclination of Government, his administration will be carried on, it appears, with much rigour. But it may be safely inferred from the segregation incidents that such rigorousness in administration will not be of as much use as can be expected, and will cause greater opposition in securing the intended-object. We are of opinion that the co-operation of the people secures these things better than mere force. Rigorousness of administration, far from being of as much use as could be expected, on the contrary produces uneasiness among the people, who begin to think that the measures devised for arresting the evil are themselves another evil. The Bombay and Poona people are now more afraid of the Government operations than of the prevalence of the plague, as will be easily seen by anybody. That such a state of things should exist is not good in any point of view. Fear and anxiety are in themselves one of the causes of disease. In the science of medicine this is an established principle in connection with all diseases. Two days ago a meeting of all the doctors here was held to discuss this very topic of the day, and it is said that the chairman of the meeting is shortly going to send the resolutions passed at the meeting to the local Municipality and to the Government. In that meeting all these points were discussed and it was, we understand, resolved by majority

[(b) *Peth* is a district or division of the town of Poona.]

[(c) *Sangam* means the confluence of two rivers. The confluence of the two rivers in Poona is called by this name, and the locality also is known by the same name.]

that if segregation and other remedies were applied after consideration and also with a practical common-sense view and not merely with reference to the scientific view, people would not become panic-stricken and the wished-for object would be achieved in a greater degree. We shall conclude by setting forth in brief some suggestions that we have lastly to make on the subject: (1) That in the Poona city the enforcement of segregation should be carried out by Government in the mild way already proposed by the Municipality; (2) that the communication between the different cities and towns should be so well regulated that the plague will not travel from place to place; (3) that private hospitals of the people should be organized and their management entrusted to competent persons; (4) that in the hospital erected by the Municipality arrangements should be made as suggested above for the middle or upper classes of people; and (5) that lastly it should be borne in mind that any restrictions or arrangements in this respect to be generally made by the Municipality or by Government should be mildly yet firmly carried out with due regard to the condition of the people, the customs, habits, ideas and financial positions of the people, &c., so that the object in view will be accomplished at least partially, and there would be no serious discontent caused among the people. We are aware that the Government itself is placed in a dilemma.

But whatever may be the case, Government must bear this in mind that it is impossible to stamp out the disease, which has once come into India, at once, by taking sanitary measures to any extent or by enforcing segregation. Because the European nations are terrified, it is no use for us to lose our heads and adopt silly remedies, and we hope that though Government has passed such a stringent enactment, still it will not be much applied to places over which the plague has once got a firm hold, but will be applied in regulating the intercourse between different towns. Every convenience has its drawback. If railways facilitate locomotions, the plague too can go from Bombay to Benares on the third day. Set this right first, and then think whether the affected in a town should be segregated or not, and in doing this pay attention to the surrounding circumstances. This is all that we have to urge and we hope that the present law will be enforced bearing this in mind.

A true translation.

(Sd.) ANNAJI B. ANGAL,
For Chief Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 7th September 1897.

M. 141. Folios 27.

No. 22.

(Translation of a Marathi article printed in columns 3, 4, and 5, at page 2 of the issue of the "Kesari" newspaper dated 9th March 1897, having at the foot of page 4 thereof a note as translated :—"This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushan Press in Budhawar (Peth) at Poona and published by Bal Gangadhar Tilak.")

New scheme for checking the spread of the Epidemic Fever.

WHILE writing formerly regarding this fever we had written that this fever does not spring from dirt alone ; nor does it disappear by the removal of dirt alone. It is true that dirt is instrumental in its spreading or in the increase of its poison ; but besides dirt it is found that many other things equally help like dirt the spreading of this disease. When once the poison of this disease has entered into an insufficiently ventilated house, it does not completely disappear unless it is removed by digging, scraping or burning ; hence it has many times happened that when people who had left their houses during the plague return after the epidemic is over and once more commence staying in their respective houses, then the same epidemic again comes into existence. In this manner at Hongkong plague three times—that is,—in 1894, 95, 96 appeared and disappeared. And if the present cause of eradicating the plague be continued, then it is apprehended that the same thing will happen even in Poona and Bombay. People should fully bear in mind two things and they are these :—(1) The living poisonous germs of this fever enter a country or a house from outside by some means or other and when it has once entered into a house, it makes its fixed lodging there after taking its growth from close air, dark or damp place, or dirt, and (2) if one has to completely remove this lodging from a house or a country, it is of no use to remove the dirt (alone) from the whole country ; but the contact of the fever-poison must be checked as far as possible. And it is this checking of the contact in this manner which is called in English segregation (segregation) (a) and the abandonment of a place which is advised (in the medical work called) *Sushrut* is for this very purpose. Only the other day it happened here that in a house two females were attacked and they were removed to the hospital : but as other persons were allowed to continue living in that somewhat small house, the remaining two males were attacked ; and the whole family was levelled to the ground by fury of this fever. There are also additional other instances like this. It now stands as almost proved that when the devil of this fever enters a house and if the house be not very spacious one, then there is no other way at all of avoiding the contact of this disease than by abandoning the house. Bombay is not now insufficiently cleaned, sewers, gutters, drains, &c., &c., are all washed and cleaned everywhere or rather it will do if we say that the very entrails of Bombay are taken out and laid bare open and cleaned ; but still the fury of the plague continues almost as before. We say almost only because formerly the number of persons dying from fever was from 125 to 150 per day ; and the total number of deaths was 250, which numbers have been now reduced to 100 and 200 respectively. But whether this difference is due to the lessening of the plague or by the outgoing of five lakhs of persons from Bombay out of the population thereof of eight lakhs cannot yet be positively ascertained. But in Poona on an average about 60 or 65 persons die in all in a day, out of which, and out of these it appears from the daily average of deaths of last year that about 40 in the least must be dying from this fever. The Government have now discovered some new means of averting this danger. But His Excellency the Governor has said that if the plague cannot be checked though six months have

[(a) The text of this is thus written in English within the brackets in the original].

elapsed in cleaning Bombay, then it is necessary to have recourse to some other arrangement and as to what this arrangement is the same is communicated in a letter from His Excellency to the President of the Bombay Municipality and in a letter to General Gatacre, the President of the new committee appointed for preventing the spread of fever at Bombay. This arrangement, it was told by His Excellency to some leading men of this place, is now to be applied also to Poona. Therefore it is necessary to give some explanation about this arrangement.

(b) The new arrangement is this that at first this work is to be entrusted to some few Government officers. At Bombay a Committee is appointed consisting of an Engineer, a Doctor, a Municipal Commissioner, and a Military Officer ; and it is invested with all powers, while in Poona all those powers are concentrated in Mr. Rand. The Municipalities of both the places have now no power in this matter. The daily sweeping and cleaning and lighting must be done by the Municipality. They are not deprived of that duty. But the remedies for checking the plague will all be made through the Committee. His Excellency the Governor has said that no one should understand from this that the Government considers the Municipality or the Local Self-Government of less worth ; and the reason of this is given that to take measures for checking the bubonic fever is not merely a local work now ; but it has become one of the works of the Government of India. In short, what His Excellency the Governor says comes to this, that there is no cause for the Municipality to be sorry that the Municipality is deprived of its work.

Now as to what this new Committee or Mr. Rand the Chief Plague Officer at Poona has to do, let us see the same. His Excellency the Governor is convinced that if this epidemic is not checked but allowed to spread itself freely anywhere, then this disease shall never abate. Therefore the first duty of Government is to prevent the contact. For this purpose a two-fold check is necessary. Firstly, to remove the people suffering from this epidemic fever out of their houses and to make convenience for them in the hospital, and (secondly) not to allow the people of plague-stricken places to go to and wander in other towns and villages. But after making good convenience in the hospital the relations of the patients are to have full liberty to see him and be convinced after personal inspection that the patient is well taken care of. Besides, there is no objection if each caste or community were to build their independent hospitals. Further, His Excellency the Governor says that persons in the service of a patient attacked with epidemic fever or persons who are in immediate contact with him or persons staying in the room in which the patient may be lying are more liable to be attacked by this disease and so they also should be kept outside for some days and then allowed to return home, whereby the spread of the plague shall be lessened to that extent. In order to bring into force both these things, a third thing is necessary ; and it is this that the Government must first come to know where the disease is prevailing. For this purpose at first persons are to be appointed for house-to-house examination at the interval of every two or four days. There are numerous gossips prevailing in our town that these men are to oppress (people) as they like, but they are totally groundless and false. The examination which is to take place is only for the purpose of preventing the people from concealing in a house a person attacked with the plague as is at present done. If any one will conceal or try to conceal, then only from that place a sick person shall be taken out forcibly, otherwise no one should have the least trouble to undergo from this examination. Such is the order of His Excellency the Governor. A strict rule is made that no plague officer shall touch women, and lady doctors are to be specially appointed for them. And His Excellency the Governor has expressed in the presence of the plague officers that the plague officers are in like manner strictly forbidden from

[(b) Thus printed as a heading in the original]

hurting the minds and religious notions of the people without any reason by entering in any part of a house. Besides at the time of house-to-house examination the leading people of the ward or the lane will be taken in company. In short, the Government in no way wishes to interfere with the customs and manners of the people or to apply more force in any way than is necessary for these things, *viz.*, for the purpose of taking to hospital a patient attacked with epidemic fever and to remove out for some days the persons that were in the patient's room, or the people who were in immediate contact with him. The abovementioned two things are to be done only for the benefit of the people themselves, and His Excellency the Governor desires that the people should not be afraid of these things and leave their houses by unreasonably misunderstanding things; not only this, but the Governor requests the above said leaders to help the Government in this work by removing the misunderstanding of the people, by assuring them that they will not be oppressed, and by explaining to them the importance of the rule made for the purpose of checking the contact and thereby making people to abide by those rules.

The people must be thankful for this request of the Governor. But if such suggestion as is made to the leaders of the people, be made to the Government Officers it will be all right. Otherwise if on one side help is demanded from the people, and if on the other, the Government Officers will not only utterly disregard their suggestions, but also refuse to talk with them, then from this the desired object will never be gained. Perhaps His Excellency the Governor may not be aware of the fact that the officers insisted even upon the Hindoo Hospital being built on a certain specific place. It is a lamentable fact that the desire to mix with the people, and carry out the things which are beneficial to Government, as well as to the people which was found existing in former European officials is not found in the present European officials, and what spoils the matter is owing to this defect. No one will be sorry if measures are adopted as they are directed to be arranged for in the letter of His Excellency the Governor: but the people doubt whether they will be so carried out by the subordinate officials and we cannot say that this doubt is groundless. The remedies necessary to check this epidemic—(c) to prevent it altogether is not clearly a thing in our power—must, as His Excellency the Governor said be adopted before the beginning of the rainy season, but there are two ways to bring these remedies into force, first by mixing with the people and secondly by force. The opinion and order of our Governor is to bring into force the remedy of the first sort and we are sure that if the subordinate officials behave in that way there will be no objection to carry out the work of checking the epidemic with the good understanding and sympathies of the people. No one desires to have this plague; but the people are now afraid of the needless trouble and oppression than of the plague itself. There will be no ground for complaint for anybody if no oppression is made and if things are, as His Excellency has assured, arranged in a way that all things shall be done according to the notions of the people. It is true that no one as yet is oppressed and those thousands of people who the other day left the town by any conveyance that they could obtain, did so, we are forced to say, through sheer folly. It would now be well if the people bear in mind the things which His Excellency the Governor told yesterday and return even now keeping in mind the following saying of Ashvathama (d)—“If after abandoning the battle-field, there is no fear of death, it is worth while to go elsewhere”—and remain hereafter taking proper precautions for checking contact and have firm faith in God. If His Excellency the Governor purposely comes here from Bombay and tells that the people will not be needlessly oppressed or rather assures the people, then it is mere foolishness to entertain unreasonable doubts

(c) (The text of this is thus between two dashes)

(d) (A great warrior of the Epic Poem Bharat)

unless something of the sort really takes place. We think that even at the time of the Holkar's plunder of Poona, so many people did not leave the town as they did the other day. It may be said that this may be the effect of the increasing effiminacy, or ignorance, or of misunderstanding.

A true translation.

(Sd.) NANABHAI SADANANDJI KALE,
for Chief Translator.

H. I. M.'s HIGH COURT, BOMBAY:
TRANSLATOR'S OFFICE, 7th September 1897.

No. 23.

(Translation of a Marathi article printed in columns 4 and 5 at page 2 of the issue of the "Kesari" newspaper dated the 16th of March 1897, having at the foot of page 4 thereof a note, as translated:—This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushan Press in Budhwár (Peth) at Poona, and published by Bal Gangadhar Tilak.)

THE PRESENT VIOLENCE IN POONA.

It may perhaps be said from the burning of the household clothes, &c., in several places owing to the plague that Shimga (Holidays) have commenced this year in Poona eight or ten days earlier than usual. Government have firmly resolved to eradicate the plague from the town, and it is (only) two days since the measures which His Excellency the Governor announced last week have been commenced. The bugbear and fear that the soldiers would come into the town and enter our houses must have somewhat disappeared. We don't know why these soldiers were (at all) brought to do this work. In His Excellency the Governor's speech there was no clear mention that soldiers would be brought for this work, nor were soldiers brought in Bombay for that (plague inspection) duty. They are employed to do the duty only in Poona, and this idea must have originated from the brains of some subordinate officer. Let it be. It is a matter of consolation that although soldiers are employed, they are conducting themselves pretty satisfactorily. There are complaints that in some places the soldiers entered the kitchens and polluted (articles by their touch). But from our own experience we can positively assert that the blame in a great measure attaches to the Native gentlemen accompanying the soldiers. The only reason why His Excellency the Governor requested the gentry in Poona to accompany these (soldiers) is that they should explain wherever necessary to the men on search duty how to conduct themselves in the houses of natives, and if they do not discharge this duty (satisfactorily), it will have to be said that their appointment for this work is of no avail. At such a time at least the house-owners at any rate should come forward and drive this whirlwind from their houses straight on. In short if the house-owners or the gentlemen accompanying the search party do their duty properly, there is no probability of any kind of annoyance from the soldiers. Now whether the soldiers should enter the houses or not is altogether a different question and with respect to it we have already recorded our opinion above. But instead of thinking much over what is unavoidable, our only concern to-day is to see how to get over the present crisis safely. We are very glad to say that the leniency observed in the present arrangement is due to His Excellency the Governor's goodness and order and for that we offer many thanks to His Excellency the Governor on behalf of the people. With a view to give full effect to the somewhat good arrangement chalked out by His Excellency the Governor gentlemen from the town should never neglect to accom-

pany the search parties of soldiers from house to house. Relying on their confidence alone His Excellency has issued orders for lenient search, and gentlemen from among us should bear in mind that if they themselves now neglect the blame that the search (orders) were not carried out properly will in a great measure attach to themselves. The employment of soldiers for inspection was not only unnecessary but was also undesirable, but now it is useless to dispute this matter. We must now take full advantage of the concession allowed by His Excellency the Governor and which Mr. Rand has also promised to grant and we hope our leaders will not fail to take advantage of it.

So far as regards the people. We shall now consider the arrangement itself. We are of opinion that the present management is oppressive in one way. We think that the assemblage of regimental sowars, British as well as Native sepoy, Police officers and gentlemen (from place to place) is of no greater use beyond a show (inspiring awe) and making a report that measures on a grand scale were adopted. Why this great ado? Even admitting the soundness of the object in taking away (segregate) the plague patients and stamp out the disease because the Hindus keep the plague patients in the house and thereby propagate the infection from place to place, still to carry out the object it is not at all necessary to make so great a fuss. Hindus might not give out the information of plague cases and conceal them as they are unwilling to see patients taken away, still they would not conceal dead bodies. Bearing this in mind if a general rule had been made and that "in case a death takes place in a house of the owner who failed to give information of the disease he shall be punished," the work which is now done or expected to be done by this show would have been done. This did not require the employment of soldiers nor the search. But as our wise English Officers do not require our advice and as we are humbled in every respect, we cannot avoid such difficulties. Well, we have to make one or two suggestions with respect to search. They are as follows:—Instead of overcrowding in a lane as at present, had the houses been distributed and the work of each party been determined, the work of inspection would have been done earlier, quietly and without mistake; as the Municipality has now been deprived of all its powers, we hope the new Plague Committee will consider the matter. The other mode of inspection is to disinfect (clean) the houses where plague deaths have taken place and to destroy the things worn by the patients. It seems great mis-management still prevails as regards this work. The house where plague death has taken place is marked with a red line. The fumigating party comes and fumigates the house and then the white-washing party comes and white-washes it and both the parties draw horizontal lines across the perpendicular line and walk off. This is the arrangement. From this it does not follow that there is any order to burn each and everything found within the house marked with one red line. Only such articles in the room where the death takes place as were worn by the dead are to be burnt. For this reason the owner of the house should point out such articles or bring to the notice of the search party that he has cleaned the room himself. Beyond this, that one himself should burn the things worn by a plague patient and leave the room vacant for some days is the best way. When the rooms are vacant, the soldiers may clean them in any way and for that no fear should be entertained at all. People should bear in mind that if any new things are kept in the room, they are also liable to be burnt for nothing. Occasionally it is possible that such things may be misappropriated and we hear in one or two places (things) have been so mis-appropriated. In such places and in houses where people have gone away after locking them which are unlocked in their absence, the authorities should take due precaution for the safety of the property, otherwise plague inspection will be the means of encouraging the profession of thieves. In some places steps are being taken for such safety; but no arrangement has been yet come to in this matter as it ought to be. The nature of plague is

growing very alarming from day to day although more than half (the population) of Poona has gone away. Still last week, the total mortality was one day 84 ; so it can be safely said that the plague in Poona is one and-a-half times more virulent than in Bombay. It is plain that stringent measures ought to be taken to stamp out such a virulent plague. But in the enforcement of such measures due care should be taken as said by His Excellency the Governor to pay due respect to the customs and religious prejudices of the people and to protect their property and we hope it will be done.

A true translation.

(Sd.) GANESH KESHAV VAIDYA,

Third Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 8th September 1897.

No. 24.

(Translation of what appears under the heading "Editorial Notes" printed in column 2 at page 3 of the "Kesari" newspaper, dated the 18th May 1897, having at the foot of page 4 thereof a note as translated—"This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushan Press in Budhwar (Peth) at Poona, and published by Bal Gangadhar Tilak.)

Elsewhere is published a notice signed by Mr. Rand and promulgated in the city which states that the plague in Poona has now almost subsided, and that the inspection by (British) soldiers will be discontinued from the 20th instant. There is still a (solitary) case or two of the plague in the city and the people residing in a locality where there is a plague case will as heretofore continue to be segregated even after the inspection ceases. All plague cases will be brought to light by the regulation that no corpses should be removed for burial or cremation unless a doctor's certificate, stating that death has not resulted from plague, is procured. It is a gratifying thing that giving consideration to this plan suggested by the people, even the inspection by the black coated is not kept up after the 20th instant. The Hindu Plague Hospital and the mess arrangements in the segregation camp must be continued as heretofore for some days even in the rains after the inspection is stopped. The local Plague Committee had ordered that the Hindu Plague Hospital should be closed from the 28th instant. To a deputation which waited on Mr. Rand to request him to cancel the order of the Plague Committee, Mr. Rand had replied that the order of the Plague Committee was to be upheld. On receiving this reply the Managing Committee of the Hindu Hospital submitted their protest to the Plague Committee and now Mr. Rand has replied that he has no objection to the Hindu hospital remaining open during the rains. The Hindu hospital must therefore now be equipped for the rains. Subscribers will therefore be good enough to remit two months' further subscription for the hospital. It is obvious that the Hindu Plague Hospital and the arrangements in the segregation camp must be continued with the same vigour at least for a couple of months more.

A true translation.

(Sd.) GANESH KESHAV VAIDYA,

Third Translator.

H. I. M.'s HIGH COURT, TRANSLATOR'S OFFICE,
Bombay, 6th September 1897.

No. 25.

(*Translation of the Marathi leader printed in columns 4 and 5 at page 2 and column 1 at page 3 of the issue of the "Kesari" newspaper, dated Tuesday, the 1st June 1897, having at the foot of page 4 thereof a note as translated, "This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushana Press in Budhwar (Peth) at Poona and published by Bal Gangadhar Tilak."*)

HERO-WORSHIP.

By perceiving a phenomenon in creation, which is grand by reason of its delightful or awe-inspiring, delicate or dreadful character or of a commixture of both properties, and by hearing and cogitating upon the holy lives of great men, the feeling of wonder, natural in man, is spontaneously awakened. It is equally natural in man, when he admires some person's deeds or something, to show his humility (*i.e.*, to pay homage) to such person or thing by means of obeisance (and) to manifest his love by worship and devotion. To admire and love any visible manifestation of God anywhere, be it in inanimate or animate creation (*a*) (that is to say, for the spring of devotion to ooze from the heart) (*a*) is incomparably the best virtue in man. No nation will be found which does not worship a hero; and the community in which this virtue gradually disappears should be considered moribund. In Europe, although the time had arrived for vast kingdoms to be torn into shreds in consequence of some political and religious revolutions and of the diminishing faith of the people in the Christian religion, it was this hero-worship which saved them from danger. It is the opinion of Carlyle that there is no better means than (this identical) hero-worship to (secure) the existence and (ensure) the prosperity of a community. All the saints, sages and pious men of our country emphatically told their followers not to teach a person any science or art who was destitute of devout feeling. For, the actions of a person in whom no devout feeling in relation to any personage or thing is engendered must necessarily be always such as to plunge the community into the depths of misery. It is quite natural that Satan should find his pleasure abode, or that the enemies of man, such as lust, anger, &c., should hold their tumultuous festivity in that mind which does not even in some odd nook and corner harbour the sense of admiration. Just as we worship the incarnations which God frequently assumed for the purpose of (re)establishing religion after it had declined, just as we hold festivals in their honour, even so people in other countries also held and are also holding festivals in honour of the perfect incarnations of God in their respective countries. Just as we are the worshippers of the incarnations of God like Shri Rama or Shri Krishna who had assumed human forms for the express purpose of annihilating the wicked, even so the ancestors of Europeans had become the worshippers of "Odin" and "Thor," looking upon these person (ages) as the very images of God. Just as the Rama incarnation or the Krishna incarnation was not merely inculcating religious tenets but for the annihilation of bad men, even so "Odin" and "Thor" were very valorous persons and were the founders of a new kingdom, and by that means, of religion. As the people of the west or the Musalmans respect Christ or Muhammad who were the founders of new religions, even so we in India also worship and adore the exalted Shankarâchârya, Buddha, Jina and other preceptors of religion. It was owing to the afflatus of hero-worship with which the ignorant people wandering through the sandy deserts of Arabia were filled at the sight of Muhammad, that this community, who managed somehow or other to maintain themselves by tending (flocks of) goats and sheep, overran the whole region extending to the shore of Spain on the west and to the confluence of the Ganges and the Jumna on the east. The world was under the impression that Arabia was nothing but a conglomeration of sandy particles; but directly the divine lustre in Muhammad's eyes fell on it, all felt that Arabia was not filled with particles of sand, but that the sandy deserts of Arabia must have been composed of combustible particles of gunpowder. Just as there flourished in Europe

(a) (*Sic*)

saintly persons like Luther and Knox who purified the Christian religion, so there flourished in India, and especially in Maharashtra, a large number of saintly persons. Just as the people of Europe make a great show of their reverence for Luther and Knox and praise them with devotion, so we also get Jatras (b) held and celebrate festivals in honour of the saintly persons who flourished amongst us. Although the saintly persons of Maharashtra have left us, yet their deeds, their advice, are still alive. Fortunately (for us) we have not forgotten the memory of the saints and sages of former times; (and) it is for that reason that there is still some vitality in the religion prevailing in Maharashtra and that there is hope for the promotion of (the cause of) religion in Maharashtra, as was the wish of the (c) Samarth (*i.e.*, mighty). The national religious festivals held in Maharashtra have not allowed a complete divorce to be brought about between us degenerate Marathas and the saints and sages of former times: this is what we owe to the great national festivals. Hero-worship lies at the root of all these,—nationality, social order and religion. There is no doubt that those who celebrate religious festivals have acquired the religious merit of not allowing the hero-worship in the hearts of the people of Maharashtra to decay, at least so far as religion is concerned, by frequently setting before their eyes the religious heroes of Maharashtra. But directly the native Government was overthrown, the memory of the political heroes who had worked body and soul for political independence and who had thereby protected our religion, became quite extinct. When there was native Government, we always and constantly used to cogitate and reflect upon and worship the deeds and teachings of the political heroes of the nation. In every man there is necessarily a manifestation of the Divine Presence in a greater or less degree; and at sight of the hero, the tide of hero-worship sets in and the original manifestation of the Divine Presence is doubled in intensity (strength). When Shri Shivaji Maharaj heard the stories of the Pandavas (narrated) in the Mahabharata, the inherent, inborn fire in him would not let him sit quiet and, by contact with a hero like the Maharaja, warlike Sardars began to flash amongst the Mavlas themselves, who had been lying (inactive) in the glens and valleys. It is not necessary to beseech anybody to worship heroes; nor is it necessary to preach to anybody to try to conduct himself after the manner of heroes; just as a piece of iron must needs go running after (*i.e.*, be attracted by) the loadstone, spontaneously, even so the moment a person approaches a hero at due distance, it is impossible for his mind to remain free from the results of this influence. Under the Swarajya (*i.e.*, native Government) heroes like Shivaji never went to a great distance from us; and when to our misfortune we commenced flying away further and further from them, forgetting their memory, the time for the overthrow of our rule drew to a close. It is because the people during the reign of Rajaram Maharaj had not forgotten the memory of Shivaji Maharaj that the statesmen and the warriors of the time were enabled to completely repel the locust-like attacks of armies of lakhs of Muhammadans brought by Aurangzeb against the Maharashtra. It is true that the method of worshipping political heroes during the Swarajya (*i.e.*, native rule) was slightly different from the western and the present method; but, of course, nothing depends specially upon external forms. If there is hero-worship, the nation must necessarily get the delicious fruits of that excellent virtue to taste. The forms of exhibiting devotion for those who achieved mighty political exploits, before and after the nation attains its full growth, are different from each other; and the Maharashtra having passed under a foreign yoke even before it attained its full growth, the same old method of worshipping political heroes which is seen in Europe and elsewhere existed in our Swarajya also. In the Swarajya they used to worship political heroes by conferring the dignity of Sardars and hereditary Jaghirs upon those who achieved mighty political exploits. The Jaghir and the rank of Sardar continued in his family became, by itself, the memorial of that hero; and as long as the male members of that family were afraid lest “the ancestors

(b) Periodical festivals in honour of idols, to which pilgrims resort.

(c) An epithet generally applied to Ramdas Swami.

(might) laugh," and as long as ordinary people did not forget that hero so long hero-worship prevailing in the nation never paled (or got dim) and national vigour went on increasing day by day. By hearing and recollecting the achievements of Shivaji Maharaj, Pralhad Niraji, Dhanaji Jadhav, Santaji Ghorpaday and other high personages, the elder Bajirao was inspired to act agreeably to the advice given by (Ramdas Swami) Samarth, (namely) "(you) should establish the Maharashtra rule alone everywhere"; and, following that very example, the Maharatas in the next two or three reigns overspread the whole of India. ('If my valour undergoes diminution, Bajirao will get angry, Shivaji Maharaj will laugh, (')—this mental goading produced by hero-worship was then at work. Owing to this very reason, like Napoleon who for some years partially gratified his ambition of extending and bringing the confines of France into contiguity with the confines of Europe, the Marathas continued their efforts to identify the Maharashtra with the whole of Hindusthan; and those efforts were then nearly crowned with success too. If the adverse time had not arrived for us to compete with western state-craft far ahead of us in politics, not even one part of Northern Hindusthan would have remained without coming under the rule of the Sindia or the Holkar, and Bengal would have had no go but to fall into the clutches of the Bhonslays (of Nagpur). When the annual Darbar used to be held on the Dasra (holiday), when the Maharashtra used to resound with the preparations for war, when statesmen met together to hold secret consultations, when our army stood on the battle-field to fight,—all these occasions did not fail to remind the nation of the political heroes. On all these occasions national hero-worship must needs rise to overflowing. The Swarajya was lost, the very source of the production, amongst us, of politically great men was gone, and, to our misfortune, our attention entirely ceased to turn to the heroes of former times. The Government having adopted a policy of neutrality in matters religious, the religious festivals amongst us have not disappeared. As Europeans are proud of the inspired speeches (? writings) of Dante, Shakespeare, Goethe and other poets and do not fail to manifest their devotion for them; so, (our) love and respect for Kalidas, Bhavabhuti, Moropant, Tukaram and other great Sanskrit and Marathi poets, as heroes, have not disappeared from our minds; not only this, but what is more, we have, under this rule, got an opportunity of worshipping these heroes in a special manner. Under foreign rule, the political festivals alone have stopped, and that these should stop is but the natural result of foreign rule. Hence we forgot great heroes like Shri Shivaji Maharaj, and in consequence of hero-worship in matters political getting gradually extinct, we have utterly lost all these things, (namely) the political impressions which would have been produced upon our minds, the feelings and emotions which would have predominated in our hearts and the political education which we would have easily received, by coming in contact with the high personages (celebrated or renowned) in the history of Maharashtra. So far we have considered the real reasons why we should celebrate the (d) Shiva-Jayanti festival (d). Neither we nor any one else can tell those who perhaps see humbug in the above festival, who perhaps believe that it is full of empty professions,—what joy, what love of truth, what glory the different national grand festivals, are replete with. Those who see nothing but cunning in the Ganpati festival and the Shri Shiva-Jayanti festival, which the country of Maharashtra has been celebrating with love and devotion, do not possess the very faculty which would enable them to know the delightful mystery in the festivals held in honour of high personages, as their minds do not afford the smallest space for hero-worship and since they are not on the path which awakens hero-worship; this is our or their misfortune. (Our) readers will notice from the accounts published elsewhere that, in spite of so many attempts made in the opposite direction by such persons as have not in them even a spark of hero-worship, the Shri Shiva-Jayanti festival is spreading itself everywhere in Maharashtra. That ladies belonging to the families of

(d)—(d) Birth-day festival of Shivaji.

Sardars should have the desire of making an earthen image of Shivaji Maharaj, that artists, poets, orators should all eulogise the virtues of the Maharaj—these are surely good signs. The action of a person who insists upon the real advantages to be derived from such festivals being shown (to him) this very day is quite as foolish as that of a patient in a chronic stage of consumption kicking off the medicine of a (e) skilful physician (e) merely on the strength of an experience gained in a day. This year persons holding degrees (diplomas) and other well educated people have taken a somewhat prominent part in this festival; and we propose at our leisure to consider what form they should gradually give to this festival. No genuine Maratha will fail to feel joyful, seeing that the people in the different places of the Maharashtra managed somehow or other to celebrate the Shri Shiva-Jayanti festival according to their means, despite the attack (visitation) of the famine and the plague overwhelming (them) from all directions.

A True Translation.

(Sd.) N. L. MANKAR,

Sixth Translator.

H. I. M.'s High Court, Bombay,

Translator's Office, 7th September 1897.

No. 26 (1).

[Translation of the leading Marathi article appearing on p. 2, columns 4th and 5th of the "Kesari" newspaper, dated the 8th of June 1897. (a)]

GLORY TO HER MAJESTY THE QUEEN (EMPRESS).

Everybody is already aware of the intelligence that grand festivities on a large scale are to be held on the 21st and 22nd of June, wherever there is British rule, to celebrate the fact of Her Majesty Queen Victoria, Queen of England and Empress of India, having reigned continuously for sixty years. In England preparations are being made to celebrate this occasion on a very magnificent scale, and the festival in honour of the sixtieth anniversary of Her Majesty the Queen's Coronation will be held in such a manner as to exhibit the glory of the English realm (*i. e.*, British nation), the extent and greatness of their dominion and the magnitude of the extensive commerce and wealth of the English people. None of the Kings and Queens who have hitherto ascended the English throne reigned for so long a time. Of the (four) (Queens) Elizabeth, the two Marys and Anne, Queen Elizabeth alone reigned so long as forty-five years, while of the Kings none hitherto enjoyed a reign of more than sixty years. Hence it is quite true to say that Victoria is more fortunate than all of them. But there are many other reasons why Englishmen are specially proud of Queen Victoria and all those are at present being made public (*i. e.*, explained) in their newspapers and monthly magazines. Amongst us a festival generally does not suggest to our minds any other sort of idea but the ordinary ones of eating (and) drinking, illumination (and) merry-making, &c. But the case is quite different with the commercial people of England. Although all the people are engrossed in this triumphal Jubilee of the Queen-Empress, still everybody asks himself the question how much their condition has improved under the Queen's rule, that is during the last sixty years, how much their commerce has increased, their dominions extended and their wealth augmented. In short, every one thinks that

(e)—(e) The text is 'Dhṛṣṇwāntari,' the physician of the gods; the Indian Æsculapius; hence it means a skilful physician generally.

(a) The foot-note on page 4 of this issue as translated is as follows:—This newspaper was printed by Hari Narayan Gokhale, Arya Bhusan press in Budhwar (Peth) at Poona and published by Bal Gangadhar Tilak.

this Jubilee celebration is only an occasion for reviewing how far the British nation and the English people have advanced during the sixty years. And all manner of expressions of pride and joy on account of England's prosperity during sixty years are appearing in the newspapers and the speeches of statesmen. The most noteworthy thing of them all, however, is that the coming festival in honour of Her Majesty the Queen is as much (nay, more but not less) a sort of exhibition of triumphal feeling entertained by Englishmen for the rise of the British nation during the last sixty years as it is indicative of the people's love and respect for Her Majesty. Even readers of smaller English Histories can understand that there is much difference between the rule of the present Queen of England Victoria and that of the former Queens-Elizabeth, Mary and Anne, and that difference is much to the advantage of the British people. The notion that a King or a Queen is the chief authority in the kingdom that could act according to his or her sweet will without listening to any one else which is so common and which prevailed even in England some years ago, has now disappeared in England and given place to the now-prevailing idea that the sovereign is the mouth-piece of the nation, or the functionary to carry out its will. Just as in this country we show respect to our gods, worship them, present offering to them, and celebrate their festivals with faith, similarly Englishmen of the present day treat their sovereign with love and loyalty. But the worshippers and the Guravas * on our side would not be happy if their idols ate the offerings presented to them; and the same is the case with English people. Although idol-worship might appear to some derogatory it may be said that there is indeed no other means like an image to explain to ordinary minds those notions which are imperceptible to the external senses. Looked at from this point of view, Englishmen appear to be celebrating the sixtieth anniversary of Her Majesty's coronation so joyfully, grandly and willingly only on the supposition that Queen Victoria is the living embodiment of all the rise of the British kingdom, the prosperity of the English people, and foremost place which they have attained among all the nations of the world during the past sixty years. No one (however) should imagine from this that Her Majesty the Queen possesses no extraordinary qualities or capability. Although Her Majesty fully approves of the principle that the principal duty of a sovereign lies in executing the will of the nation as far as possible, her wisdom has often been manifested in the discussion of chief political questions with her Ministers and all her various Prime Ministers, such as Peal, Palmerston, Disraeli, Gladstone, Rosebury, and Salisbury, have praised Her Majesty's statesmanship and have held the opinion that Queen Victoria is well-versed in the politics of England and other nations. Besides the private life of this fortunate Queen is so pure, (simple) straightforward and affectionate that whatever is sublime in English domestic life is fully realised in Her Majesty's private conduct, nay, it is the universal opinion that Her Majesty the Queen is the home of all these virtues. By the grace of God Her Majesty's dominions are at present dotted all over the globe, and generally speaking about a fourth of the population of the globe are at the present day directly or indirectly under the rule of Her Majesty the Queen. The subject will be treated in detail later on; but it is sufficient for the present to mention (here) that the British dominions had never attained to such dimensions before, nor had there been before a sovereign in England, who was so favourable to people's rights, and who reigned so long. The former Rulers of England appointed or dismissed Ministers at their pleasure or interfered with the administration of the country in some other way, But the policy of Her Majesty Queen Victoria has been quite different from the beginning. She has never exercised her prerogatives arbitrarily like previous sovereigns. It is true that according to the British constitution Her Majesty possesses some important prerogatives, but on no occasion has she asked for their high-handed exercise. In a word not only has Queen Victoria never done anything to obstruct the rise or will of the

* A caste among Sudras or an individual of it. They are employed in the service of the temple and are worshippers of Shiva.

British nation; on the contrary the English people have prospered in every way during the last sixty years. King George III. reigned for about sixty years, but the state of the people at his death *i.e.*, at the time when Queen Victoria was born, was entirely different from what it is at present. What have we gained in the sixty years is the most important question, and if the people of India or those of Maharashtra could have answered it with as much joy, triumph and pride as Englishmen are doing to-day, this Jubilee festival would have proved to all still sweeter like milk when sugar is added to it. Well we shall consider this point when concluding the series of one or two articles which we are going to write on this subject. To-day's article is only by way of introduction, and in it we mean (simply) to explain the real character of the present festival. The Jubilee of the sixtieth anniversary of Her Majesty's coronation is not a festival held merely to exalt one single individual, it is the triumphal expression of the exploits achieved or the power gained, the wealth amassed or of the progress made in commerce, arts, industries and domestic life by the British nation during more than half a century or to speak briefly of the success of the efforts made by them to occupy the highest position among the nations of the world. What these efforts are and how they were made, how owing to them England has risen to her present eminence and how her influence has to-day extended over the whole world, we shall briefly explain these (things) in the next issue, and then we shall write about the state of our own country *i.e.*, consider how (our) Gracious Queen (Empress) by making (her) Indian subjects happy in a particular direction on the occasion of this Jubilee is likely to add in future to the strength and permanency of the extensive British Empire. A detailed account of the many events which happened in her Majesty's reign of sixty years will be found in history by any body, but the recapitulation *i.e.*, (a brief survey) of the rise of the British Empire is far better accomplished at least in the eyes of the common people and makes greater impression on the popular mind on such occasions than in historical works. It is probably with this object in view that authors, statesmen and journalists in England have made the Jubilee an occasion for singing the greatness of the nation and with exactly the same object we also intend to make our readers somewhat familiar with it. We have already said above that no empire before was so extensive as that of England to-day. Naturally any nation under such circumstances would celebrate the glory of its Ruler with great joy, love and fervour. The present Jubilee festival is of this kind, and the deity to be worshipped therein is also by the grace of God entirely worthy of such an occasion.

A True Translation.

(Sd.) N. L. MANKAR,
Sixth Translator.

H. I. M.'s HIGH COURT, BOMBAY,
Translator's Office, 1st September 1897.

No. 26 (2).

(Translation of the leading Marathi article in the Kesari (a) of 15th June 1897,
pages 2 and 3, columns 3, 4 and 5.)

GLORY TO HER MAJESTY THE QUEEN-EMPRESS.

EXPANSION OF THE BRITISH EMPIRE.

It has been already stated last time that the present sixtieth anniversary festival of Her Majesty the Queen's coronation is as a matter of fact an indication of

(a) The foot-note on page 4 of this issue as translated is as follows :—This newspaper was printed by Hari Narayan Gokhale at the Arya Bhushan Press in Budhwar (Peth) at Poona and published by Bal Gangadhar Tilak.

the prosperity of the British Empire, and that Englishmen are using it as an occasion to sing the glories of their progress made during the sixty years. It is quite proper that those who during sixty years have gained an unprecedented and extraordinary glory should manifest their pride and joy (for it) in such manner. A nation rarely gets such opportunities, and it is quite natural that our Rulers should make much of the one they have obtained. Very well; we shall now consider the growth of the British Empire during the last sixty years. This growth has not been one-sided only; but during the reign of Her Majesty Queen Victoria, England has been advancing and has now attained the highest pinnacle in all things in the expansion of (her) dominion, in commerce, in political ascendancy, (and) in social and political institutions, &c.; so much so that even foreigners ought to feel wonder-struck for an instant at the sight. That the inhabitants of a small island in the West of Europe who nine hundred years ago were in quite a savage state should have thus in a short time attained to the foremost place among the dominant nations of the world is no small outcome of their intelligence, industry, energy and enterprise. If one takes up the map of the world and sees the extent of the British Empire, it will appear that the saying that the sun never sets on the Queen's dominions is literally true. Fifteen longitudinal degrees make the difference of an hour, but no such fifteen degrees can be found on the surface of the globe which do not contain at least one island under the English rule. The British Empire was already extensive before the Queen ascended the throne, but in the last sixty years it has expanded still further. In 1837 the extent of the British Empire was 75 lakhs of square miles with a population of about 21 crores. But now the extent of the dominions measures 1 crore and 15 lakhs square miles, while the population also has increased to more than 38 crores. This does not, however, include countries which though not directly under British rule are under British protection, and so far as commerce is concerned, it is such latter countries that are most beneficial and important to the English people. When in 1776 America became independent and England thus lost a considerable portion of her empire, it was feared that the tide of British rule would be at its ebb. But during the last century or a century and a quarter the English people have by their prowess acquired in the two countries of India and South Africa dominions even larger than the Free States, and attained to a glory higher than before. The Peshwa's rule in this country had come to an end before Her Majesty was born, or it may be said that Her Majesty's birth sounded the death-knell of Peshwa's Government. Well, from that time to 1837 the Empire was constantly growing, but if we take the events in Her Majesty's reign alone, the suppression of the Mutiny of 1857, the war with the Sikhs, the invasion of Burma and the successes obtained in the petty frontier expeditions must all be included in the expansion of the (British) Empire during the last sixty years. But an expansion of the British dominions, even greater than this, is that in Africa. How the English have managed to keep Egypt in their hands is indeed well known; but the efforts carried on in South Africa are really even more profitable and important. The fertile regions on the banks of three great rivers—the Nile, the Zambezi and the Kongo, were discovered in Her Majesty's reign, and although almost all European nations have now put their finger in this region, still the English have a large part of it under their rule, and are steadily aiming to extend it. Besides this, hundreds of islands in the Mediterranean Sea, the Arabian Sea, the Pacific and the Atlantic Ocean, are in the possession of the British Government, so situated that they may well protect the buoyant gamboling of their trade all over the world. It will not do to look only to the spread of (the British) rule. We must also see how British commerce has increased. The English people always take care to keep in their hands at least the trade of the country which they cannot conquer. The prosperity of England depends much more on (her) commerce than upon the spread of (her) dominions; and considered in this light, all countries in the Continent of Asia, (such

as) India, China, Japan, Persia (and) Arabia, must be said to be overrun by the English by means of their commerce. The English acquired the control of the Chinese trade by taking possession of Hongkong during the last sixty years. In the same period the total commerce of England has increased about ninefold. The population of the world has been calculated to be about fourteen hundred millions, out of which about three hundred and eighty millions are under British rule; that is, by a rough calculation about one-fourth or one-third of the total population of the world are under the rule of the Queen. But if we add to these the countries controlled by (British) commerce, it will be found that half the commerce of the world belongs to the English people. The commerce of England alone with other countries amounts at present to ninety crores of pounds annually, while sixty years ago it was eleven crores. This extraordinary increase in commerce is due to the watchfulness of the English people and the superiority of their navy over other countries. England receives about pounds forty-five crores worth of imports annually, for twenty-two crores and-a-half of which she pays by exporting her own manufactures, while the rest remains in England as profit. The annual income of Great Britain has increased about threefold or fourfold during the last sixty years; and deducting expenditure it is calculated that the people there save from fifteen to twenty crores sterling annually. England has become extremely wealthy, through sources (of income) scattered over the world, such as railways, telegraph, steamers and warships (and) gold-mines in Australia, &c. The population of England has increased twofold, but by appliances of machinery, commerce has increased four times; while this single nation has lent to other countries about three or four hundred crores of rupees. The interest on all this debt which other countries have to pay to England in the shape of commerce as well as the goods which they have to send to England in exchange for British manufactures have immensely increased the commerce of England. As all this commerce is carried on by means of British ships and steamers, the freight also goes to England. There is no part of the world where an English merchant is not to be seen. Go anywhere you please, go to the many small and insignificant islands of the Pacific and the Atlantic Ocean, (or) go to the continents of Asia, Africa and America or into regions near the North and South Poles, the activity of the British merchant is continuously going on. In a word, there is no country on the surface of the globe which has no connection with British commerce or British rule. Consider how the English people carry on and maintain all this vast business in their own interests with a steady watchfulness, and no one can help being astonished at their world-wide activity. To regulate this world-wide commerce and empire, the English people have of course the aid of telegraph, railways and steamers, and without that aid their empire would never have become so boundless. This circumstance does not, however, in any way take away from their pluck, intelligence, courage, enterprise and other qualities, nay, we may with propriety say that the spread of the empire itself has contributed to bring these qualities into greater prominence. It is on account of these qualities that two or three lakhs of Europeans rule over thirty crores of Indian people. If there be any new scientific discovery, if it is likely to prove beneficial to them, the English are the first to utilize it at once. To whatever further extent the virtues of these people and the prosperity they have attained in consequence may reach in this way, for the present at least it appears to have reached its climax. Not only does the telegraph wire encircle the globe like a Brahmin's sacred thread, but for the protection of British commerce they have established their equipped out-posts from Gibraltar through the Mediterranean and along Arabia, India, China, Canada, &c. To protect this world-wide empire there is in England, India and the colonies together, a British army of about six or seven lakhs of all descriptions. The native army in British India and the Native States amounts to about two and half lakhs, that is, in the whole army of the empire there are two British soldiers to one native. The navy, besides, comprises one hundred thousand men, and the fleet is about four

hundred strong and it is entirely in the hands of Englishmen. This huge expenditure on the navy is nothing when compared to the extent of the empire; but it is the largest in comparison to that of the other European nations, and so long as the supremacy over the sea acquired in this manner remains with the British, there is no danger to their world-wide empire and commerce. It is said by some that the present civilization and progress depend upon the two resources, *viz.*, coal and iron, and even viewed from that stand-point, England possesses these means in abundance. Nearly half of the total out-put of coal in the world is obtained from mines in British territories. In short, the whole world has been occupied by these English people. They have colonies in regions which are fit for colonisation, and although the Government in the case of some of them is for the most part in the hands of the colonists, yet none of them has yet separated from England like the United States of America. They have conquered a country like India and kept some like Egypt under their control. Besides, the English people have the trade of Persia, China, Afghanistan and other countries into their own hands as much as possible. In consequence their brisk and ceaseless activity is felt all over the world in the shape of colonisation, conquest, and commerce, or failing these as the last alternative, friendly intercourse, and consequently their power has now reached its zenith. The English people know full well where and how to use any of the above four means, and, although there were many difficulties such as the Crimean War (and) the Mutiny of 1857 during Her Majesty's reign, still the English people have surmounted all of them, and not only sustained but have developed their progressive spirit.

In England itself progress in political, social and religious matters has kept pace with this expansion of the empire. The steady development of railways, telegraph (and) steamships since Her Majesty's accession to the throne has been already alluded to. The population of the City of London itself which was twenty lakhs has grown to forty, while England has become as it were a big honeycomb of merchants and manufacturers. The English people seeing at once that agriculture as compared with industries being insignificant, people could not live unless corn was imported from foreign countries, they established free trade and have made corn cheap throughout England. Arrangement is being made for the education of artisans and labourers and especially for technical education. Owing to the excessive accumulation of wealth the state of things in England has become mostly like that in Lanka, where four gold bricks had to be paid for shaving. However, the condition of the lower classes has not much improved thereby. The real strength of the British nation lies in the commercial and middle classes. Various reforms are in progress amongst them and their means of happiness are gradually increasing. The social condition of these classes has almost been revolutionised, and had it not been for their anxiety to keep up the world-wide empire, these comforts might have perhaps acted prejudicially on their good qualities. The spread of education, sanitation, good houses and roads in towns, advancement of women, posts, telegraph in these things so rapid a progress is being made that he who saw the state of England sixty years ago will notice a world of difference between the past and the present condition of England. The credit of abolishing the slave trade also belongs to Queen Victoria's *regime*, and proves clearly that this commercial nation is also sometimes actuated by unselfish and sublime impulses. It is unnecessary here to describe minutely the domestic life of the English middle classes, but it may be safely said in general that there is now more of artificialness in it than before. This is manifestly the result of vast riches and plentiful means of comforts. Well, the festival which is being celebrated as an emblem of their prosperity by the people of a nation that has thus reached the height of wealth and power is quite appropriate from their point of view. We also participate in their joy as they are our rulers; only it cannot be said that we have prospered like them during the last

sixty years. We intend to conclude this series by presenting a picture of our condition to our readers in the next issue.

A true translation.

(Sd.) N. L. MANKAR,

Sixth Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 1st September 1897.

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p. 2, cl. 3, 4, and 5.)

GLORY TO HER MAJESTY THE QUEEN (EMPRESS).

CONDITION OF INDIA.

Our readers must have already from (our) preceding articles grasped the fact that the people of that nation whose empire has in the last sixty years grown in extent by three quarters, whose population has doubled in the same period, whose wealth has increased threefold and commerce nine times of what it was sixty years ago, and that has risen to the pinnacle of its power,—(the people of such a nation)—are holding a grand festival in honour of their own prosperity on the occasion of their Queen's Jubilee. Let us now see what change has taken place in the condition of India during the same period. There is a rule in our science of Rhetoric that when Ravana has been described at great length, there is no need of describing Ramchandra very much. To say merely that he conquered such and such an enemy does in itself give one an idea of the prowess of Ramchandra. The same rule applies in the present case. If after describing the vast dominions, commerce and the high position of England, it is told that India is one of the poor dependencies under the sovereignty of that people, intelligent readers will not require any more description of our condition. The only circumstance that gives us pleasure is that our rulers are very wise, watchful, intelligent and lords of not only nine crores, but more than nine hundred and nine crores. For the rest if one looks to the condition of India one is compelled emphatically to say that the present is the sixtieth celebration not of our prosperity but of our decline. Well, to-day we shall avail ourselves of this occasion to explain in some detail the two sides of this (question). Her Majesty the Queen was born in 1819 Anno Christi; the Peshwa's Government had at that time just come to an end. Since that time till 1837, *i.e.*, Her Majesty's accession to the throne, almost the whole of India had come under British rule. The wars of conquest that took place in India after Her Majesty's coronation were only the expeditions against the Sikhs in the Punjab and the Burmese in Burma. These extended the boundaries of the empire East and West, and the expeditions that took place against the large and small savage or semi-civilized tribes on the frontier also extended the boundaries of the empire in several places in the North and the North-West. Besides, owing to the large Native States which were annexed in India during Lord Dalhousie's *regime*, or provinces like Berar being taken over for the expenses of the contingent (forces), the red-line of British rule advanced considerably even in the interior. Either as a consequence of this or some other events, a big storm burst over the Queen's Indian Empire in 1857, but even that was dispelled, and to-day the

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(Sd.) N. L. M.

British empire is firmly established from the Himalayas to Cape Comorin and from the Khiber Pass to the Eastern boundary of Burma. All are aware as to what change was brought about in the system and policy of Government by the Mutiny of 1857. It is also well-known in history that after that year Her Majesty the Queen took up the reins of government in India in her own hands, and by publishing a great proclamation in 1858 laid the foundation of the administrative policy to be followed in India. The first draft of this proclamation is said to have been quite worthless. Of course, Her Majesty did not approve of it, and it should be remembered that all the weightiness, the foresight (*i.e.*, statesmanship) or the keen solicitude for the people's welfare observable in the present proclamation, are all due to the first draft having been altered in accordance with Her Majesty's orders. If Her Majesty's good wishes had been given effect to according to her command, to-day's Jubilee festival would have proved to the people of India as much an occasion for joy and pride as to the people of England; but, unfortunate as we are, things did not turn out accordingly. It must be admitted with the greatest reluctance that all the reforms in the administrative system that were effected from 1857 to 1897 had, with some exceptions, the tendency to put more and more power in the hands of the executive and to make the people completely disarmed and helpless. This policy reached its climax in 1877 when Her Majesty the Queen was declared the Empress of India. Those very princes whom the British Government formerly regarded as their allies now became subordinate allies; while along with other British subjects the condition of these princes also declined, so that all of us have now become equally powerless and dispirited. In short, the saying that the prosperity of one means the adversity of another, applies fully in this case. It will be seen on a little reflexion that the phenomenon which is observable in the science of astronomy is also observable in the science of politics, *viz.* that the moon, if in conjunction with the mid-day sun, becomes invisible in his rays, and if in her full glory she is in the nether world. The greatest glory of the moon shining in borrowed light at such a time is to please the people in the nether world, but the insignificance of this glory compared with that of the mid-day sun is evident from the fact of the fading away of her lustre in his immediate presence. Our India has to-day reached a similar condition. Whatever be the reasons for the deterioration of this country, none can deny the fact that a hundred years ago eminent warriors, statesmen and politicians were born in this country, and if anybody possessed vigour, learning or intelligence, there was then full scope to be obtained for their development. But now not only have all these qualities been rendered useless by the superior lustre of the British rule, but disuse is leading to their extinction, and we are becoming so weak or lifeless that anybody may lord it over us or tyrannize over us all, or one might say we have already become so. Unfortunately we are having a daily experience of how the people of any country degenerate when continually pressed under the roller of foreign rule; and as it is the custom when praying to God to say that he is omnipresent and omniscient, while we (mortals) are little knowing and he is all just (*i.e.* He is the universal arbiter) while we are mere atoms, exactly the same language we have to use when we consider the relations between the two countries England and India. This is the secret why the Irish have remained indifferent on the present occasion, although they have got more rights than India. The Hindus being naturally of a different disposition are celebrating this festival according to their means, but no one should wrongly infer therefrom that their condition is better than that of Ireland.

Several English officials and writers say that the condition of India has vastly improved during the last sixty years. The commerce of India which has now grown up to about two hundred crores annually was only twenty-one crores sixty years ago. Railways of which there were none extend now to twenty thousands of miles. The total debt is about three hundred crores of rupees, and besides about the same amount is invested by English merchants in Indian trade. Of the two hundred crores of

trade mentioned above, about one hundred and seventeen crores are exports, while eighty-three are imports, that is to say, we have to pay thirty-four crores of rupees as tribute for foreign rule. There are besides jute and cotton mills in India. Roads and railways have stimulated commerce, population has been doubled owing to universal peace in the country. Large works of canals, bunds (dams or dykes) and bridges, &c., are always in progress and are diminishing the danger of (occasional) famines in future. Local self-Government has been established and people have also got their representation into the Legislative Councils. Western education is making great changes in popular prejudices and customs; and freedom of the Press and liberty to express their own views at (public) meetings having been granted the people are fully enjoying the liberty of thought. The revenue of the Government of India which was twenty-one crores in 1837 has now reached nearly ninety-seven crores, and the English language has furnished (us) with a great means for the interchange of thoughts between all the (different) people of India. In short to sum up the whole, two or four (*i.e.*, a few) large provinces have been added to the British empire in India during the last sixty years; population is doubled; commerce has increased ninefold and Government revenue nearly five times. Besides, India has been in continuous enjoyment of railway, telegraph and other appliances of western civilization and especially of peace; what more progress can be accomplished in sixty years by a country like this?

True; but on closer consideration any one will see from these figures that the state of India has not improved. It is to dispel the wrong impression produced by these figures that the Indian National Congress has been working for the last twelve years, and the evidence given before the Welby Commission on behalf of the Congress and especially the evidence of Mr. Dadabhai Naoroji has satisfactorily shown how India is gradually becoming impoverished and helpless under the British rule. Breaches of peace did sometimes take place during our native rule, but the kind of courage and self-reliance which was kept up by these amongst the people has now entirely disappeared. It is true that Indian commerce was very insignificant before, but that means that all the articles needed by us were manufactured by us here, and the best products of local artisans were exported to foreign countries. Things have undergone a complete change during the last sixty years, and matters have now come to such a pass that we send agricultural produce to England and take in English manufactures. It is simply a delusion that our trade has increased. Let us suppose that a man had formerly an income of one hundred rupees and expenditure of fifty rupees so as to make up a total account of one hundred and fifty rupees, but that the same man has now an income of rupees five hundred and expenditure of eight hundred rupees, thereby having to keep up an account of rupees thirteen hundred. Has his wealth increased or lessened thereby? Of course it must be said that it is lessened, and the same is the case with India. Whatever be the increase in Indian commerce, it must not be forgotten that we lose in it thirty-four crores of rupees annually. Appliances like railways, telegraph, and roads have increased, but all this is like decorating another's wife. Not only do they not belong to us, but we have to suffer annually a heavy loss for interest (and) exchange (a) on their account. It is true that a country becomes rich by means of railways and telegraphs; but which? Certainly that which constructs its own railway. Take for instance Japan. Why is it that India has not prospered during the sixty years' reign of Her Majesty as much as Japan has done during the last thirty years? The rulers of Japan are not wiser than our rulers, nor are the people of Japan more intelligent or hardy than ourselves. Only Japan is self-Government, so that any improvement that takes place there is made solely for the benefit and happiness of the people of that country, while on our side in anything that is undertaken the cream goes to Europeans, while the whey remains to us. India will never prosper in this way. Anybody can now

(a) The text is Manoti which means a premium or bonus to a money-lender above the stipulated interest.

easily form an idea to what poverty India is reduced by noticing how one year's drought drives lakhs of people to starvation. The Europeans having retained in their hands all the different (principal) posts in the civil and military departments requiring (the exercise) of power (or authority) and skill, all intelligence and capability in us are decaying; peace has proved an incentive to over-population; the subject population having been disarmed have not been able to retain even the capacity of self-defence. Old industries and arts have almost died out; the little education that is given is quite unsubstantial and one-sided; military and technical education amounts to a big zero; administrative expenditure is growing out of all proportions so as to become an unbearable burden to the people. Formerly money-lenders alone used to tease the ryots; now both the money-lender and the Government equally trouble the cultivators while no industry has survived except the agricultural. As regards the Native States they also are being humiliated at every step and have fallen from the rank of allies of the British Government, to the portion of subjugated people; and none appears to possess any sort of energy or vigour. In brief the country which had some activity a hundred years ago, has now become completely helpless and poor. This year especially famine, plague and earthquake have reduced the people to the last extremities. To speak the truth, none can help thinking that this is surely not the time for celebrating the Jubilee at least in India. It is true that we poor subjects ought also to glorify (*i.e.*, to celebrate the Jubilee of) our Queen-Empress; but when? When there is some plenty. The orders of the Government of India are also somewhat of the same kind, but it is not advisable that owing to the excessive zeal of the subordinate officers, the necessary burden should be cast upon the people in some places. We do not require anybody to teach us that subject people should always pray for the welfare of (their) sovereigns as a duty owed by them to their rulers; but on the other hand like subjects, rulers also have a duty towards their subjects, and in consequence of this (duty) not being properly discharged, we have unfortunately not been able to make that progress in sixty years under the rule of our wise rulers, as our neighbour Japan attained in the (last) thirty years. Hence, on behalf of the people of India, we pray to Her Majesty Queen Empress Victoria that she should place her Indian subjects on the road to prosperity by giving them some more rights on the occasion of this great festival. The British Empire is vast, and we are very glad and willing to live under the British rule, but then, of course, to whatever part of the empire we go, we must have the same rights as those of Her Majesty's other subjects. If all of us are children of Her Majesty the Queen, we do not understand why the children in one part should be unfortunate and poor, and why those in other parts should be rich and insolent. We are even being prevented from going into the British Colonies; so long as this distinction lasts, the British Empire will never be laid on a sound basis. That Her Majesty the Queen approves of this principle, is evidenced by her proclamation of 1858. Hence if after seeing how far the principles of the proclamation have been carried out in forty years, Her Majesty the Queen graciously orders a full execution of them on the occasion of this great festival, not only will she have the credit of laying the foundation of the prosperity of thirty crores of people, but the British Empire will thereby gain more strength and permanency. May God grant (this) and inspire the Queen (Empress) Victoria with such a desire on the occasion of this great festival, and may Her Majesty be spared to carry it out with her own hand is the prayer of us all. If India has any hope, it is this only, and we pray to God that He may grant long life to the Queen (Empress) Victoria and she herself should fulfil our desire.

A true translation.

(Sd.) N. L. MANKER,

6th Translator.

H. I. M.'s HIGH COURT, BOMBAY :
Translator's Office, 1st September 1897.

No. 27.

शिवाजीचे उद्गार.

SIVAJICHE UDGÁRA. OF SIVAJI UTTERANCES.

SHIVAJI'S UTTERANCES.

(१)	दुष्टां	सहस्रानि	बहुत	भुविचा	तो भार	केला	कमी ।
(1)	Dushtān	sanharani	bahúta	bhuvinchā	to, bhāra	kelā	kamī
	the wicked	having destroyed	greatly	of the earth	the burden	did	less
		<i>annihilated</i>	<i>great</i>	<i>terraguous globe</i>	<i>weight</i>		

Having destroyed the wicked (I) greatly lessened the burden of the earth

By annihilating the wicked I lightened the great weight on the terraqueous globe

(२)	देशा	उद्धरिले	स्वराज्य	करुनी	तारोनि	धर्मस	मी ॥
(2)	Desā	uddharile	Svarājya	karunī	tāroni	dharmāsa	mī
	(the) country	rescued	my kingdom	by establishing	by saving	religion	I
		<i>delivered</i>					

I rescued the country by establishing my kingdom and saving religion

I delivered the country by establishing svarajya (and) by saving religion

(३)	झाला	शीण	बहु	तया	दवडण्या	स्वर्लोक	म्यां	गांठिला ।
(3)	Zhālá	śīṇa	bahú	tayā	davaḍanyā	svarloka	myān	gānthilā
	Became	fatigue	great	it	for driving	heavenly world, I		betook to
		<i>exhaustion</i>			<i>away, throwing heaven (1)</i>			<i>away</i>

Great fatigue overtook me to drive which I betook myself to the heavenly world.

I betook myself to heaven to shake off the great exhaustion which had come upon me.

(४)	होते	निद्रित	तों	तुझीं	उठविले	का	टाडक्यांनो	मला ॥
(4)	Hotē	nidrita	ton	tumhin	uṭhaviḷe	kā	ṭāḍakyaṅno	malā
	was	sleeping	meanwhile ;	you	awakened	why	dear ones	me

I was sleeping then Why, O dear ones ! did then you in the meanwhile awaken me

I was asleep ; why, then, did you, (my) darlings, awaken me ?

(५)	पायासुद्ध	उदात्त	नीति	रणिचे	ते	शौर्य	कर्णा	सम ।
(5)	Pāyāsuddha	udātta	niti	ranichen	ten	śāurya	Karṇā	sama
	foundation-correct	high,	morality	of the battle-field that	valour	Karṇā	like	
		<i>strong</i>	<i>sublime</i>	<i>policy</i>				

Well-founded high morality that valour on the battle-field like Karna.

sublime policy based on a strong foundation, valor in the battle-field like that of Karna.

(1) Vide Monier Williams' Sanskrit-English Dictionary, page 1160, column 2.

(६)	देशाचा	अभिमान	घाडस	खरे	हें	ऐक्य	सर्वोत्तम ॥
(6)	Deśáchá	abhimána	dhaḍasa	khareṅ	teṅ	aikya	sarvottama
	of country	pride	enterprise	true	that,	unity	best of all
			dauntlessness	genuine	the		

Pride of (one's) country, true enterprise, that excellent unity.

Patriotism, genuine dauntlessness, unity the best of all.

(७)	ऐसे	सद्गुण	कल्पवृक्षाचि	जणू	भूमिंत	या	लाविले ।
(7)	Aise	sadgun	kalpavṛkshāchi	januṅ	bhúminta	yá	lávile
	Such	good qualities,	wish-fulfilling trees	as if:	in land	this	planted
		virtues	kalpavriksha (trees)		upon soil		

Such qualities were planted in this land as if (so many) wish-fulfilling trees.

I had planted upon this soil these virtues that may be likened to the kalpavriksha.

(८)	त्यांची	दाविजसाल	काय	मजसी	ती	गोड	भातां	फळे ॥
(8)	Tyānchī	dāvitasāla	kāya	majaśī	tin	goḍa	ātāṅ	phalēṅ
	their	you would be showing	why	to me	those	sweet	now	fruits
								<i>perhaps you wish to show</i>

(I hoped) you would show me now the sweet fruits of these.

Perhaps you wish to show me the delicious fruits of these.

(९)	अरेरे !	हें	काई !	दिसत	पडला	मोडुन	गड ।
(9)	Arèrè !	hèṅ	kái !	disata	paḍalá	moḍuna	gaḍa
	Alas !	this	what !	appears	fallen	having crumbled	fort
							<i>(I) see</i>

Alas ! what (is) this ! the fort appears to be crumbled down.

Alas ! what is this; (I) see a fort has crumbled down.

(१०)	नशिबें	बैसाया	मिळत	मज	विच्छिन्न	दगड ॥
(10)	Nashiben	baisáyá	miḷata	maja	vichhinna	dagada
	by fate	to sit	is available,	to me	broken	stone
	fortune		get			

By fate I get a broken stone to sit upon.

Through (my) fortune I get a broken stone to sit upon.

(११)	तसें	कां	जाईना	हृदय	मम	हें	आज	कुटुनी ।
(11)	Tasen	kāṅ	jáina	hṛidaya	'mama	hèṅ	ája	phṭunī
	In the same	why	not go	heart	mine	this	to-day	having broken
	manner						<i>this day</i>	
								<i>like that</i>

Why does not this heart of mine break to-day in the same way ?

(Then) why does not my heart break like that this day ?

(१२)	पहातो	देशाचा	शिवशिव	अतां	नाश	नयनीं ॥
(12)	Pahátōṅ	ḍaśáchá	śiva, śiva,	atāṅ	náśa	nayanū !
	I see	of the country	shiv, shiv, (exclama- tion of grief),	now	ruin	with eyes
			<i>alas, alas,</i>			

Oh, Shiv, Shiv, I see now with (my) eyes the ruin of the country !

Alas ! Alas ! I now see with (my own) eyes the ruin of (my) country ?

(१३)	पैसा	पाउससा	अहो	खराचिला	बांधावयाते	जयां ।
(13)	Paísá	páusasá	aho	kharachilá	bándhávayátè	jayán
	Money	like rain	O	spent	to build	which
				<i>expended</i>		

O to build which (I) spent money like rain.
to build which (I) expended money like rain.

(१४)	ताजे	तापट	रक्त	जेथ	गळले	संपादण्याते	जया ॥
(14)	Tájen	tápaṭa	rakta	jetha	galalèn	sampádanyátèn	jayá
	Fresh	hot	blood	where	spilt	to acquire	which

(And) where to acquire which fresh hot blood was spilt.
to acquire which fresh (and) fiery blood was spilt there.

(१५)	गेलों	चालुन	जेथुनी	दरिंतुनी	गर्जोनियां	सिंहसा ।
(15)	Gelon	cháluna	jethuni	darintuni	garjoniyañ	sinhasá
	Went	attacking	whence	through valleys	roaring	like lion
				<i>ravines</i>		

From which I issued forth attacking through the valleys roaring like a lion.
From which I sallied forth, roaring like a lion, through the ravines.

(१६)	किले	ते	मम	दासळून	पडले	विध्वंस	हा	कायसा ! ॥
(16)	Kille	te	mama	dhásalúna	paḍale	vidhvansa	há	káyasá !
	Forts	these	mine	toppling down	fell	ruin	this	what like !
				<i>crumbled down</i>				

These forts of mine have toppled down. What ruin is this !
Those forts of mine have crumbled down ; what a desolation is this !

(१७)	लक्ष्मीते	जुलुमे	परस्थ	छळुनी	नेती	करे	ओढुनी ।
(17)	Lakshmiten	julumen	parastha	chhaluni	netí	karen	oḍhuni
	To Lakshmi (god- dess of wealth)	forcibly	foreigners	teasingly,	carry by the hand	dragging	
		<i>violently</i>		<i>by persecution</i>	<i>by taxes</i>		

The foreigners teasingly (and) forcibly drag away Lakshmi by the hand.
Foreigners are dragging out Lukshmi violently by the hand by (means of) persecution.

(१८)	गेली	ती	पळुनी	सवें	विपुलता	आरोग्य	ही	मागुनी ॥
(18)	Geli	ti	paḷuni	saven	vipulatá	árogya	hí	máguni
	Gone	her	running	with	plenty	health	also	after

With her plenty has run away (and) health has followed.
Along with her plenty has fled (and) after (that) health also.

(१९)	दुर्भिक्षासह	सर्व	देश	फिरते	ही	दुष्ट	आकाबया ।
(19)	Durbhikshásaha	sarva	desa	phirate	hi	dusṭa	ákabayá
	With scarcity,	whole	country	roams	this	cruel	adversity,
	<i>famine</i>					<i>wicked</i>	<i>misfortune</i>

This cruel adversity roams over the whole country with scarcity.
This wicked Akabaya stalks with famine through the whole country.

(२०)	रोगांची	पसरान	सांथ	विचरे	मृत्युः	न	ज्यातें	दयाः॥
(20)	Rogānchī	pasarona	santha	vichare	mrityú	na	jjátēn	dayá
	Of diseases	spreading	epidemic	stalks through	death	no	to whom	mercy
				<i>moves about</i>				

Merciless death stalks through (the land) spreading epidemic diseases.
Relentless death moves about spreading epidemics of diseases.

श्लोक.

SHLOKA (Metre).

VERSES.

(२१)	माझा	सवे	पडे	तया	क्षणि	विथें	ते	रक्त	ज्याचें	गळे ।
(21)	Májhá	gharma	pade	tayá	kshanjin	tithēn	ten	rakta	jjáchen	galēn
	My	sweat	fell	at that	moment	there	that	blood	whose	dropped
		<i>perspiration</i>		<i>promptly</i>		<i>on the spot</i>				

Those whose blood dropped instantly where my sweat fell.
Who promptly shed their blood on the spot where my perspiration fell.

(२२)	माझे	जीव	दुजे	धुरंधर	वदा	ते	हो	कुठे	मावळे ! ॥
(22)	Májhe	jiva	duje	dhurandhara	vadá	te	ho	kuṭhe	mávale
	My	life	second	expert	say	they	O	where	Mavale
		<i>lives</i>		<i>splendid</i>					

Say, where are those expert Mavlas (who were) my second life!
Say, ye, where are those splendid Mávlas my second lives.

(२३)	खाती	भाकर	एक	वेळ	परि	त्यां	चिही	पडेना	पुरी ।
(23)	Khátī	bhákara	eka	vela	pari	tyan	tíhī	padená	purí
	Eat	bread	one	time	but	them	even that	does not	suffice

They eat bread (only) once, but that, too, does not suffice them !
They eat bread once (in a day) but not enough of that even.

(२४)	कठें	काल	कठीण	कंठिति	घड्या	बांधोनि	(पोटावर) ॥
(24)	Kasṭēn	kála	kāṭhina	kaṅṭhiti	ghadyá	bándhoni	poṭávari
	with difficulty	time	hard	pass on	folds	tying	on belly
				<i>toil through (2).</i>			

They pass on hard times with difficulty by tying folds of cloth on their bellies.
They toil through hard times, by tying up their stomachs (to appease the pangs of hunger).

(२५)	ज्ञातीच्या	समयी	स्वधर्म	अपुनी	पाळोन	जे	राहिले ।
(25)	Śántichyá	samayin	svadharmā	apuná	pálonā	je	rāhile
	of peace	in time	one's religion	own	preserving,	who	lived,
					<i>abiding by</i>		

(Those) who in time of peace lived preserving their own religion.
Who (while they) abided by their own religion in times of peace.

(2) Vide Molesworth, p. 127, col. 2.

(२६)	त्यागेनी	समयास	दर्भ	करिंचे	शस्त्रां	करिं	वाहिले ॥
(26)	Tyāgoni	śamayāsa	darbha	karinchen	shastrān	karin	vāhile
	Having aban-	at times	darbha	in hand	weapons	in hand	took
	doned	when occa-			arms		
	<i>Forsaken</i>	<i>sion required</i>					

At times having abandoned darbha in hand took weapons in hand.

Forsok the darbha in (their) hands for arms which they bore when occasion required.

(२७)	माझे	सद्गुरु	धर्मशिक्षक	जन,	ज्या	ब्राह्मणां	पाळिले ।
(27)	Māze	sadguru	dharmaśikshaka	janān	jya	brāhmanān	pāḷilen
	Mine	good preceptors	religion-teachers	people.	whom	Brahmins	protected
	<i>My</i>						

Those Brahmins (who were) my good preceptors (and) teachers of religion (and) whom I protected.

Those good preceptors, (those) religious teachers of mine, the Brahmana whom I protected.

(२८)	त्यांते	कैद	घडोनिया	जन	तुझीं	क्षेत्रीं	कसें	साहिले ।
(28)	Tyānten	kaida	ghadonyā	jana	tumhīn	kshetrīn	kasēn	sāhilen
	To them	imprisonment	having happened	people	you	in a sacred	how (3) endured	
						place	(3) bore	
							(3) tolerated	

To them imprisonment having been awarded in a sacred place, O people ! how you endured it !

O people, how did you tolerate in the kshetra, incarceration of those.

(२९)	धात्रीभूता	लहानग्यांस	जननी	सोडून	जाते	यदा ।
(29)	Dhātrībhūta	lāhānagyaṅsa	janānī	soḍūna	jāte	yadā
	Is foster-mother	to children	mother	leaving	goes	when
		<i>of babes</i>				

(Who) is foster-mother to children when (their natural) mother leaves (them),

The foster-mother of babes when (their) mother leaves (them behind).

(३०)	मूलाधार	कृषीवर्ती	बहु	असे	लोकांस	जि	शक्तिदा ।
(30)	Mūlādhāra	kṛṣīvartī	bahu	ase	lokāṅsa	ji	śaktidā
	Main support	to agriculturists	great	is	to people	strength-giving	
	<i>Mainstay</i>		<i>many</i>			<i>u ho</i>	

Who is the main support of the cultivators (and) the great strength-giver of the people.

The mainstay of the agriculturists, the imparter of strength to many people.

(३१)	माझी	माय	झणोन	गाय	पुजिली	प्राणांहुनी	रक्षुनी ॥
(31)	mājhī	māya	mhanona	gāya	pujilī	prāṇānhuni	rakshunī
	my	mother	thinking	cow	worshipped	beyond life	protected
			<i>as</i>			<i>more than life</i>	

The cow whom protecting beyond (my) life I worshipped as if (she was) my mother.

The cow which I worshipped as my mother and protected more than (my) life.

(3) *Vide* Molesworth, p. 252, col. 3; for tolerate, see p. 254, Webster's Smaller Dictionary, Ed. 1852, under *endure*

(३२)	ढीतें	रुऑ	ऑररऑर		ऑररररर	वधुस्थली	नेउनी ।
(32)	Titen	roja	charâcharâ		chiriri	vadhyaṣṭhālī	neunī
	to her	daily	(imitative of the sound of a violent rending, tearing or cutting) recklessly (4)		cut	slaughter-house	carrying

She is daily carried to the slaughter-house and slaughtered recklessly.

She is taken daily to the slaughter-house and ruthlessly slaughtered (there).

(३३)	“आलु	ऑरवत	नेडकल	अडणऑर	नेडरत	ऑडूकुरुऑर !” ।
(33)	“Ālā	dhānvata	nemakā	āpaṇachī	nemanta	bandūkichya”
	came	running	exactly	of himself	within the range	of the gun.”
				himself		

“(He,) of himself, came running exactly within the range of the gun.”

“He himself came running exactly within the line of fire of (my) gun !”

(३ॡ)	“डरतें,	असवल	वरडल” !	“सुऑरतु	हु	डररऑर	डुडर	रुऑरऑर !” ॥
(34)	“māteṅ	asvala	vātalā” !	“sujati	ho	yānchya	plīha	rojachya !”
	to me	bear	appeared	enlarged	O	theirs	spleen	daily (always)
			thought					

“(He) appeared a bear to me !” “O ! their spleens are daily enlarged !”

“I thought (him to be) a bear !” “Their spleens are daily enlarged !”

(३ॡ)	गुरु	लुक	सुडे	नरररु	सऑरर	सरंगुनरर	डर	कसर ।
(35)	gorā	loka	sute	nirartha	sababī	sāṅgoniyāṅ	yā	kasā
	white	men	escape	groundless	excuses	having told	these	how
				meaningless	pleas	by urging		

How white men escape having pleaded groundless excuses like these.

How do the white men escape by urging these meaningless pleas !

(३ॢ)	नुडररऑर	अऑर	डरररर	डरसरसे	अनुडर	हु	डररसर ! ॥
(36)	Nyāyāchyā	aji	mandirī	disatase	anyāya	hā	pharasā !
	of justice	now	in the temples	appears	injustice	this	great like
		Nowadays	in the tribunals	seems			great
		in these days					

Now there appears this great injustice in the temples of justice.

This great injustice seems (to prevail) in these days in the tribunals of justice.

(३ॣ)	हुतर	करड	वरसरड	वरकनुडरने	डरड	डरररु	कुरु
(37)	hotī	kāya	biśāda	vakranayanen	pāhī	parastrī	kuṇī
	was	what	significance ;	with improper eye	to see	another's wife	any one
			competency				
			capacity (5)				

What was the significance, if any one could look with improper eyes at another's wife ?

Could any man have dared to cast an improper glance at the wife of another ?

(4) Vide Molesworth, p. 273, col. 3.

(5) Vide Molesworth, page 554, col. 3, under डुरररर referred to under कुरुडरतु which is referred to under वरसरड.

The first three words in the line form an idiom which conveys the idea expressed in the official translation. See under डररर.

- (३८) म्यानांतून हजार तीक्ष्ण असिका बाहेर ये त्याक्षणीं ॥
 (38) Myānāntūna hajāra tikshpa asikā bāhera ye tya-kshapīṅ
 From the a thousand sharp swords out would come that moment
 scabbards.

That moment thousand sharp swords came out of the scabbards.

A thousand sharp swords would have leapt out of (their) scabbards instantly.

- (३९) आतां अग्निरथांत संधि बघुनी हस्तें स्त्रियां ओढित्तीं ॥
 (39) atāṅ agnirathānta sandhi baghunī hastēṅ striyāṅ oḍhitīṅ
 now in railway carriages opportunity seeing by hand women drag

Now seeing an opportunity women are dragged by the hand in railway carriages.

Now, (however) opportunities are availed of in railway carriages and women are dragged by the hand.

- (४०) शब्दानों करितां कसें सहन हें! लावून त्या दाद तीं ॥
 (40) śhaḍhāṅon karitāṅ kasēṅ sahana hēṅ! lāvūna ghyā dāda tīṅ
 O eunuchs do how endure this get a representation that
 (cowards) 6 brook. (7) of injury,

get that grievance redressed redress of grievances

O cowards! how you endure it! Get that grievance redressed! (or Get a representation of that injury made!)

O eunuchs! how do you brook this! Get that redressed! (7).

- (४१) “वेडा हा उचलोन यास जलदां यात्रेस या लावूनी” ॥
 (41) Vadhā hā uchalonā yasa jaladī yātresā dyā lāvūnī
 mad he lifting up him quickly to pilgrimage give sending

He is mad, lift him and send him quickly on a pilgrimage.

“He is mad, lift him up and send him at once on a pilgrimage.”

- (४२) “चैनी तो अधिकार घ्या मुदतिनें घेतों असें सांगुनी” ॥
 (42) Chainī to adhikāra ghyā mudatīnēṅ ghetōṅ asēṅ sāṅgunī
 pleasure-seeking he power take temporarily take such telling

“That (other) is pleasure-seeking, take (his) powers telling that they are taken away temporarily.”

“He is fond of pleasure. Deprive him of his powers saying that it would be for a time only.”

- (४३) ऐशीं हातळती अतां नृपकुले दुदैव हें ओढलें ॥
 (43) Aishīṅ hāṭalati atāṅ nṛpakuleṅ durdaiva hēṅ oḍhalēṅ
 thus handled now families of chiefs misfortune this has come

Royal families

Now families of chiefs are thus handled, the misfortune has fallen (upon us).

This is the way in which royal families are being handled now. What misfortune has overtaken (the land)!

- (४४) सारे केवळ हे दळ्ये बुदबळ्ये राजे कसे जाहले ॥
 (44) Sāre keval he ḍalye budabalye rāje kase jāhale
 All only these womanish pertaining to chiefs how became
 quite effeminate chess-board

How all these chiefs have become only womanish like (kings) on chess-board!

How have all these kings become quite effeminate like those on the chess-board!

(6) The word eunuchs may perhaps be considered derivatively to mean “cowards.”

(7) The last four words in the line which are thus translated—“Get that redressed”—are an idiom which, amplified, mean “Get that redressed” by making a representation of that grievance to higher authority. The word “dada” generally means a representation of grievances made by a political inferior to a political superior.

(४५)	हेखाता	हृदया	विदारिल	भसा	पाहू	तरी	मी	कसा ? ॥
(45)	Dehkâvâ	hridayâ	vidârilâ	asâ	pâhun	tarî	mî	kasâ ?
	Sight	heart	will rend	such	see	even, at all	I	how

How can I at all see such a heart-rending sight ?

How can I bear to see this heart-rending sight ?

(४६)	नेतो	दृष्टि	दुजेकडे,	कथुनिया	संदेश	आरीकसा ॥
(46)	Neton	drishti	dujekadè	kathuniyân	сандеша	bârikasâ
	Take away,	sight	to another,	having told	message	short-like,
	turn	glance	in another			brief
			direction			

I turn (my) sight towards another (place) after having told a short message.

I turn (my) glance in another direction, after telling (i.e., leaving with you) a brief message.

(४७)	ज्यांच्या	मावळतो	कधी	न	रवि	हा	राज्यावरी	थोरल्या ।
(47)	Jyâncyâ	mâvalatô	kadhî	na	ravi	hâ	râjyâvarî	thoralyâ
	Whose	sets	ever	not	sun	this	over-kingdom,	vast
							dominions	

Over whose vast kingdom the sun never sets.

Over whose vast dominions the sun never sets.

(४८)	सांगा	त्या	प्रभुनां	सलाम	तुमच्या	दोस्तांस	माझ्या	भल्या ।
(48)	Sângâ	tyâ	prabhunân	salâma	tumachyâ	dostânsa	mâjhyâ	bhalyâ
	Tell (give)	those	rulers	compliments	your	friends	my	good

Give (my) compliments to those rulers, who are (also) my good friends.

Give (my) compliments to my good friends, your rulers.

(४९)	सांगा	त्यांस	“अहो	तुम्हा	विसरला	कैशी	जुनी	रीत	ती” ।
(49)	Sângâ	tyânsa	“aho	tumhî	visaralân	kaisî	junî	rita	tî”
	Tell	them	O	you	forgot	how	old	way	that

Tell them “O ! how you forgot that old way (of yours).”

Tell them “How have you forgotten that old way (of yours).”

(५०)	जेव्हां	घेतनियां	तुला,	करितसां	विक्री	बखारीत	ती ॥
(50)	Jevhân	gheuniyân	tulâ	karitasân	vikrî	vakharînta	tî
	When	having taken	scales	made,	sale	in warehouse	that
				used to make			

When taking scales you made sales in the warehouse !

When with scales in hand, you used to sell (your goods) in (your) warehouses !

(५१)	होत्या	होत	बऱ्याच	वेळ	सफरी	बाजूंस	माझ्या	त्या ।
(51)	Hotyâ	hota	baryâcha	vela	sapharî	bâjûsa	mâjhyâ	tayâ
	Were	being done	several	times	expeditions	to side	my	that
							direction	

Several expeditions of mine were being undertaken in that direction.

(As) my expeditions in that direction were frequent.

(५२)	होते	शक्य	तदा	फिरूनही	तुम्हा	देशास	लावावया! ॥
(52)	Hotén	sákya	tadá	phírúnahí	tumhá	désâsa	lâvâvayâ !
	Was	possible	then	again,	you	to the country	despatch,
				back			send off, drive

It was possible then to send you back to (your) country.

It was at that time possible (for me) to drive you back to (your own) country !

(५३)	हिंदूचें	परि	शिल	थोर	झणुनी	तुम्हांस	म्यां	रक्षिलें ।
(53)	Hindûchen	pari	sila	thora	mhanûni	tuhmânga	myân	rakshilén
	Of Hindu	but,	nature	magnanimous	therefore	you	I	protected
								<i>however</i>

But I protected you because the Hindu is magnanimous by nature.

The Hindus, however, being magnanimous by nature, I protected you.

(५४)	नाहीं	का	उपकार	थोर	तुमच्या	माथीं	असे	जाहजे, ॥
(54)	Nâhin	ká	upakâra	thora	tumachyâ	mâthîñ	asé	jâhalé
	Not	why	obligations	great	your	on head	thus	became
								<i>deep</i>

Have not you (your heads) thus been laid under great obligations.

Have you not thus been laid under deep obligations,

(५५)	दा,	दा,	सुख	तरी	प्रजेस	आपुल्या	माझीं	च	तीं	लेकरें ।
(55)	Dyá	dyá	sûkha	tari	prajesa	apulyá	mâjhîñ	cha	tîn	lenkaren
	Give	give	happiness	therefore	subjects	yours	my	own	they	children
										<i>then</i>

Therefore give, do give happiness to your subjects. They are my own children.

Make, then, your subjects who are my own children, happy.

(५६)	व्हावें	आज	कृतज्ञ	फेडून	ऋणा	हें	लौकिकाला	बरे ! ॥
(56)	Vhâven	âja	kṛitajña	phedûna	ṛiṇâ	hen	laukikâlâ	baren
	Should	to-day	grateful	redeeming	debt	this	for reputation	good
								<i>discharging</i>

You should be grateful by redeeming the debt to-day. It would be good for (your) reputation.

It will be good for (your) reputation if you show your gratitude now by discharging (this) debt (of obligation).

निशाणी भवानी तलवार.

NISANI BHAVANI TALAVARA

MARK BHAWANI SWORD.

Mark (of) the Bhâvani sword.

Exhibit B 1—transliterated and translated word for word as amended in red ink by me.*

(Sd.) N. L. MANKAR,

Sixth Translator.

H. I. M.'s HIGH COURT, BOMBAY,

TRANSLATOR'S OFFICE, 8th September 1897.

M. 123.

* Words in red ink are printed in italics.

(TRANSLATION OF SHIVAJI'S UTTERANCES.)

(Literal Translation.)

(Official Translation.)

- | | |
|---|---|
| <p>1. <u>Having</u>¹ <u>destroyed</u>² the wicked, I
greatly <u>lessened</u>³ the <u>burden</u>⁴ of <u>the earth</u>⁵,</p> | <p>(1) <u>By</u>¹ <u>annihilating</u>² the wicked I
<u>lightened</u>³ the <u>great weight</u>⁴ on the
<u>terraqueous globe</u>⁵.</p> |
| <p>2. <u>I</u>⁶ <u>rescued</u> the country by establishing
<u>my kingdom</u>⁷ (and) <u>saving</u>⁸ religion,</p> | <p>(2) <u>I delivered</u>⁶ the country by establish-
<u>ing swarajya</u>⁷ (a) (and) by <u>saving</u>⁸ religion.</p> |
| <p>3. Great <u>fatigue</u>¹¹ <u>overtook</u>¹² me, to <u>drive</u>¹¹
which I betook myself <u>to the heavenly world</u>¹⁰,</p> | <p>(3) I betook myself <u>to heaven</u>¹⁰ (b) to
<u>shake off</u>¹¹ the <u>great exhaustion</u>¹² which
<u>had come upon me</u>¹³.</p> |
| <p>4. <i>I was asleep.</i> Why, <u>O dear ones</u>¹⁴
<i>did you in the meanwhile</i> awaken me.</p> | <p>(4) I was asleep, why then did you,
<u>(my) darlings</u>¹⁴, awaken me?</p> |
| <p>5. <u>Well-founded</u>¹⁹ <u>high morality</u>¹⁸, that
valour on the <u>battle field</u> like Karna,</p> | <p>(5-8) I had planted upon this <u>soil</u>¹⁵ the
<u>virtues</u>¹⁶, <u>that may be likened to the Kalpa-</u>¹⁷
<u>vriksha</u> (c) of <u>sublime policy</u> (cc) based on a
<u>strong foundation</u>¹⁸ valour in the battle-field
¹⁹</p> |
| <p>6. <u>Pride of (one's)</u>²⁰ country, <u>true enter-</u>²¹
<u>prise</u>, <u>that excellent</u>²² unity,</p> | <p>like that of Karna (d), <u>patriotism</u>, <u>genuine</u>
<u>dauntlessness</u> (and) <u>unity</u> <u>the best of all</u>²².
Perhaps you <u>now wish to show me</u>²³ the
<u>delicious fruits</u>²⁴ of these.
²⁵</p> |
| <p>7. <u>Such qualities</u>¹⁶ were planted in this
<u>land</u>¹⁵, as if (so many) <u>wish-fulfilling trees</u>¹⁷;</p> | <p>like that of Karna (d), <u>patriotism</u>, <u>genuine</u>
<u>dauntlessness</u> (and) <u>unity</u> <u>the best of all</u>²².
Perhaps you <u>now wish to show me</u>²³ the
<u>delicious fruits</u>²⁴ of these.
²⁵</p> |
| <p>8. <u>(I hoped)</u>²³ you would show me now
the <u>sweet fruits</u>²⁴ of these.
²⁵</p> | <p>(9) Alas! What (is) this! (I) see a
<u>fort has crumbled down</u>²⁶.</p> |
| <p>9. <u>Alas!</u> What (is) this! The fort
<u>appears to be crumbled down</u>²⁶,</p> | <p>(10) <u>Through (mis) fortune</u>²⁷ I get a
<u>broken stone</u>²⁸ to sit upon.</p> |
| <p>10. <u>By fate</u>²⁷ I get a <u>broken stone</u>²⁸
sit upon.</p> | <p>(11) (Then) why does not <u>my heart</u>³⁰
<u>break like that this day</u>³¹?</p> |
| <p>11. Why does not <u>this heart of mine</u>³⁰
<u>break to-day in the same way</u>³¹.</p> | <p>(11) (Then) why does not <u>my heart</u>³⁰
<u>break like that this day</u>³¹?</p> |

(a) Literally, one's own Government, native rule.

(b) The text of heaven literally means the paradise of Indra.

(c) One of the five trees of Indra's heaven which yields whatever may be desired.

(cc) May also mean morality.

(d) The name of the half-brother to the Pandav Princes, famed for munificence.

12. O Shiv, Shiv! I see now with
(my) eyes the ruin of the country.

13. O! to build which (I) spent money
like rain,

14. (And) where, to acquire which
fresh hot blood was spilt,

15. From which I issued forth attack-
ing through the valleys roaring like a lion,

16. Those forts of mine have toppled
down! What ruin is this!

17. The foreigners teasingly (and)
forcibly drag away Lakshmi by the hand,

18. With her, Plenty has run away
(and) health has followed,

19. This cruel adversity roams over
the whole country with scarcity,

20. Merciless Death stalks through
(the land) spreading epidemic diseases.

21. Those whose blood dropped instantly
where my sweat fell,

22. Say where are those expert Mava-
las (who were) my second life,

23. They eat bread (only) once, but
that too does not suffice them,

24. They pass on hard times with diffi-
culty by tying folds (of cloth) on their
bellies.

(12) Alas! Alas! I now see with
(my own) eyes the ruin of (my) country.

(13—16) Those forts of mine to build
which (I) expended money like rain, to
acquire which fresh (and) fiery blood was
spilled there, from which I sallied forth,
roaring like a lion through the ravines,
have crumbled down; what a desolation
is this!

(17) Foreigners are dragging out
Lakshmi (e) violently by the hand (f)
by (means of) persecution (g)

(18) Along with her Plenty has
fled (and) after (that) health also.

(19) This wicked Akābayā (h) stalks
with famine through the whole country.

(20) Relentless death moves about
spreading epidemics of diseases.

(21—24) Say ye, where are those
splendid Mavlas, my second lives, (i) who
promptly shed their blood on the spot
where my perspiration fell? They eat
bread once (j) (in a day) but not enough
of that even. They toil through hard
times by tying up their stomachs (to
appease the pang of hunger).

(e) The Goddess of wealth.

(f) There being a pun upon the word "Kara," which means both 'the hand' and 'taxes,' the second meaning of this sentence may be got at by substituting "by (levying) taxes" for "by the hand."

(g) The elder sister of fortune, Misfortune personified.

(h) Second lives, i.e., "beloved."

(i) Meaning, they take only one meal a day.

25. (Those) who in time of peace lived preserving their own religion.

53

26. At times having abandoned Darbha in hand took weapons in hand,

66

64

27. Those Brahmins (who were) my good preceptors (and) teachers of religion (and) whom I protected,

28. To them imprisonment having been awarded in a sacred place, O people!

(1)

how you endured it!

60

29. (Who) is foster-mother to children when their (natural) mother leaves (them).

30. Who is the main support of the cultivators (and) the great strength-giver of the people?

31. The cow whom protecting beyond (my) life I worshipped as if (she was) my mother.

32. She is daily carried to the slaughter-house and slaughtered recklessly.

(2)

33. "(He), of himself, came running exactly within the range of the gun."

34. "(He) appeared a bear to me," "O! their spleens are daily enlarged,!"

35. How white men escape having pleaded groundless excuses like these,

36. Now there appears this great injustice in the temples of justice.

37. What was the significance if any one could look with improper eyes at another's wife?

(25—28) Oh people! how did you

tolerate, in the Kshetra, (1) incarceration

of those good preceptors, (those) religious teachers of mine, the Brahmins whom I protected (and) who, (while they) abided

by their own religion in times of peace forsook the Darbha^(k) in (their) hands

for arms which they bore when occasion required.

(29—32) The cow, the foster-mother of babes when (their) mother leaves (them

behind) the mainstay of the agriculturists, the imparter of strength to many people, which I worshipped as my mother and protected more than (my) life is taken

daily to the slaughter-house and ruthlessly slaughtered (there).

33. "He himself came running exactly within the line of fire of (my) gun!"

34. "I thought him to be a bear!" "Their spleens are daily enlarged!"

35. How do the white men escape by urging these meaningless pleas!

36. This great injustice seems (to prevail) in these days in the tribunals of justice.

37. Could any man have dared to cast an improper glance (l) at the wife of another?

(j) A sacred place, presumably an allusion to the Wai Kshetra.

(k) A sacred grass used in sacrifices, &c.

(1) See note 3 on page 4.

(l) The text of these words literally means 'oblique vision.'

(2) See note 4 on page 5

38. That moment⁸² a thousand sharp swords (would) come out of the scabbards⁸¹.
38. A thousand sharp swords (would have) leapt out⁸¹ of (their) scabbards instantly⁸².
39. Now seeing an opportunity⁸³ women are dragged by the hand in railway-carriages,
39. Now, (however), opportunities are⁸³ availed of in railway carriages and women are dragged by the hand.
40. O cowards!⁸⁴ How you endure it!⁸⁵
*Get that grievance redressed? or (make a representation of that injury?)*⁸⁶
40. O eunuchs!⁸⁴ how do you brook⁸⁵ this? Get that redressed!⁸⁶
41. "He is mad, lift him and send him quickly on a pilgrimage."
41. "He is mad. Lift him up and send him at once on a pilgrimage."
42. "That (other) is pleasure-seeking,⁸⁷ take his powers, telling⁸⁸ that they are taken away temporarily,⁸⁹"⁹⁰
42. "He is fond of pleasure. Deprive him of his powers, saying⁸⁷ that it would be for a time only.⁸⁹"⁹⁰
43. Now families of chiefs are thus handled; the misfortune⁹¹ has fallen (upon us).
43. This is the way in which royal families are being handled now. What misfortune has overtaken (the land)!⁹¹
44. How all these chiefs⁹² have become only womanish⁹³ like (kings) on chess-board!
44. How have all these kings⁹² become quite effeminate,⁹³ like those on the chess-board!
45. How can I at all see⁹⁴ such a heart-rending sight?
- 45-48. How can I bear to see this⁹⁴ heart-rending sight! I turn (my) glance⁹⁵ in another direction⁹⁶ after telling⁹⁷ (*i.e.*, leaving with you) a brief⁹⁸ message. Give (my) compliments to my good friends, your⁹⁹ rulers, over whose vast dominions¹⁰⁰ the sun never sets!
46. I turn (my) sight⁹⁵ towards another (place) after having told a short message.⁹⁶
47. Over whose vast kingdom¹⁰⁰ the sun never sets.
48. Give (my) compliments to those⁹⁹ rulers, who are (also) my good friends.
49. Tell them "O how you forgot that old way (of yours),"
49. Tell them, "how have you forgotten that old way (of yours)."
50. When taking scales you made sales in the warehouse!
50. When with scales in hand you used to sell¹⁰¹ (your goods) in (your) warehouses.
51. Several¹⁰⁰ expeditions of mine were being undertaken in that direction!
51. (As) my expeditions in that direction were frequent.¹⁰⁰
52. It was possible then to send you back¹⁰¹ to (your) country,¹⁰²
52. It was at that time possible (for me) to drive you back¹⁰¹ to (your own country)!¹⁰²

(3) See notes (6) and (7) on page 6.

53. But I protected you because the Hindu is magnanimous by nature,

54. Have not you (your heads) thus been laid under great obligations?

55. Therefore give, do give happiness to your subjects. They are my *own* children,

56. You should be grateful by redeeming the debt to-day. It would be good for (your) reputation.

Mark BHAVANI SWORD.

Literal and official translation compared and examined by me.

53. The Hindus, however, being magnanimous by nature, I protected you.

54. Have you not thus been laid under deep obligations?

55. Make, then, your subjects who are my own children, happy,

56. It will be good for (your) reputation if you show your gratitude now by discharging this debt (of obligation).

Mark (of) the BHAVANI SWORD.

(Sd.) N. L. MANKER,

Sixth Translator.

H. I. M.'s HIGH COURT, TRANSLATOR'S OFFICE,

BOMBAY, 8TH SEPTEMBER 1897.

M. 123.

No. 27 (2).

PORTION OF EXHIBIT B (2).

व्याख्यानाचे	शेवटी	प्रो०	भानू	असे	झणले	कीं,
vyakhyanache	shevatin	pro	Bhanu	ase	mhanale	kin
Of the lecture	at the conclusion	Professor	Bhanu	thus	said	that
At (the) conclusion of the lecture Professor Bhanu said thus :—						
हा	उत्सवापासून	प्रत्येक	हिंदूस,	प्रत्येक	मराठ्यास	मग
hya	utsavapasun	pratyek	Hindusa	pratyeka	Marathyasa	maga
this	at festival	every	Hindu	every	Maratta	then (i.e., no matter)
Every Hindu, every Maratta, no matter (to) whatever party he (may)						
तो	कोणच्याही	पक्षाचा	असो	आनंद	झालाच	पाहिजे. नष्ट झालेले
to	konchyahi	pakhachya	aso	ananda	zalacha	pahije. Nashta zalele
he	whatever	of party	belong	must necessarily	rejoice.	Lost
belong must necessarily rejoice at this festival. We are all busy to regain						
स्वातंत्र्य	पुन्हा	मिळविण्याच्या	आम्हा	सर्वांचा	उद्योग	आहे
svatantraya	punhan	milvinyachya	Amhan	sarvanacha	uddyoga	ahē
liberty, independence of re-		gaining	we	of all	business	is
(our) lost liberty (independence) and this formidable (terrible) burden is to be uplifted by						
व	हे	भयंकर	ओझे	सर्वांनी	मिलून	उचलवपाचे
va	hen	bhayankara	ozen	sarvannin	millun	uchalayvaanche
and	this	formidable,	terrible	burden	by all	together
(us) all to-gether. (It) will never (be) proper to place obstacles						
ओझे	उचलवपाचा	ज्याला	जो	मार्ग	योग्य	वाटेल
ozen	uchalnyachya	jyala	jo	marga	yogya	vatele
burden	of uplifting	to any person	which ever	way, path	proper	deems
(impediments) in the way of any person (who) with a true						
त्या	मार्गाने	तो	खऱ्या	मनाने	जात	असता
tya	margane	to	kharya	mananen	jatasta	tyasn
that	by way	he	true	with mind	follows	to that
mind follows (the) path (of) uplifting this burden in the way he						

घालणें केव्हांही योग्य व्हावयाचें नाहीं. आमच्यांतिल एकमेकांच्या
 ghalanen kevhanhi yogya yhavayache nahi. amchyatil ekmekachya
 to place ever proper will be not. Amongst us our mutual
 deems proper. Amongst us (by) our mutual disagreements our progress is
 भांडणामुळे आमच्या प्रगतीस फार अडथळा होतो. जर कोणी
 bhandanamullen amchya pragatis far adathala hoto. jar koni
 disagreements our progress greatly impeded is. If anyone
 greatly impeded. If any one is pressing down the assembled multitude (country) (1) from
 राष्ट्रास वरून खाली दडपत असेल तर त्याला छाटून काढा
 rashtras varoon khalin dadpat asel tar tyala chhatun kadha,
 to the assembled (1) from above down is pressing then him sort (2) cut off
 multitude.

the country (1)

above then separate (cut off) (or set aside) (2) him but do not make

पण इतरांस आडकाठी करूं नका आजपर्यंतचें झालें तें
 pann iterans adkathi karun naka. Ajparyantachen zalen ten
 but to others obstruction make not up to now happened that
 obstruction to others. (What) happened up to now has happened. Let

झालें तें विसरूंया व एकमेकांस त्याची
 zalen ten visrunya va ekmekas tyachya
 happened that let us forget and to each other for that
 us forget that and let us forgive each other for that. What (have we)

क्षमाकरूंया घुशीच्या व मांजरांच्या मारामारी इतकीच ज्या
 kshamakrunya Ghushachya va majranchya maramari itkach ज्या
 let us forgive of rats and of cats fight only, so much that
 not had enough (of that) strife (which will) have (the same) value.

भांडणाची थोर पुरुष किंमत करतील तें भांडण पुरें नाहीं
 bhadannachya thor purush kimmat kartil tan bhandanna puren nahin
 of strife great men value will make that strife enough not
 with great men as only a fight amongst rats and cats? As many occasions

कां झालें? सर्वे राष्ट्रची एकी करणारे ह्या उत्सवासारिसे
 kan zalen? Sarva Rashtrachya eki karnnaren hya utsavasarikhe
 what had whole of multitude unity making this festival-like
 like this festival (as possible) which make the whole multitude to

जितके प्रसंग येतील तितके चांगलेच असें सांगून प्रोफेसर साहेबांनी
 jitke prasanga yetil titke changalecha ase sangun profesar sahebanin
 as many occasions will come so many good so after saying Professor Saheb
 unity will come, the better of course, Professor Saheb concluded his

भाषणें भाषण पुरें केलें.
 Aplen bhashana puren kelen.
 his speech concluded.
 speech after saying so.

Portion of Exhibit B (2) transliterated and translated word for word as amended in red ink by me.

(Sd.) N. L. MANKER,
Sixth Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 8th September 1897.
M. 123.

1. राष्ट्र rastra = Country, realm, region, territory or tract, an assembled multitude, &c. (Molesworth's Dictionary, p. 695, col. 1.)

2. छाटणें Chhatanen = To clip, to cut, cut off, to pick, sort, part off, to separate into classes, &c. (Ibid, p. 299, col. 3.)

No. 28.

[Translation of passages from a " Dictionary of the Marathi language " (Marathi into Marathi) compiled by seven Pandits in the service of the Bombay Education Society, and published in two volumes in 1829 A. D., under the authority of the said Society.]

Vol. I.

(The first sense.)

"दाद (Dáda) f. Such access of grievances, &c., fit to be represented by a helpless man to Royal authorities such as King, &c., as would create in them a tendency to give consideration to them (grievances), used with the root लग (Lága) कोणेकास दाद देणे (Konekása dáda dene—to grant dáda to some one) means to treat him as one deserving of consideration ; या राज्यांत दाद नाही (Yá rájyánta dáda nahin) there is no dáda in this Kingdom, in such cases (means), though complaint is made yet no notice is taken thereof."

Vol. II.

"साहणें (Sáhanen) सोसणें (Sosanen) in the first sense."

The first sense of सोसणें (Sosanen) is as follows :—

"सोसणें (Sosanen) to hold in contact with one's self any object (thing) such as pain, calamity, heat (or) cold, offence done by others, burden, &c., which affects one in an adverse manner by preventing with one's own power the production of or disregarding, if produced, the uneasiness such as anger, irritation, &c., arising from its contact."

"सोसिका (Sosika) adj. lit. used in three genders, one having the nature of enduring and keeping quiet over an offence given to one by somebody, (an offence, such as abuse, taking away of wealth, &c., or over the pain created by hunger, disease, &c.)"

A true translation.

(Sd.) GANESH KESHA VAIIDYA,

Third Translator.

H. I. M.'s HIGH COURT, BOMBAY,

TRANSLATOR'S OFFICE, 8TH SEPTEMBER 1897.

M. 134.

No. 29.

[Translation of a passage from the Marathi into Marathi Dictionary of the Marathi language compiled by Seven Pandits and referred to already.]

वरून (Varun). Indeclinable.—From the place denoted by the indeclinable वर Vará (above) or inclusive of the place of starting, e. g.,

माडी	वरून	खाली	उतरला.
(Madi	varuna	khalin	Utaralá).

उतरणें (Utaranen).—To bring to a lower place an object stationed in an upper place, e. g.,

डोक्या	वरचें	ओझे	खाली	उतरकीरे !
Dokin	varchen	ozen	khalin	uterakinre !

दडपणें (Dadapanen).—To compress a substance under the weight of some other substance; (2) To reduce one by disputation, &c., to a lower position and exalt one-self ; " to exalt one-self at the expense of others".

No. 30.

[Portion of Exhibit B2 transliterated and translated word for word as follows.]

म्लेंच्छाना	हिंदुस्थानच्या	
Mlénchhana	Hindusthanachya	
to (the) Mlénchhás	of Hindustán	
राज्याचें	ताम्रपट	
Rájiyáchén	Tamprapata	
of (the) kingdom	(a) copper (a) plate (on which grant, &c., are inscribed).	
परमेश्वरानें	दिलेले	नाहीं
Paraméshvaranén	dilelen	náhin
by God	given	is not
	granted	
	conferred	

Literal translation.—A copper plate (on which grants, &c., are inscribed) of (the) Kingdom of Hindustan is not given to the Mlénchhas by God.

Official translation.—God has not conferred upon the Mlénchhas the grant inscribed on a copper plate, of the Kingdom of Hindustan.

Portion of Ex. B2 transliterated and translated word for word, as amended in red ink, by me.

(Sd.) N. L. MANKER,
Sixth Translator.

H. I. M.'s HIGH COURT, BOMBAY,

TRANSLATOR'S OFFICE, 10TH SEPTEMBER 1897.

M. 168.

(a) Vide Molesworth's Marathi into English Dictionary, p. 276, col. 1.

No. 31.

[Translation of a Marathi article printed on pp. 20-22 of a book styled 'Bálabodh' purporting to have been published in 1888.]

IS INDIA GETTING RICH OR POOR ?

This question is so difficult that persons thoughtful (and) highly educated hold quite conflicting opinions upon it ; and it becomes difficult to ascertain the truth in them. Nevertheless it is equally necessary for both the young and the old to think over it. For this subject is very intimately connected with all our dealings in life, or, it may perhaps be safely regarded as their very soul.

Let us, then, first of all determine what sense (the term) rich conveys. Howsoever lengthy and difficult its definitions in political economy, all from the most illiterate to the most highly educated unanimously consider him rich who has ample wealth, and after all experience confirms this view as being substantially correct. Bearing this in mind, all men may from a practical point of view, be classed under the following seven heads :—1. Sovereigns ; 2. (The Aristocracy consisting of) the Durbárs, Sardárs, Mankaris, Jahagirdárs ; 3. Merchants and traders ; 4. (Artists and) Artisans ; 5. Professional men ; 6. Servants ; and 7. Beggars (or Paupers).

When (we) consider the first of these (seven classes) it plainly appears that in former times the sovereigns were our (own) countrymen, (and) therefore as such received the revenues of the country, which have now gone into the hands of foreigners. Therefore so far as this class comprising sovereigns is concerned, it is obvious that India is getting poor.

The second class is (the Aristocracy comprising) Sirdárs, Jahagirdárs, (and) Mankaris. The same is the case with them ; for the sovereign power which is their sole support is lost ; so this class of persons is now considerably reduced in number when compared with what it was before ; perhaps, is almost extinct. Consequently the wealth which should have remained in (this) country on their account does not (now) remain (in it).

Now (with regard to) the merchants (and) traders (who) come under the third class. Although no internal change is perceptible in their case still enormous foreign wealth being brought into this country as capital invested in railways and other like concerns, lacs of rupees are flowing out in the form of interest on this (capital). Moreover nearly the whole of the commerce of this country with foreign countries is in the hands of foreigners ; which is also taking away the stream of wealth out (of the country).

(Now) considering (the class of) (artists and) artisans, it appears that there being in this country a very large demand for commodities manufactured in foreign countries, all our indigenous manufactories are dying out and our artisans are reduced to begging. British articles, valued at 32 crores of rupees, are annually consumed in India ! Thus commerce has plainly been drawing out the wealth (of the country).

(As to the remaining three classes, viz.) :—Professional men comprising doctors, lawyers and others, servants, and beggars (or Paupers). These are all only persons interchanging wealth among themselves (*i.e.*, are the consumers), but not the producers of wealth. For all their dealings being reciprocal exchanges draw no wealth from other countries. There is, therefore, no necessity at all to speak (further) about them.

So, then, you see that even though in our country any number of new buildings be raised, any number of railways be constructed, and telegraphs opened, any number of mills worked, and any number of such other things happen, so as to give rise to the supposition that wealth is increasing, it is all delusion, and this is to be understood for certain that India is getting poor day by day. Plumpness is a result either of a swelling of the body or of the accretion of flesh and blood, but we must make a distinction between a swelling and plumpness caused by an accretion of flesh and blood.

A true translation.

(Sd.) N. L. MANKAR,

Sixth Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 8TH SEPTEMBER 1897.
M. 125.

No. 32.

[Translation of Marathi verses printed on pp. 29-30 of a book styled 'Bálabodh' purporting to have been published in 1888.]

THE UTTERANCES OF SHIVAJI MAHARAJA FROM HEAVEN.

ARYA (-METRE).

Where have those sprung from my tribe gone. (?) What has become of my kingdom. (?) Why does my noble mother lament, uttering loud cries. 1.

The exertions made to protect the cows and the Brahmans (and) to preserve the Hindu religion on this earth have been all made fruitless by (these) Yavans
(a)
(Mahomedans or foreigners). 2.

(a) (An Ionian or Greek, but now applied to a Mahomedan and to an individual of a foreign race generally)

How has the boon which Bhawany the tutelary Goddess of my tribe gave me,
become fruitless. Is even Destiny afraid of Kaly. 3.

O! I feel surprised in my mind how, indeed, all the eminent good qualities
that were in my men (resided in my men) have disappeared all at once. 4.

Leaving my dear people where is that valour gone with which their arms were
itching (or burning) to fight the very powerful Yavans (Mahomedans or for-
eigners). 5.

How has that extraordinary determination become extinct in such a short time,
with which the Marathas advanced on the battle-fields to die. 6.

It is not known (*i.e.*, is not clear to me) how the whole progeny of those who
were inspired with great heroism at the sight of the Bhagawa Jhenda (red flag),
has become worthless. 7.

Looking upon the cows as Goddesses in every respect we used to worship them
with sincerity. (They kill them to fill up the belly, how should we bear it. 8.

The Brahmins are, in other words, the Gods of the earth. Their feet should
always be saluted (bowed to). (Pity it is) that they should go to the doors
of the Yavans (Mahomedans or foreigners), saying "Oh, Give," "Oh, Give"! 9.

The descendants of those whose feet the dust of the earth never touched are
begging, because they have nothing to eat! 10.

My mind very much grieves indeed at seeing this change of state what shall
I do (?). That what is to happen no one can avoid, is powerful indeed. 11.

What is the use of my disliking that which God liked (?) Demons Gods (and)
all helplessly have to submit to the all-powerful course of fate. 12.

A true translation.

(Sd.) N. L. MANKAR,

Sixth Translator.

H. L. M.'s HIGH COURT, BOMBAY,

TRANSLATOR'S OFFICE, 8TH SEPTEMBER 1897.

M. 126.

No. 33.

[Translation of Marathi verses in the 'Pushpa Vatika' or a collection of new Marathi
Poems by Vinayek Konddeo Oke, at pp. 14 and 15.]

PATRIOTISM.

VERSES.

Oh fools why have you become males! Why should you keep large mustaches!
You feel no shame that you are suffering slavery! Alas! try at least (some) means
to destroy life! (1)

How do you sit quiet throwing away patriotism as if you are unmanly! Rise,
Liberate this mother who is suffering troubles. Awaken the heroism in (your)
mind. (2)

(b) ('Vidhi,' which is the text of this word, also means Bramhā, the first of the Hindu Triad, the originator of the Universe.)

(c) (The fourth age of the world, the iron age, this age personified.)

(d) (The ensign of the Marāthās.)

The country, birth in which is a good fortune, should be beaten and looted by strangers ! How should you sit inactive seeing this ! With regard to this disposition hold some shame at least. (3)

Hold patience in mind and weapon in hand and have the name of Rama in the mouth which is sung by saints. Resolve to kill the Mlechhas. You will surely obtain victory. (4)

O they slaughter calves and cows very wicked Chandals (low and cruel people) as if they are butchers. They have become a burden to the earth. Let us lessen it. This is liked by (acceptable to) the Lover of Shri (God). (5)

All people call this country Hindustan. How do Mlechhas have swarajya (self-rule) in it. Know that it is great shame. Do not forget (your) name. Hold fast patriotism in the mind. Slap (your) arms, rise, fight. May good victory come in the destruction of the wicked. (6)

Of what (use) is his life on (this) earth who does not accomplish the good of this country ! He only wastes the food which he eats for nothing and becomes a useless burden upon the earth. (7)

In this manner Shivaji uttered words. At that time his crowd quivered with bravery. The irresistible Mavlas issued out to fight saying we will kill or die.

A true translation.

(Sd.) GANESH KESHAV VAIDYA,

Third Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 11TH SEPTEMBER 1897.
M. 169.

No. 34.

Catalogue of publications for sale at the Government Central Book Depot,
Kalbadevi Road, Bombay, 1st April 1875.

Page 29.

				Rs.	a.	p.
Oke's (V. K.) Pushpa Vatika, a poem	...	...	...	0	6	0

No. 35.

Verse No. 64, at p. 85 of Max Müller's hand-books for the study of Sanskrit :—
The Hitopadesa, Books II, III and IV, 1865.

असंतुष्टा	द्विजा	नष्टाः	संतुष्टा	इव	पार्थिवाः ।
Asantushtā	dwijā	nashtāh :	Santushtā	iva	parthivāh :
Discontented	twice-borns	(are) lost,	contented	as	kings ;
सलज्जा	गणिका	नष्टा	निर्लज्जाश्च	कुलक्षियः ॥	
Salajja	ganikā	nashta	nirlajshacha	kulastriyaha	
With modesty	a mistress (is)	lost,	immodest	and noble	women.

No. 36.

[Translation of the 1st paragraph of the Life of Shivaji appearing in the Marathi Fifth Book of the School Series as described below.]

The Department of Public Instruction, Bombay.

MARATHI FIFTH BOOK, 1896, Fourteenth Edition, Page 312.

SHIVAJI.

(Born A. D. 1627; died A. D. 1680.)

This great hero flourished in this Maharashtra country. Whatever opinions may be entertained by people of other countries about him we have not to mind them. But he made the name of us the people of Maharashtra famous; he showed to the whole world that we possess valour, courage and other qualities; he established a kingdom of our people and lifting us out of perfectly uncivilized state he raised us to considerable importance. These thoughts come into our minds and a feeling of veneration for him is produced in us and we feel very proud that one time in the past our country produced a man like that. What wonder is there in this? It is on this account that we write here a short life of his.

A true translation.

(Sd.) ANAJI B. ANGAL,

for Chief Translator.

H. I. M.'s HIGH COURT, BOMBAY,

TRANSLATOR'S OFFICE, 10TH SEPTEMBER 1897.

M. 170.

No. 37.

Joshi's Grammar.

[Translation of an extract from 'A Higher Marathi Grammar' by Ramchandra Bhikhaji Joshi, 2nd Edition, 1895, page 165.]

And in the English language, this root (अस् = to be) has been for this reason called a 'joining link,' (i.e.) a copula.

* . . . * . . . * . . . *

(Page 166.)

Having expressed whatever we have to say about the subject, by the form of another noun, simple adjective or participle adjective in a sentence, the verbal forms of the root 'अस्' (to be) should be used after it. * . . . *

This will be clearly understood by those who know the Sanskrit language.

A true translation.

(Sd.) GANESH KESHAV VAIDYA,

Third Translator.

H. I. M.'s HIGH COURT, BOMBAY,

TRANSLATOR'S OFFICE, 13TH SEPTEMBER 1897.

No. 38.

[Translation of an extract from 'A new Grammar' of the Marathi language
by Krishna Shastrî Godbole, 2nd edition, 1874.]

Pp. 118-9.

Art. 123.

Simple present, past and future tenses denoting negation are formed by using the verb नाहीं (nahin) with participles evading in the terminations of त (ta), ला (lâ) and नार (nâr) respectively.

There are no forms expressing negation of the tenses, present imperfect, present perfect and present prospective.

In deriving other compound tenses expressing negation, it would be sufficient to substitute the verbs of the root नस् (nas) instead of those of अस् (as) in, article 308, viz. :—

Present.	Simple Past.	Future.
जात नाहीं	गेल नाहीं	जाणार नाहीं
Jât nahin	Gelâ nahin	Jânâr nahin
(let) going not—is	gone not—is	be going not—is
does not go.	did not go.	will not go.

A true translation.

(Sd.) ANAJI B. ANGAL,
for Chief Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 11TH SEPTEMBER 1897.

No. 39.

Dadoba's Grammar.

[Translation of extracts from a Grammar of the Marathi language by the late
Rao Bahadur Dadoba Pandurang, 8th edition, 1885.]

Page 170.

I.

Section 2.

रूपविचार (Rûpa Vichâra).

Discussion of (positive and negative) forms.

475. रूप (Rûpa) or form is the change in (the verbal form of) a root when that root is conjugated (so as) to express assertion or negation, i.e., in the sense of 'aye' or 'nay.' These Rûpas (forms) are of two kinds, one करणरूप (Karana Rupa) or positive form and the other अकरणरूप (Akarana rûpa) or negative form.

* * * * *

II.

p. 239.

Negative forms :—Assertive Indicative Mood, Present Tense.

मीं देत नाहीं (Min dêta nahin) I giving not, i. e., I do not give.

Past Tense.

मीं or म्यां दिलें नाहीं (min or myân dilên nahin) I gave not, i. e., I did not give.

* * * * *

A true translation.

(Sd.) GANESH KESHAV VAIDYA,
Third Translator.

H. I. M.'s HIGH COURT, BOMBAY,
TRANSLATOR'S OFFICE, 13TH SEPTEMBER 1897.

M. 172.

In the High Court of Judicature at Bombay.

—————
CROWN SIDE.
—————

IMPERATRIX *Complainant*

versus

BAL GANGADHAR TILAK and another *Accused*

BAL GANGADHAR TILAK *Petitioner*

I Clarence Arthur Ellis, of Bombay, European, residing within the Fort, do make oath and say as follows :—

1. I am a Member of the National Phonetic Society of London and have been working as a shorthand writer and reporter for the last 12 years. I hold a certificate of proficiency from Mr. Thomas Allan Reed of London, the greatest living authority on Pitman's system of shorthand writing.

2. I am now employed as sub-editor on the staff of the "Advocate of India" Newspaper.

3. I was engaged on behalf of Mr. B. G. Tilak to take down a verbatim report of the case against him at the current Sessions of the Bombay High Court and I have taken down the report accordingly. I was assisted in my work by Mr. Manker who holds a certificate of Proficiency in Pitman's Shorthand.

4. The print hereto annexed and marked **A** contains a correct accurate and faithful report of the charge given by the Hon'ble Mr. Justice Strachey to the Jury in the said case, and with the exception of portions relating to certain historical references in the life of Shivaji and certain illustrations given by the learned Judge which have been omitted therefrom it is a verbatim report of the charge as taken down by me in the course of such engagement. The report was transcribed by me in long hand from the shorthand notes of the charge and proofs of the print were compared with such notes.

Sworn at Bombay aforesaid this 22nd
day of September 1897.

(Sd.) C. A. ELLIS.

Before me,

(Sd.) W. LANE,
Commissioner.

(Sd.) BHAISHANKER & KANGA,
Petitioner's Attorney.

CHARGE TO THE JURY.

GENTLEMEN OF THE JURY,—The two accused, Bal Gangadhar Tilak and Keshav Mahdeo Bal are here arraigned before you upon two charges. Each of them is charged, in the first place, with having excited feelings of disaffection towards the Government established by law in British India. Each of them is also charged with having attempted to excite feelings of disaffection to Government established by law in British India, and they are charged with doing these things by means of certain articles appearing in a newspaper called the *Kesari* of the 15th June of this year. Before going into any other part of the case, it is necessary to explain to you what was the responsibility of these persons, if any, attached to them, in respect of these articles ; and, secondly, we will proceed to consider what is the nature of the offence with which they have been charged. I have directed that copies of this Section 124A should be distributed, and if they have not already been distributed among you, it will be presently done. (The Clerk of the Crown announcing that they were duly received, distributed printed copies of Section 124(A) I.P.C. to the jury.) The section, you will observe, relates to the offence of exciting or attempting to excite feelings of disaffection. Under that section it has been held by the Chief Justice of Calcutta, Sir Comer Petheram, that it is not only the writer of the alleged seditious articles, but whoever uses in any way words or printed matter for the purpose of exciting feelings of disaffection to Government, is liable under the section whether he is the actual author or not, and I entirely agree with him. Sir Comer Petheram has held that whoever uses matter which is seditious in the sense calculated to excite feelings of disaffection against the Government is liable, and it was sufficient that the words were used, whether any active disturbance occurred or not. The question is whether he used printed matter or such words in a newspaper for the purpose of exciting disaffection towards Government. That is what you have to look at in regard to this, whether the accused used the words at all, and if so how ?

The matter complained of consists of two articles published in the *Kesari* of the 15th June. As to the preliminary question of the connection of the accused with these articles, I will take the case of the prisoner Tilak first. The *Kesari* is a weekly paper published in Marathi every Tuesday at Poona. It has a considerable circulation, having six or seven thousand subscribers not only in Poona, but in many other places, including Bombay. This particular issue of the 15th June contained these two articles, and it was sent by post to the subscribers in Bombay and elsewhere. So the paper's publication extended to Bombay. I only mention this matter of publication in Bombay because it gives this Court the jurisdiction to try this case. Sending of the newspaper by post from its office where it is published to any other places constitutes in law the publication in Bombay or any other place to which it is sent. It is not denied by the defence that there was this particular publication in Bombay. It is in evidence that it was posted in Poona on the 15th and reached a subscriber in Bombay on the 16th of June. The prisoner Tilak is the proprietor and editor of that paper, and he is also the publisher. He has not attempted to dispute that, and he has admitted that ; he is also cognisant of the fact that the paper was despatched to various other places. It is further in evidence that before any matter is published in the *Kesari* the proofs are submitted to him. Upon this evidence you would be justified in holding that he is the publisher of this paper, and also the publisher of these particular articles in the paper. He has signed the declaration under the Act of the legislature passed in 1867, and that declaration is in evidence. The Act requires the publisher of every newspaper to make a certain declaration that he is the publisher of it. The declaration which was made by Tilak some time in 1887 is now in evidence. The law says that that may be taken

as a sufficient *prima facie* evidence that the person signing the declaration is the publisher of every part of any paper bearing a name corresponding to that in the declaration. And in the absence of any evidence to the contrary you will be justified in holding that the prisoner Tilak was the publisher of every article and every word in the *Kesari*. He published it through his servants—and it must be taken as a fact until the contrary is proved that he authorised these persons not only to print it, but to give it out to the world, and to distribute it to Poona and various other places, among them being Bombay. You will be justified in holding, in the absence of any evidence to the contrary, that Tilak was the publisher, and that he published these particular articles at Bombay also, by causing the paper to be sent to, and distributed in, Bombay through his agents on the 15th of June. Of course, gentlemen, I am anxious that you should know that the prisoner has not disputed, but, on the other hand, he has boldly avowed his connection with the paper. He has not attempted to shirk any connection which attaches to him in respect to these articles. So much with regard to the responsibility of Tilak.

Now I turn to the question of the responsibility of the other accused person, Bal, who takes his stand on a different footing altogether. Now, he has admitted in the statement that he has handed over to the Court, that he was the acting manager of the paper in June last. He had been acting for some time in the place of the substantive holder of the office, who had been absent since last October. The second accused was officiating for him. Letters signed by him "For Manager" have been put in. In one letter he describes himself as "Acting Manager." He was head printer also of the "Arya Bhusan" press, where the *Kesari* and the *Maratha*, also belonging to the prisoner Tilak, are printed. As the acting manager he superintended the printing of the paper, because he was also acting printer; therefore he was in a position to know what was appearing in the paper; he is not the registered printer who you will remember had gone away from Poona. It is further in evidence, and witnesses for the Crown have told you, what was the practice in the office with regard to the printing matter. He used to receive manuscripts, and he used to make them over to the compositors, and when proofs were handed over to him, he sent them to Tilak. He does not deny that. He is the officiating manager, he is the officiating printer, and he is the person through whose hands proofs ordinarily passed, and he was occupying that position on the 15th of June. Observe what he says in his statement that, although the proofs passed through his hands, it was not his business to correct them. He says he was a paid servant, receiving only Rs. 30 per month. It was not his business to pay attention to or correct the proofs that passed through his hands, which were corrected by a corrector and then submitted to Tilak. That statement of his is borne out by the evidence of the witnesses for the Crown. The witnesses say that it was not his business to examine the proofs. They were corrected by a corrector. That in a nutshell, is the evidence of the part taken by the second accused in bringing out these articles. Apparently the literary matter was not under his control. That being the state of facts, how have you to deal with the question of responsibility? You have to deal with it in this way. As he was the manager and superintendent in bringing out the matter—which was distinct from having a control over the literary department—as he was the printer of it, you may presume that he was acquainted with what he was distributing and printing. You have to find whether he authorised the insertion of the articles or their distribution. It is a pure question of fact. If you are not satisfied that the prisoner was cognisant of the particular articles, or that he directed or authorised the distribution of it, then I will advise you to find him not guilty, because you must have regard to the section which requires distinct proof by the Crown against the second accused. You must be satisfied that for printing or using words

that were published he was responsible, and that he used those words for the purpose of exciting disaffection. If you come to the conclusion that he knew anything about these articles, then it is a question for you to consider whether you can properly say that he used those words with that purpose in mind. It is entirely for you to consider as to whether you believe his (second accused's) uncontradicted statement that he was absolutely ignorant of what appeared in those articles. But the same does not apply to Tilak. He stands on a different position. I will not take up much of your time on this question. Tilak was the proprietor and publisher of the paper, and he must be taken as authorising everything appearing in the paper. No evidence has been called to refute or rebut that position on the part of the first accused. He was cognisant of what was published in his paper. There is only one word with regard to the second accused. He makes a representation or a suggestion that he has been treated in such a way—and he has every right to complain—that he has suffered hardship in regard to the conduct meted out to him. I will say a few words on this point. It is extremely important for every person when he is tried before this Court, that he should have absolutely fair play, and he has a perfect right to bring to the notice of the Court anything that he considers gives him a cause for complaint. He says that he retained a counsel from Calcutta to appear for him, and that this counsel has not been allowed to appear in this Court. And he further says that this case ought to have been tried in Poona, where the counsel would have appeared as of right. Now with regard to the hardship of which he complains, what is the real point? Has he truly suffered hardship? The prosecution of both these prisoners was instituted in July. At least the order for the prosecution is dated 26th July. The proceedings began soon after. The accused was committed for trial on the 2nd of August. You will remember that this trial began on the 8th of September. For the selection of his counsel he had ample time between 2nd August and 8th September, considerably more than a month, and during that period he had every facility in the way of engaging his counsel. There is a large Bar in Bombay—a very large Bar—from which he could have chosen his counsel. It is quite true that the Advocate-General and Mr. Macpherson were retained for the Crown, but in cases of great importance, and certainly in every Crown case, the Advocate-General would naturally appear for the Government, and it is quite true that the Advocate-General with Mr. Macpherson represent a very powerful combination; but there are at the Bombay Bar advocates who in a case of this kind are fully as capable of withstanding such a combination as any advocates practising in any other Court in India. It is quite true what the prisoner says that he has a perfect right to select his counsel. But the question is, whether he is justified in his complaint? The point is that he has got the whole Bombay Bar open to him. Where is the position of hardship? Has he been treated with injustice? Nothing of the kind. His choice from the Bombay Bar was not restricted. The position is simply this. Sometime ago his legal advisers made enquiries, and he was informed through them in the most distinct terms that according to the law and the rules which apply to this Court it was not competent for any advocate who was not upon the roll of the Court to appear at the Sessions. The intimation was conveyed to him. It was also clearly intimated that the Court would not as a matter of course accede to any application for any advocate's enrolment for one particular case. The practice of this Court is not to enrol an advocate when he applies for admittance on the roll for the purpose of one particular case. I am not discussing whether that practice is right or wrong. It was intimated to the legal advisers of the accused, who must have known that that was the practice of the Court, and that the Court would not allow without special grounds being shown a departure from the practice. That was before them, and they had every chance of getting perfectly competent advice in the matter in Bombay. Then all I wish to say with regard to the question of trial at

Poona is this: the second accused claimed that the case ought to have been tried in Poona. Mr. Pugh also seemed to suggest the same thing. It is admitted that this paper was published in Bombay and also at Poona, and, therefore, this Court, as well as the Poona Court, had the jurisdiction to try the case. It was entirely within the discretion of the Crown whether they instituted proceedings at Poona or at Bombay, and they were perfectly justified in using that discretion and institute the prosecution in Bombay, if they considered that the best course in the public interest. It was said that in Poona there would have been a Marathi-speaking jury, who could have understood better than the Bombay jury, the terms used in these articles. But this is a mistake. If the case were tried in Poona it would have been tried only by a Judge, assisted by Assessors. But the Assessors' verdict is not in any way binding upon the Judge, and if the case had been tried there, there would have been an appeal to this Court from the decision of the Poona Court. This course would have been very inconvenient, and it was desirable to have the trial at a more convenient place. Besides, Poona was in a state of excitement. Here we have a calmer atmosphere. This is a most important case. It is the second case of its kind that has been brought before a jury in India, and the first in this Presidency. I merely mention these matters that there may be no misapprehension. Having explained this matter, I wish to press this upon you, that it does not really matter in the least whether Government were justified in their action or not. Whether Government were acting wrongly or injudiciously it does not affect your duty. Your duty consists in giving your verdict in accordance with the evidence before you. So much for the connection of these two persons and with Keshav's suggestion as to hardship. Having put that aside, I can now deal with the law upon the case, and the evidence in the case. Now before I read to you Section 124A, I will call your attention exactly to what you have to try in this matter.

Now, if you are satisfied that the two prisoners or either of them are responsible for the publication of these two articles in the *Kesari*, the next question is, whether that makes them guilty of an offence against Section 124A of the Penal Code? Did they, or either of them, by means of the articles, excite or attempt to excite in their readers feelings of disaffection to the Government established by law in British India? That is a question of the meaning and effect of the articles, and the intention of the accused in publishing them, and it is entirely and exclusively a question for you to decide. But there is a preliminary question to be considered, and that is, what is the meaning of Section 124A of the Penal Code, and what is the nature of the offence which it makes punishable? That preliminary question is for me to decide. The law requires you to accept from me the explanation of the section and of the offence; and it is then for you to determine upon the evidence before you, whether the facts constituting the offence as explained by me have been established, and whether the prisoners are guilty or not.

Now I come to deal with the law as contained in Section 124A of the Indian Penal Code, and before I read it, I would point out that there are certain matters which I shall ask you to dismiss altogether from your minds. In the first place, in construing the section I do not propose to discuss the English law of seditious libel, though I have most fully considered the cases to which Mr. Pugh has referred, and the writings of Sir James Stephen and others on the subject. I would point out that the opinion of Justice Stephen could have no bearing on the case, and the explanation which I shall give you is not in any way inconsistent with the best English authorities. In England seditious libel is a common law misdemeanour and not a statutory offence, *i.e.*, not created by Act of Parliament, but elaborated by the decisions of Judges and did not correspond with Section 124A of the Indian Penal Code. I have considered the matter carefully, and I do not think that English cases

can have any bearing in the matter. I therefore ask you to dismiss from your minds the Trafalgar Square incident as in India the law applied is the Penal Code. Well now, I ask you to look at the section and the way it is worded. It says : "Whoever by words, either spoken or intended to be read or by signs or by visible representations, or otherwise, excites or attempts to excite feelings of disaffection to the Government established by law in British India, shall be punished with transportation for life, or for any term, to which fine may be added, or with imprisonment for a term which may extend to three years, to which fine may be added, or with fine." To the above is appended the following explanation :—"Such a disapprobation of the measures of the Government as is compatible with a disposition to render obedience to the lawful authority of the Government, and to support the lawful authority of the Government against unlawful attempts to subvert or resist that authority, is not disaffection. Therefore the making of comments on the measures of the Government with the intention of exciting only this species of disapprobation is not an offence within this clause." You will observe that the section consists of two parts, first, a general clause, and then an explanation. The object of the explanation is a negative one, to show that certain acts which might otherwise be regarded as exciting or attempting to excite disaffection, are not to be so regarded. We must, therefore, first consider the first or general clause of the section by itself, and then see how far the explanation modifies it. The offence as defined by the first clause is exciting or attempting to excite feelings of *disaffection* to the Government. What are "feelings of disaffection"? I agree with the late Chief Justice of Bengal, Sir Comer Petheram, that disaffection means simply the absence of affection. It means hatred, enmity, dislike, hostility, contempt, and every form of ill-will to the Government. Disloyalty is perhaps the best general term comprehending every possible form of bad feeling to the Government. It means everything which indicates hostility to Government. That is what the law means by the disaffection which a man must not excite or attempt to excite ; he must not make or try to make others feel enmity of any kind towards the Government. You will observe that the amount or intensity of the disaffection is absolutely immaterial except perhaps in dealing with the question of punishment : if a man excites or attempts to excite feelings of disaffection, great or small, he is guilty under the section. In the next place, it is absolutely immaterial whether any feelings of disaffection have been excited or not by the publication in question. There are two charges against each of the prisoners, one of actually exciting feelings of disaffection to the Government and the other of attempting to excite feelings of disaffection. It was immaterial whether a person excited these feelings or attempted to excite them. If you are satisfied that he has done so, you will of course find him guilty. But if you should hold that that charge is not made out, and that no one is proved to have been excited to entertain feelings of disaffection to the Government by reading these articles, still that alone would not justify you in acquitting the prisoners. For each of them is charged not only with exciting feelings of disaffection, but also with *attempting* to excite such feelings. You will observe that the section places on absolutely the same footing the successful exciting of feelings of disaffection and the unsuccessful attempt to excite them, so that if you find that either of the prisoners has tried to excite such feelings in others, you must convict him even if there is nothing to show that he succeeded. Again, it is important that you should fully realize another point. The offence consists in exciting or attempting to excite in others certain bad feelings towards the Government. It is not the exciting or attempting to excite mutiny or rebellion, or any sort of actual disturbance, great or small. Whether any actual disturbance or outbreak was actually caused by these articles is absolutely immaterial. If the accused intended by the articles to excite rebellion or disturbance, his act would doubtless fall within Section 124A, and would probably fall within other sections of the Penal Code. But even

if he neither excited nor intended to excite any rebellion or outbreak or forcible resistance to the authority of the Government, still if he tried to excite feelings of enmity to the Government, that is sufficient to make him guilty under the section. I am aware that some distinguished persons have thought that there can be no offence against the section unless the accused either counsels or suggests rebellion or forcible resistance to the Government. In my opinion that view is absolutely opposed to the express words of the section itself, which as plainly as possible makes the exciting or attempting to excite certain feelings, and not the inducing or attempting to induce to any course of action such as rebellion or forcible resistance to overthrow the ruler of the country, the test of guilt. I can only account for such a view by attributing it to a complete misreading of the explanation attached to the section, and to a misapplication of the explanation beyond its true scope. Lastly, the authority or institution against which it is an offence to excite or attempt to excite feelings of disaffection is "the Government established by law in British India." What is the meaning of that expression? It means, in my opinion, British rule and its representatives and administrators as such,—the existing political system as distinguished from any particular set of administrators. The result is that you have to apply this test to the case of each of these two prisoners: Did he, by these articles, try to excite in the minds of the readers feelings of disloyalty or hatred to the Government? Now I come to the explanation to Section 124A, and the question is how far it qualifies the section as just explained by me, and whether it supplies you with any other test to apply to these articles. Let us read the explanation again:—"Such a disapprobation of the measures of the Government as is compatible with a disposition to render obedience to the lawful authority of the Government, and to support the lawful authority of the Government against unlawful attempts to subvert or resist that authority, is not disaffection. Therefore the making of comments on the measures of the Government with the intention of exciting only this species of disapprobation, is not an offence within this clause."

Let us consider each part of this explanation, as we have considered each part of the first clause. Observe first that, as I have already said, while the first clause shows affirmatively what the offence made punishable by the section is, the explanation states negatively what it is not: it says that something "is not disaffection," and "is not an offence within this clause." Therefore its object is to protect from the condemnation pronounced by the first clause certain acts which it distinguishes from the disloyal attempts which the first clause deals with. The next and most important point for you to bear in mind is that the thing protected by the explanation is "the making of comments on the measures of the Government" with a certain intention. This shows that the explanation has a strictly defined and limited scope. Observe that it has no application whatever unless you come to the conclusion that the writings in question can fairly and reasonably be construed as "the making of comments on the measures of Government." It does not apply to any sort of writing except that. It does not apply to any writing which consists not merely of comments upon the Government measures, but of attacks upon the Government itself. It would apply to any criticisms of legislative enactments, such as the Epidemic Diseases Act, or any particular tax, or administrative measures, such as the steps taken by the Government for the suppression of plague or famine. But if you come to the conclusion that these writings are an attack not merely upon such measures as these, but upon the Government itself, its existence, its essential characteristics, its motives, or its feelings towards the people, then you must put aside the explanation altogether, and apply the first clause of the section. In the next place, supposing that you are satisfied that these writings can fairly and reasonably be construed as "comments on the measures of the Government," and not as attacks upon the Government itself,

still you cannot apply the explanation unless you believe that such comments were made with the intention of exciting only "such a disapprobation of the measures of the Government, as is compatible with a disposition to render obedience to the lawful authority of the Government, and to support the lawful authority of the Government against unlawful attempts to subvert or resist that authority." This, you will see, draws a distinction between attempting to excite feelings of "disaffection" to the Government, and intending to excite only a certain species of "disapprobation" of Government measures; and protects the latter only. What is the meaning of "disapprobation" of Government measures as contrasted with "disaffection" to the Government? I agree with Sir Comer Petheram in the Bungobasi case that while disaffection means the absence of affection or enmity, disapprobation means simply disapproval; and that it is quite possible to like or be loyal to any one, whether an individual or a Government, and at the same time to disapprove strongly of his or its measures. This distinction is the essence of the section. It shows clearly what a public speaker or writer may do, and what he may not do. A man may criticise or comment upon any measure or act of the Government, whether legislative or executive, and freely express his opinion upon it. He may discuss the Income Tax Act, the Epidemic Diseases Act, or any military expedition, or the suppression of plague or famine, or the administration of justice. He may express the strongest condemnation of such measures, and he may do so severely, and even unreasonably, perversely and unfairly. So long as he confines himself to that, he will be protected by the explanation. But if he goes beyond that, and, whether in the course of comments upon measures or not, holds up the Government itself to the hatred or contempt of his readers, as, for instance, by attributing to it every sort of evil and misfortune suffered by the people, or dwelling adversely on its foreign origin and character, or imputing to it base motives, or accusing it of hostility or indifference to the welfare of the people, then he is guilty under the section, and the explanation will not save him.

The object of the explanation is to protect honest journalism and *bonâ fide* criticism of public measures and institutions with a view to their improvement, and to the remedying of grievances and abuses, and to distinguish this from attempts, whether open or disguised, to make the people hate their rulers. So long as a journalist observes this distinction he has nothing to fear. It seems to me that this view of the law secures all the liberty which any reasonable man can desire, and that to allow more would be culpable weakness, and fatal to the interests not only of the Government but of the people. But now, there are other words in the explanation which we have still to consider. (His Lordship read the words.) To come within the protection of the explanation, a writing must not only be the making of comments on Government measures with the intention of exciting only disapprobation of them as distinguished from disaffection to the Government, but the disapprobation must be "compatible with a disposition to render obedience to the lawful authority of the Government, and to support the lawful authority of the Government against unlawful attempts to subvert or resist that authority." What that means is that even exciting disapprobation of Government measure may be carried too far. For instance, if a man published comments upon Government measures which were not merely severe, unreasonable or unfair, but so violent and bitter, or accompanied by such appeals to political or religious fanaticism, or addressed to ignorant people at a time of great public excitement, that persons reading those comments would carry their feelings of hostility beyond the Government measures to their author, the Government, and would become indisposed to obey and support the Government, and if it could fairly be gathered from the writing as a whole that the writer or publisher intended these results to follow, then he would be guilty under the section and would not be protected by the explanation. Observe the nature of this "disposition" which makes the whole difference between a "disapprobation"

of measures which amounts to "disaffection" to Government, and a disapprobation which does not. It is not merely "a disposition to render obedience to the lawful authority of the Government." It is a disposition *both* to render obedience and also to *support* the lawful authority of the Government against unlawful attempts to subvert or resist it. And it is a disposition to support that lawful authority against unlawful attempts not only to "resist" it—that is to oppose it—but also to "subvert" it—that is, to weaken and undermine it by any unlawful means whatever. And, lastly, it is a disposition to support the Government against all such unlawful attempts whenever occasion may arise, not only against any particular unlawful attempt proceeding or impending at the time of the publication. I believe that it is an inaccurate reading of this part of the explanation, a too exclusive attention to the expressions about obedience and resistance, and an insufficient attention to other expressions equally important, which has caused some people to misunderstand the whole section, and to imagine that no one can be convicted under it even if he assails the Government itself, and not merely Government measures, unless he counsels or suggests rebellion or forcible resistance.

You will thus see that the whole question is one of the intention of the accused in publishing these articles. Did they intend to excite in the minds of their readers feelings of disaffection or enmity to the Government? Or did they intend merely to excite disapprobation of certain Government measures? Or did they intend to excite no feeling adverse either to the Government or its measures, but only to excite interest in a poem about Shivaji and a historical discussion about his alleged killing of a Mahomedan general? These are the questions which you have to consider. But you may ask: how are we to ascertain whether the intention of the accused was this, that, or the other? The answer is that you must gather the intention of the accused as best you can from the language of the articles themselves. What is the intention which the articles themselves convey to your minds? In considering this, you must first ask yourselves what would be the natural and probable effect of reading such articles in the minds of the readers of the *Kesari*, to whom they were addressed. If you think that the only feelings which such readers would be excited to are feelings of interest in a poem or a historical or ethical discussion, then you may presume that that is all the accused intended to excite. If you think that such readers would naturally and probably be excited to entertain feelings of enmity to the Government, then you will be justified in presuming that the accused intended to excite feelings of enmity or disaffection. As a matter of common sense, a man is presumed to intend the natural and ordinary consequences of his acts: he cannot, speaking generally, say: although this language would have the natural and ordinary effect of exciting feelings of disaffection, I did not when publishing it intend that it should do so. But in considering what sort of effect these articles would be likely to produce, you must have regard to the particular class of persons among whom they were circulated, and to the time and other circumstances in which they were circulated. An article which, if published in England, or among highly educated people, would produce no effect at all, such as an article on cow-killing, might, if published among Hindus in India, produce the utmost possible excitement. An article which if published at a time of profound peace, prosperity and contentment would excite no bad feeling, might, at a time of agitation and unrest, excite intense hatred to the Government. Therefore, in judging of the intention with which the accused published these articles, you must first of all consider how such articles would naturally affect the minds of people like the readers of the *Kesari*, at that particular time, the 15th June, in the then existing state of the country and of public feeling. Would such persons at that time and in the circumstances then existing regard the articles as a poem and a historical discussion applying no moral to the British Government here or to the present times, or would they be excited by

it to feelings of enmity to the Government? But in the next place, in judging of the intention of the accused, you must be guided not only by your estimate of the effect of the articles upon the minds of their readers, but also by your common sense, your knowledge of the world, and your understanding of the meaning of words. Read the articles, and ask yourselves as men of the world whether they impress you on the whole as a mere poem and a historical discussion without disloyal purpose, or as attacks on the British Government under the disguise of a poem and historical discussion. It may not be easy to express the difference in words; but the difference in spirit and general drift between a writer who is trying to stir up ill-will, and one who is not, is generally unmistakeable, whether the writing is a private letter, or a leading article, or a poem, or the report of a discussion. If the object of a publication is really seditious, it does not matter what form it takes. Disaffection may be excited in a thousand different ways. A poem, an allegory, a drama, a philosophical or historical discussion, may be used for the purpose of exciting disaffection, just as much as a direct attack upon the Government. You have to look not to the form it takes but to the real object; you have to consider whether the form of a poem or discussion is genuine, or whether it has been adopted merely to disguise the real seditious intention of the writer. Again, in judging of the intention of the writer or publisher, you must look at the articles as a whole, and not to isolated sentences. It would not be fair to judge of the intention by isolated passages or casual expressions without reference to the context. You must consider each passage in connection with the others and with the general drift of the whole. A journalist is not expected to write with the accuracy and precision of a lawyer or a man of science; he may do himself injustice by hasty expressions out of keeping with the general character and tendency of the articles. It is this general character and tendency that you must judge the intention by, looking at every passage so far as it throws light upon this. You have heard much discussion as to the exact meaning of various expressions in these articles, and the best way of reading certain passages into English. These discussions no doubt were necessary, and it is important that we should as far as possible exactly understand the true meaning of every word. But it would be a great mistake to let the decision of this case turn upon mere verbal niceties of translation, or discussions as to the best English equivalents of particular Marathi terms. We must look at these articles not as grammarians or philologists might do, but as the ordinary readers of the *Kesari* would look at them—readers who are impressed not by verbal refinements but by the broad general drift of an article. From this point of view it by no means follows that the most literal rendering of a passage is that which best conveys its meaning in English. What we want to get at is the way in which an ordinary reader would understand the whole article; and hence to gather the intention with which the article was written and published. Were the accused publishing a harmless poem and historical discussion, or were they using the form of a poem and a historical discussion for the real purpose of exciting enmity to the Government? In dealing with this question, as with all others in a criminal case, you must remember to give the accused the benefit of any reasonable doubt, and to give the articles not only a fair but a liberal and generous consideration.

As you will see it is a question of intention. As you have got to get somehow or other to the effect of the articles on the mind of the reader, it is not always an easy thing to do. You may ask, looking at the articles, how is the intention of the articles published by Tilak to be determined, and you may also ask, how can we tell what his intention was in publishing these compositions? You may say, how can we tell whether his intention was simply to publish a historical discussion as regards Shivaji and Afzul Khan, or if it was his intention to stir up under

that guise hatred against the Government. There are various ways in which you must approach the question in order to determine what the intention was. You must gather the intention in the best way you can from the language of the articles, and you may also take into consideration, under certain conditions, the other articles that have been put in evidence, namely, the articles about the plague and the Diamond Jubilee, and so forth. But the first and most important index of the intention of the writer or the publisher of a newspaper article is the language of the articles themselves. The first question you must ask yourself is this—What would be the natural and ordinary effect upon the mind of a reader of the *Kesari* at that particular time by reading the article? That is what you have got to consider, because, when you get at that, you may frame in your mind an idea of what an ignorant reader of the *Kesari* would think, having read those articles. Then you must consider the next step, namely, that one is presumed to know the natural consequence of his act, and all you have to do is that you have to apply the test in this way. First, what would be the effect of the article on the mind of a man reading the article? First read the articles and see for yourself how the ordinary readers of the *Kesari* would feel while reading that article, and try to ascertain whether or not it was such as to create a feeling of hatred against Government. What would be the impression left on the mind of any reader of the *Kesari*? Would it be simply one of interest in the historical discussion about Shivaji and Afzul Khan and so forth, or that there was something behind that historical incident. In order to arrive at the natural and probable effect upon the readers of the *Kesari* you must just go a step further and see whether, *prima facie*, though not necessarily, there was anything which was likely in all probability to produce an effect which was intended by the publisher to be produced. In considering what is the natural and ordinary consequence of a publication like this, I must impress upon you the most important thing in my summing up, and it is, that you must have due regard to the time, place, circumstances, and the occasion of the publication. When you are considering the likely and probable effect on the people's mind in respect of a publication, you must consider who the people are. In my opinion it would be idle and absurd to ask yourself what would be the effect on the minds of those who read the articles in a London drawing-room, or those who sat reading them at the Yacht Club in Bombay, but what you have to consider is what would be the probable and likely effect on the minds of those readers of the *Kesari* among whom the articles are circulated and read. You have not to consider what effect the articles would have upon Englishmen and upon Parsees, and upon many of the cultivated and philosophical Hindoos. No, you have to ask yourself the natural and probable effect of a writing of that kind on the mind of an ordinary Hindoo of the class of the subscribers of the *Kesari*—Hindoos, Mahrattas, and the inhabitants of the Deccan Konkan and of that kind. You have not only to consider the class of persons who subscribed to the *Kesari*, but you have also got to consider the conditions and the time, not in the year 1890, or 1891, or 1892 or 1893, or even 1896, but in June 1897, and also the particular state of things at the time when the articles were disseminated among them. Then you have to look at the standing and the position of the defendant. He is a man of influence and a man of importance among the people, and looking at these articles you must ask yourself the question how would readers of the *Kesari* be affected by reading these articles. You must exercise your own common sense and knowledge of the world and the knowledge of the way in which a man writes when he is animated by a particular feeling. You can form a pretty general notion of what a man is driving at, or what he wants to express himself from a perusal of his writings. You can certainly form an opinion as to the object of the writing, and whether it is inspired by good-will or is

meant to create ill-will. It is not very difficult to differentiate between the language of hostility, and the language of loyalty and good-will, and of criticism and of comment. You must ask yourselves, having read the articles, whether the writer is trying to stir up the feelings of the readers against the Government, or is trying to do something altogether different. You must remember that the prosecution have got to establish against the accused that the construction of the articles which they have put forward is true. In all criminal cases, and whether the charge was that of sedition or murder, or any other offence, the prosecution have to prove their case, and here they have to prove the construction of the articles to show that they were written with the intention of exciting disaffection.

And again, you must remember that there has been some dispute about the correctness of some of the translations that have been put before you. Most of you have got to deal with documents which are in their original form in a foreign language, and indeed there has been a great deal of criticism upon them. I do not intend to trouble you with any criticism of the various renderings put before you. You have heard a great deal about it, and I have no doubt you remember it. There are two translations put before you, one of which has been called a free and the other a literal translation. What I would advise you is that wherever there is no dispute about the accuracy of the free translation, where its rendering has not been challenged, you should be guided by the free translation. It is altogether a mistake to suppose that because a translation is literal, it is more correct than the translation which is called free. An absolutely literal translation from one language to another may give in the second language an extremely imperfect and really inaccurate idea of the meaning and spirit of the original. These documents have been translated by a translator of the Court, a Hindoo gentleman, whose capacity to translate cannot for one moment be doubted. The accuracy of the literal rendering of the articles by a Hindoo interpreter has not been challenged by the defence, who found fault with the free translation of certain expressions occurring in the article. In the free translation there was not given any absolute literal meaning of the words, but their real genuine equivalents in English. Where there is any dispute as to the accuracy of what is called the free translation, you can look at the literal translation and try to see what the writer and the publisher intended by these articles. Then, again, where there is a conflict of evidence as to the meaning of a particular expression, I would advise you to give under the usual rule the benefit of any reasonable doubt to the accused. Before you come to any conclusion you must first of all, in the case of disputed translations, judge what was meant by the context.

I will now come to the articles, but in doing so I wish you to bear in mind the nature of the Shivaji controversy. The first article is about Shivaji, the second article being professedly a report of certain speeches made at the Shivaji celebration. It is not necessary to say much about Shivaji, but there can be no question about his being the greatest and most distinguished Mahratta whose dealings are recorded in history. He raised the Mahrattas from a condition of absolute obscurity and insignificance. At that time there were factions among the Mahomedan rulers in certain parts of the Deccan. He took advantage of those factions with which the Mahomedan kingdom had been rent, and having taken possession of the several hill-forts in inaccessible places, he was eventually able to lay the foundations of the Mahratta power for the first time in the history of India. He was not only a great soldier but also a great administrator. According to some of the English historians he was a man of whom any nation would be proud, especially the nation which he had elevated out of obscurity as a soldier and a leader. (His Lordship, after referring to several historical incidents relating to Shivaji, proceeded to remark.) I have gone into the history of Shivaji's exploits in order that you may realize the position of the man

who is the hero of the incriminated articles. It was in the year 1885 that it was complained that the tomb of Shivaji at Raighur was out of repair, and though it is true, as the Advocate-General said, that Shivaji after his death was burnt, there is no doubt that his ashes were buried at Raighur, and the place is by tradition known as Shivaji's tomb.

The fact that the tomb was out of repair was mentioned by the *Kesari* paper, and complaints were made on the subject. Lord Reay was at that time Governor of Bombay, and he appears to have taken some interest in the matter, and gave a small grant for the repair of the tomb. Nothing further was done until the year 1895, when we find another mention of the matter in the *Kesari*. There had, however, been mention of it by other persons before it was started by the *Kesari*. An English author, Mr. Douglas, wrote a book, in which he to some extent reproached the Mahrattas for having forgotten Shivaji. This being so, the *Kesari* did not start the movement. It simply took it up long after it had been started by other persons. It was said that the tomb had again been allowed to get out of repair. There was an article in the *Kesari* reminding India and the Mahratta public of the memory of the national hero, in more or less reproachful terms. Then came a small subscription from a student, and other subscriptions were invited. In 1895, soon after that article appeared in the *Kesari*, there appeared an article in the *Times of India*, which I need not read, but the whole point of which was that it was unnecessary to make a fuss, that the agitation was uncalled for, as all that was needful in the shape of repair had been done. I do not know whether or not Mr. Pugh was right when he said this opposition gave an impetus to the movement; but I daresay this may have been the case. Whatever the reason, the matter grew in interest, and the project received the support of persons like Mr. Justice Ranade. A big meeting was held at which resolutions were passed for the further repair and maintenance of this tomb and a large sum of money was collected. So far as it was a question simply of the repair of the tomb, there was, I think, nothing beyond that to call your attention to. When we come to 1896, it seems to have gone further. The movement which first originated in a desire to repair and preserve the tomb, now became a movement for the commemoration of Shivaji by a sort of demonstration or festival. Now I am anxious to tell you that up to that time there was nothing necessarily objectionable in the movement at all. It is for you to consider, but it does not strike me that there was anything objectionable. The Mahrattas and Hindoos are perfectly entitled to celebrate the memory of Shivaji in any way they think, if they do not overstep the mark.

Now there is another thing which is closely connected with this matter, and in regard to which we have heard a great deal, and that is the controversy respecting the murder of Afzul Khan. I will remind you briefly of what the historical incident was. You must bear in mind that all that is in dispute is what really occurred. There is no doubt as to what English historians say about the matter. When I say English historians, I refer particularly to Grant Duff's "History of the Mahrattas," which has been quoted more than once in this case. You will recollect that Shivaji was nominally a subject of Bijapur. On one occasion a Bijapur force was sent against him, headed by a Mahomedan general called Afzul Khan, who brought his army to the neighbourhood of Wai, which, as you know, is close to Mahableshwur. Shivaji and his troops were at Pertabgarh, a fortress some few miles off, also near Mahableshwur. Well, the story is that Shivaji sent ambassadors to Afzul Khan representing that he was submissive, contrite, and repentant, and having rebelled against his master's court, he was willing to surrender himself. At all events he sent humble messages to Afzul Khan, who was persuaded that he was very much frightened and was willing to surrender. Consequently Afzul Khan sent as an envoy to him about the terms of submission, a Brahmin called Gopinath Pantoji. This man came to fort Pertab-

garh, and Shivaji succeeded in corrupting him. He went to his tent at night, and represented that as he was a Hindoo servant of a Mahomedan master, Afzul Khan, they should ally themselves for the purpose of protecting the Hindoo religion against the Mahomedan's power. The story is that by persuasion and argument Gopinath was won over, and he then went back to Afzul Khan, representing that Shivaji was in a great fright and ready to make submission, provided he would go personally to see him to reassure him. Shivaji having asked for a peaceful conference with Afzul Khan, prepared for it by laying in ambush numbers of his troops all around, and, what is more, armed himself, put on chain armour under his clothes, and fastened to his fingers of the left hand a steel instrument with sharp points. Afzul Khan came to the appointed place, and at Shivaji's request he came more or less by himself without many soldiers. While Afzul Khan and Shivaji were in friendly embrace, Shivaji plunged into Afzul Khan the steel hooks attached to his fingers, and in that way murdered him, while the troops which were in ambush fell upon the followers of Afzul Khan and defeated them with great slaughter. That is the story of the assassination of Afzul Khan as told by English historians. It may be correct or it may not. I do not know this and cannot say.

In 1894, a gentleman called Mr. Karkaria, who interested himself in historical researches, gave a lecture on the murder of Afzul Khan. He discussed the question to what extent Shivaji ought to be condemned for the act. The purport of his lecture was to justify Shivaji to a certain extent, and to contend that Gopinath Pantoji was not a servant of Afzul Khan. He also said that what Shivaji did was done for the purpose of self-defence, as Afzul Khan would have murdered him if he had not murdered Afzul Khan. We have to consider how far such a discussion is justifiable. I see no reason why a person should not discuss in a proper moderate way the question whether the assassination was justifiable. But although these are subjects of legitimate comment and discussion, you will readily recognise that they are rather delicate subjects for a man of importance, a leader of the people, that is to say, ought to be careful as to the spirit in which they are discussed in a mixed audience. It is one thing to discuss it amongst a number of philosophers; it is another to discuss it amongst an ignorant mob. This question, as to whether Shivaji murdered Afzul Khan, and whether that murder was justified, is delicate in that sense, and although in a proper way discussion does no harm, and may be very interesting, they are topics which men under favourable circumstances may very easily twist. It is quite legitimate for Mahrattas to take pride in Shivaji and discuss his exploit, but bearing in mind that he was a great Hindu ruler, and that Hindoo rule was overthrown by the British, the subject is a delicate one. It obviously lends itself to orations which might inflame people to seek to regain the state of independence they had under him; that might soon be made a burning topic, and therefore it behoves people to be very careful how they deal with a subject of that kind. You must consider whether it was discussed in an innocent way, or whether he had any intention of dealing with it in a dangerous way. In this connection I may call attention to the article named, "Hero-Worship." I may say at once that I do not think there is anything objectionable in it, as it stands by itself, and without reference to the articles which may be regarded as throwing light on the policy of Tilak. As Mr. Pugh said, this article is on the same lines as the essay of Carlyle and points out the great advantage to the community of venerating the memory of its heroes. The article states that hero worship in India has disappeared since the overthrow of the native *Raj*. All that is put in language to which I take no exception; but it shows how delicate the subject is. A man who is a leader of the people should be very careful in writing on hero worship when he comes to compare the present state of things with the past. The article on hero worship shows how easy is the transition from the one topic to the other. And so in regard to the question of

the extent to which Shivaji was morally justified in killing Afzul Khan. There can be no objection to this being discussed at the proper time and place. The question of the justification for political assassination has been discussed for hundreds of years, and may be discussed for hundreds of years more. People may and do also discuss whether the ordinary rules of morality apply to great men. I belonged, when at Cambridge, to a very famous debating society, which prided itself upon regarding every question as an open one, and if any member had been shocked if it was proposed to discuss the question as to whether political assassination was justifiable, he would have been regarded as unfit to belong to that society. We did not take for granted any thing which would stand in the way of free discussion. There is no objection to such discussion, provided you confine it to the right people. You may discuss if you like whether private property is a blessing or a curse, and whether anybody ought to have any property at all. But if you discuss the subject to an excited mob who are hungry or starving in the neighbourhood of a baker's shop, it becomes most inflammable and becomes a subject in regard to which every word should be weighed, and the expression of any opinion contrary to the ordinary morality would be in the highest degree blameable. So with regard to political assassination. To discuss that at a meeting of philosophers or students or even of ordinary men of the world is one thing ; to discuss it in a mixed crowd of people or to put it in a public newspaper is another thing altogether. I have shown that up to 1896 everything was fairly peaceable, and no particular excitement prevailed, so far as can be gathered from the evidence before us here. The discussion of Shivaji was not to be objected to so long as ordinary times prevailed and circumstances were favourable. But when the times are exceptional it becomes a more serious matter, and we have to scrutinise most carefully the intentions of people under that circumstance. The state of things in 1896 did not continue. We know quite well that famine appeared in the land, and spread over a vast area of the country. Plague, which commenced first in Bombay, spread to various parts of the country and to Poona. Great distress naturally followed in the wake of famine and of plague, and Government had to come forward and deal with plague as well as famine. It had to adopt measures appropriate for suppressing the plague, which had led to the goods of this country being boycotted all over the world, and those measures being opposed to the sentiments of many of the people, the necessary interference with their domestic habits created great excitement. Government had to take steps which were unpopular, and especially had to resort to segregation, separating persons suffering from the disease from persons not attacked. In addition, to find out cases which had been concealed, house-to-house visitation was resorted to in order to discover concealed cases of plague, and in Poona it was deemed necessary to employ British soldiers to form the search parties. I do not wish to question in the slightest degree whether this was a necessary measure, or not. I am only reminding you it was adopted, and an inflamed state of feeling was the result. Amongst a considerable portion of the people accusations were made against the British soldiers to the effect that they had insulted women and committed other deeds, in regard to which no evidence, so far as I know, has been forthcoming. The result was what you would expect amongst people of that kind—easily alarmed and suspicious—and they regarded the measures taken as an unwarrantable interference in their domestic affairs. It was a very difficult position both for the Government and people. The inevitable result was friction and a state of tension and excited feeling that went on for a considerable time and culminated in the murders on the night of June 22 of Mr. Rand and Lieut. Ayerst. The officer in Poona who had charge of these operations was abominably murdered. I mention that simply to show the state of excitement which existed at that time. I do not wish to suggest in any way that there is the relation of cause and effect between either of those articles and that abominable

murder. The Advocate-General said he could not prove that these murders were caused by these articles, and for that reason I ask you to put that idea out of your minds. But what is clear is that a state of feeling was so excited as not to be equalled by anything that had happened for a long time past.

The prisoner Tilak was in Poona or its neighbourhood at the time and knew perfectly well the state of feeling which existed. It, therefore, behoved him as a man of influence and as leader of the people at a time like that to be especially careful as to what he said in regard to the relations between Government and the people. This was a most important point for the gentlemen of the jury to consider, for unless they bore in mind the particular conjuncture at which these articles were published, they would not arrive at the truth in this enquiry. They must have regard to the time, manner, connection, and, above all, the class of readers to whom the articles were addressed. Coming to deal with the first of the articles complained of, that called "Shivaji's Utterances," the learned Judge said that he would put before them to the best of his ability the interpretation put on the articles by the Advocate-General, and also try to put before them the arguments for the defence. The Crown said the object was to draw the sharpest possible contrast between India as it was in Shivaji's time and India under the British Government, to the greatest possible disadvantage of the latter. It alleged that under Shivaji every sort of blessing prevailed of virtue and courage, the Brahmins were protected, cows were protected, and everything was done which a Hindoo or Mahratta would wish to be done. The idea is: "look on this picture and on that." It held up to admiration and gratitude the condition of the country in Shivaji's time, and then represented him as asking what was the result of all he had done, now the British Government was in power? Under the British Government it is ruined, and not only ruined, but the particulars of the ruin are set forth in such a way as to incite the utmost possible prejudice, race prejudice, religious prejudice, every kind of prejudice against the British Government; that was in a concentrated form the case for the prosecution. The case for the defence was this. In the first place, that the article was a poem and they must not too rigidly construe poetic expressions. The object of the poet was not to run down the British Government or incite any enmity to it, but merely to seek the improvement of the people, to point out what were the blessings under the rule of Shivaji, and to show how they had fallen from their high estate. The suggestion to the people was to seek to remove the grievances which had accumulated by representation to the proper authorities. The grievances referred to were of the character of ordinary criticism of the administration, such as might be found in any newspaper in England or in India. This was briefly the case for the prosecution and the case for the defence, and he would now read to them the poem with a view to seeing how far these arguments either the one way or the other would be accepted by the jury. In reference to the words "foreigners are dragging Luxshmi by the hand by means of persecution," a great deal of dispute had arisen as to whether the last word was properly rendered "persecution" or whether it meant "harassing." He did not think it made very much difference which word they took, and he advised the jury if there was any doubt in their minds to give the prisoners the benefit of it by accepting the translation as harassing. In any case it meant that the wealth of the country was being taken from it. Mr. Pugh had contended that the writer was only complaining of the taxation of the country, and was saying no more than a great many newspapers when they criticised extravagance in connection with military expenditure, and so forth. He would point out, however, that no particular measure was referred to, and the charge was brought against Government that in this time of scarcity, famine, and distress they were taking wealth out of the country. There was no objection to newspapers writing articles upon the expenditure of the country

when the object of the writer was to obtain some measure of financial reform, but they must take this reference to taxation in connection with everything that followed, and also with the fact that no particular taxation was referred to. They must take it in connection with all the other topics and references in the article in order to judge of the object of the writer in introducing it.

The next passage with which we have to deal is the one :—“Along with her plenty has fled, and after that health also. This wicked Akabaya stalks with famine through the whole country. The relentless death moves about spreading epidemics of diseases. Say, ye, where are those splendid Mavlas, my second lives, who promptly shed their blood on the spot where my perspiration fell? They eat bread once a day, but not enough of that even. They toil through hard times by tying up their stomachs to appease the pangs of hunger.” This comes after the passage dealing with the interception of the wealth of the country by foreigners, and the desolation and ruin of the country by plague and famine is referred to. But there is no necessary allusion here to the British Government, and you must take it in connection with the rest of the poem. The contrast still remains here; in the time of Shivaji there were these splendid Mavlas in whom Shivaji trusted, but now they are reduced to this miserable pitiable condition. How does the article go on?—“O people, how did you tolerate in the *Kshetra*.” I think there is good ground for thinking that “endure” is an accurate reading of the word in the original freely translated as “tolerate,” so they would take it as meaning “endure.” Where there is a doubt as to the meaning of a word we must, in common fairness, give to the prisoner the benefit of the doubt. The word “tolerate” carries with it the idea of the power to overthrow and of restraint and so forth, whilst “endure” does not necessarily perhaps convey that meaning, so we will employ the word “endure” in this passage. The article would then read :—“O people, how did you endure in the *Kshetra* the incarceration of those good preceptors, those religious teachers of mine, the Brahmins, whom I protected, and who, while they abided by their own religion in times of peace, forsook the darbha in their hands for arms which they bore when occasion required.” There you have as the next item in this general desolation, what?—The incarceration or the imprisonment of Brahmins. Shivaji, said the writer, protected the Brahmins, now a days they are imprisoned. What does this mean? The Advocate-General has put in evidence the article in the *Kesari* of 1894, dealing with an incident which happened in the town of Wai when certain Brahmins were sent to prison after a criminal prosecution. There was disturbance at Wai in connection with some Mahomedan mosque and music played by Hindoo processionists. I do not know the details. At any rate there had been some disturbance, and a prosecution was instituted, in which the Magistrate or Judge who tried the case came to a decision adverse to the Brahmins, and punished them. Mr. Pugh said there was no suggestion in this passage, as put forward by the prosecution, that Brahmins should be above the law, and not sent to prison, but that it was perfectly legitimate for any person to criticise the decision of a court of justice, and to say in an article in a paper that any particular sentence is wrong. This also is perfectly true, but here again the whole question is whether this statement appears in this list of items of desolation in such a way that you can reasonably compare it with the articles with which Mr. Pugh deals. The statement is that Shivaji protected the Brahmins, and that under the present regime they are persecuted and put in prison. It is for you to consider whether what is there contained is not an objection to the imprisonment of all Brahmins as such, and holding it up as a grievance to Hindoos that during the time of Shivaji Brahmins were protected and under the British Government they were imprisoned. What can be the object of putting that in a string with all these other topics? If this was made the subject of a separate article, without all these accompanying items, and being lumped up with this

tale of desolation which is contrasted with what prevailed under native rule, there would be a great deal of force in the contention of Mr. Pugh, but when it was mixed up with the other grievances of foreigners taking away the wealth of the country, you must consider with what object it was done. Why was this extremely delicate and inflammatory topic with others equally inflammatory disseminated at this particular moment? You must consider these articles as a whole, and ask yourselves whether the publisher or the writer must not have known that any ordinary Hindoo or Mahratta would naturally have a strong feeling against a Government which had imprisoned the Brahmins.

Now let us turn to the next passage—"The cow, the foster mother of babes when their mother leaves them behind, the mainstay of the agriculturists, the imparter of strength to many people, which I worshipped as my mother, and protected more than my life, is taken daily to the slaughter house, and ruthlessly slaughtered there." Here again it is perfectly true that the law will never interfere with any man who writes articles to say that cows ought to be protected. It has often been done, and English people have written to the same effect that, having regard to the feelings and sentiments of the Hindoo about the cow, it ought to be taken into account by the Government so as to prohibit its slaughter altogether. Can you say, however, that this is a point which has been argued here? Has it been argued, or has it been strung upon a string of similar topics in such a way as not to appeal to the reason but to the passions of the people, whose passions were then inflamed upon that as upon a number of other things? What connection is there between the preservation of the sacred cow and the unjust acquittal of the British soldiers charged with offences against natives, except that both are subjects upon which enmity can be very easily aroused against the British Government? That is what you have got to ask yourselves. Of course if you can find any other object in connection with all those things together, and the particular time and the particular circumstances with which you have to deal, you must prefer it to any criminal object unless you have no doubt upon the matter. At the present time nothing suggests itself to my mind as to why all these topics of prejudice were accumulated at that particular moment. I do not see any discussion at all.

The following sentences appealed to the feelings and sentiments of quite another class. They are three in number, and all are inserted in inverted commas. They are "He himself came running exactly within the line of fire of my gun. I thought him to be a bear;" "Their spleens are daily enlarged;" "How do the white men escape by urging these meaningless pleas?" These are references to those unfortunate cases which, as every one knows, occur from time to time in which an Englishman, generally a British soldier, is tried for murder or an assault on a native, cases in which the defence is that the whole thing was an accident and a slight blow only was intended, but, owing to some disease of the spleen, the consequences had been fatal, and the sentence "He himself came running within the line of fire of my gun," has been referred to by the Advocate-General, who put in an article from the *Kesari*, which explains what that reference means. It seems that a gentleman named Fagan who was out shooting some years back, fired at a woman who was one of the beaters, crouching amongst the bushes, and killed her, and his plea that the whole matter was an accident was accepted. The article in question said that although this was done by a mistake, still this was a mistake which ought not to have been made, and that under a certain section of the Penal Code this was an offence which could have been punished by two years' imprisonment. Mr. Pugh said this is a subject which is discussed every day, and the words in the incriminated article are "This great injustice seems to prevail in these days in the tribu-

nals of justice." It is quite permissible to comment on the proceedings of a court of justice, and to say that foreigners are acquitted who ought not to have been acquitted, and a writer can say this with perfect propriety without bringing himself within the terms of Section 124 A. But you must look at the context. Why was this particular statement put in? There is nothing said in the way of criticism of a rash and negligent act such as is dealt with in the *Kesari* article of 1894. This is put forward as one item in the general list which makes up the ruin of the country following upon the state of things Shivaji left behind him. You will take this as strung together with the other remarks upon imprisonment of the Brahmins and the slaughter of the sacred cow. Can you deal with this in the same way as if it had been made the subject of a separate article, and was written at the time when Hindoos and natives generally were not in an inflamed and excited state? Must you not take it rather as forming part of the whole, and one of the parts which throws light upon the object of the writer in saying all these pleas are groundless and all these people escape?

We next come to the passage—"Could any man have dared to cast an improper glance at the wife of another. A thousand sharp swords would have leapt out of their scabbards instantly. Now, however, opportunities are availed of in railway carriages, and women are dragged by the hand. You eunuchs, how do you brook this? Get that redressed." In regard to the words "Get that redressed" there has been a good deal of discussion. The word used in the original is *dada*, and the discussion has been as to whether it means redress by force, or redress by a peaceful representation to a higher authority. The Oriental Translator says to his mind the word necessarily implies the use of force, and excludes the idea of a peaceable representation, but Tilak, who was allowed to give his own explanation, said exactly the opposite, and that the word would necessarily exclude the use of force. In Molesworth's dictionary two meanings are given for the word, the first "complaint, representation," the second "redress of grievances," and nothing is said as to the way in which redress is to be obtained. I have another dictionary of the year 1829 in which it is suggested, in an obscure way, that redress by *dada* was peaceful redress by way of some kind of constitutional representation. You have these two meanings given for the word, and you must choose between them. The only test I can suggest is the one I suggested. Look at the context, and see whether it is probable the writer meant redress by force of arms, redress by one's own effort, or redress by means of a peaceable representation to the higher authorities. Now look at the end again, and see what the sense of it is. The question is one of insults to women, a delicate topic anywhere, and a delicate topic here, particularly at a time when this charge is made amongst the alleged grievances of the people of Poona that women are insulted, or liable to be insulted during the plague inspections. These words suggested that in the time of Shivaji, at these insults to women a thousand swords would have leapt out of their scabbards, in other words, that they would have been avenged by force, whereas now "Opportunities are availed of in Railway carriages," and "women are dragged by the hand." Then follow the words "you eunuchs," or cowards. "Get that redressed." It has been contended on behalf of the defence to show that the real meaning is to make a representation to the superior authorities. But admitting that, why call them cowards and why refer to a thousand swords? "You cowards, make a petition to the Government." Why does he call them cowards if that is all he wanted them to do? It does not require heroic courage to present a petition to Government. When you call a man a coward, and remind him that in days gone by, the way to avenge these insults was to draw the sword, is it likely you would mean that he should present a petition? Is it likely? You

must bear in mind there is a real ambiguity in the word standing by itself, but in trying to arrive at what was meant, you must take it in connection with all this talk about cowards, and the drawing of sharp swords. All these things have to be considered, and considered with the greatest attention, in deciding the meaning of a word like this, and you have to consider whether it is reasonable or likely that when he says "you cowards, why do you let a woman be insulted? Get that redressed," he means "go to the Government with a complaint."

Now we come to another item altogether, the sentence in which it was suggested that native princes are deprived of their powers. These sentences are in inverted commas. Somebody is supposed to be speaking, and it is difficult to say who is the speaker. The words are—"He is mad. Lift him up and send him at once on a pilgrimage.' 'He is fond of pleasure. Deprive him of his powers, saying that it would be for a time only.' This is the way in which royal families are handled now. What misfortune has overtaken the land? How have all these kings become quite effeminate like those on a chess-board? How can I bear to see this heartrending sight?" Here it looks as if the British Government was supposed to be speaking the words in inverted commas, and the article deals with the relations between the Government and the native princes. It refers to particular reasons given for depriving native princes of their powers. This, again, is a subject upon which prejudice is likely to be caused and has been caused. The people of India are much attached to the native princes, and here the suggestion is put forward that it is part of the policy of the Government to deprive these princes of their powers on empty groundless pretexts. Mr. Pugh said what was perfectly true, that exception had been taken in England to the way in which native princes have been deprived of their powers, and the conduct of Government has been adversely commented upon. Further, that this was a poetical form of saying the Government ought to state openly their grounds for acting in this way, and depriving the princes of their powers. If you look at it more closely, you will see there is nothing about stating their grounds and there is no particular case discussed, but there is a general statement that royal families are being handled in this way. It is for you to consider what could be the object of associating this particular item, this particular topic of prejudice with all the other topics which go to make up the sum total of the misery which exists under the British Government, and which did not exist in the time of Shivaji. These remarks on the Indian princes refer directly to the British Government, and it is difficult to say what object it can have been written with except the same object as the other topics of prejudices which make up the aggregate dealing with these delicate subjects.

I will read the last portion of the article now. "I turn (my) glance in another direction after telling a brief message. Give my compliments to my good friends, your rulers, over whose vast dominions the sun never sets. Tell them 'How have you forgotten that old way of yours, when with scales in hand you used to sell (your goods) in (your) warehouses?' (As) my expeditions in that direction were frequent, it was at that time possible (for me) to drive you back to (your own) country. The Hindus, however, being magnanimous by nature, I protected you. Have you not thus been laid under deep obligations? Make, then, your subjects, who are my own children, happy. It will be good for (your) reputation if you show your gratitude now by discharging this debt (of obligation)." The reference "over, whose vast dominions the sun never sets," was a complimentary and usual reference to the British dominions. It was possible, "when with scales in hand you used to sell goods in your warehouses" had reference to the small factories belonging to the English

at Surat and other places in the early days, which Shivaji might at any time have destroyed. The reference to the debt of obligation was that Shivaji laid the British under obligation by protecting them, but the British had not discharged their duty and had left it undone. The greater part of this reference could have no meaning at all unless it were that the Government had not done what it was there exhorted to do, namely, to make the people happy. Does not this article draw a contrast between the time of Shivaji, when the people were happy, the Brahmins protected, and the cow regarded as sacred, whereas under British rule the Brahmins were imprisoned, the cow allowed to be slaughtered, and the native princes had their independence interfered with under frivolous pretexts? Mr. Pugh had suggested that in this last paragraph a suggestion was made that these things ought to be put right by a petition to Government or a representation of some kind, but he did not see anything which necessarily referred to a petition by the people. This was a message from Shivaji to British Government, and as he reminded the English of the benefits they received from him, the allusion was placed beyond doubt. Now, he had gone through the whole article, and the jury had to see what the writer was driving at in accumulating all these items of grievances which he called the ruin and desolation of the land. Was it, he asked, his object to show that the British Government ought to be hated, and that he wished his readers to hate it? If these things were calculated to make the British Government hateful, the jury might take it the writer meant to make the Government hateful. The jury would remember, too, that at this time there was the feeling about the plague, the examination of the houses, the soldiers' visits, and the allegations as to the treatment of the women, and this article was sent forth amongst the Hindoos and Mahrattas in which were compiled in one concentrated form all things which, of late years, had been known to create bad feelings between the British Government and natives. It was for the jury to consider whether the publisher of this paper meant to say plainly to the people that Shivaji made the people happy, whilst the British Government failed in its duty to make them happy; that Shivaji protected the sacred cow, whilst the British Government allowed it to be slaughtered; that Shivaji protected the Brahmins, whilst the British Government allowed them to be put in prison; that under Shivaji the honour of women was protected, whilst under the British, women are assaulted in railway carriages; and that Shivaji was a native ruler, whilst under the British, native princes are deprived of their powers upon frivolous pretexts.

(At this stage the Court adjourned for tiffin.)

After tiffin his Lordship continuing said: Gentlemen, I have finished now what I had to say with reference to the first article. Before I come to deal with the second, I must remind you that it was published in the same issue of the paper. In considering the intention of the second article, you have to put it side by side with the intention of the first article. If you take it that the first article is published with seditious intention, that is to say, with intention to excite disaffection by means of utterances of Shivaji, then you will be fully justified in holding that the second article also comes within the section. Now, before I discuss the second article, I will do as I did in the first case and will give a summary of it. The case for the Crown is that under the disguise of a discussion of historical questions, seditious matters were introduced in the article. The alleged meaning of the article is given thus: that the Mahrattas and Hindoos are discontented. They are asked to strive for unity by putting aside all mutual dissensions for the purpose of regaining the lost freedom of the country, and for that purpose minor dissensions are to be sunk. With that end in view a justification is sought, and no blame is attached to any one who seeks even by assassination to attain that end. They are told that political assassination is no crime,

and that they have to recover their lost independence by violence. When they take Shivaji's and Afzul Khan's story in connection with this sentence, the meaning of the reference to French revolution is that they have to strive "for our independence, and if any extreme measures are necessary don't put obstacles in the way of any one striving to get it." One thing required for that particular purpose is unity. "Don't worry other people with your scruples." That is a sort of description which in this story of Shivaji and Afzul Khan is introduced. Shivaji did not kill Afzul Khan for personal good, but for the good of his country. He was justified by the purity of his motive, and so they must not be scrupulous about their means. They had to secure lost independence. I take this to be the very essence of the case for the Crown. It is that the British Government is held up as an "intolerable burden," not necessarily to be overthrown at once, though that aim is kept in view. If that is the correct construction of the article, then you will probably bring it within the Section 124A. This is the case for the Crown, but what is the case for the defence? The defence says that it is all imaginary, and that the whole object of this article is simply a historical discussion. The main object of Professor Bhanu and the other people was simply to keep in continuation the discussion started some years back. It was an interesting topic, and the discussion was whether Shivaji did assassinate Afzul Khan, and whether ordinary rules of morality applied to such transaction so as to justify the condemnation of Shivaji. That is the main object. The defence put it that there is no moral to be drawn against the British Government, and that it is merely a reference to the past. That there is nothing against the present British Government, it being directed against *melchas*, that is to say, Mahomedans, and that it is absolutely a historical discussion. Then there is another object intended in this lecture, in connection with the dissensions of the parties existing in Poona. These persons were leaders of the native community, who were divided among themselves and were thus standing in the way of progress. It meant, say the defence, an exhortation to bring about unity between them, and it was not intended to recover the national independence, but to raise the intellectual and the moral level of the people. I will just put before you how these two cases stand. You have to read these articles. Are they really trying to persuade the people that anything is justified against the British Government? I do not know how this question can be answered except by the exercise of common sense and your knowledge of the world. You have to consider the state of the mind in which the people to whom they were addressed were placed at Poona, how their feelings were towards the Government, and how their minds were turned with the existing state of plague, and how these articles, according to the view of others, would affect the people. I shall take care not to say anything that may tell one way or the other. The festival was held early in June. You must bear in mind that a great deal of extraneous matters were introduced while reciting the Puran. It was followed by a sermon, then there were sports. Various representations as to what various schools should do were considered. This is a very legitimate thing, but you will find a great deal of unnecessary introduction which was really meant to show the back ground. Professor Pranpe had in the middle of his speech said, "Discontent is the root of prosperity." It is for you to say what meaning it bears. Mr. Pugh rightly said that the reading of Puran sermon was the subject which anybody was entitled to discuss. He put in evidence passages from the Sanskrit translation by Professor Max Muller in which either these lines or words appeared. You have to see whether it tends to secure co-operation is meant to unite the people. Take the article as a whole to see whether it falls in with the story told by the prosecution or by the defence. The remarks about discontentment may have been made either innocently or seditiously. That depends upon the context of the article as a whole. Then comes the discussion by Professor

Bhanu on the killing of Afzul Khan. There is a report how the Professor has refuted the charge English historians made against Shivaji Maharaj. Well, then, having argued that English historians have given an incorrect view, he adopts another argument. He discusses, supposing Shivaji Maharaj was the first who struck Afzulkhan, what right has any writer to call that act a murder? There you have an indication that no blame attaches to Shivaji for political assassination. He discusses how English writers had the audacity to apply to Shivaji the same rules of morality which applied to the people who were inferior to the Maharaj. Here I speak to remind you what I said before. The question is whether a man has a right to single a theme out as exception from the general code of morality? People are told that murders are justified under certain circumstances. What effect it produces on the hearers depends much upon the common-sense and self-control of the hearers. So it is a sort of case in which a man very easily crosses the line. In considering what effect it is likely to produce you have to consider the state of the prevailing feeling that I have described. We then go to the most important part of this report. At the conclusion of the speech Professor Bhanu said: "Every Mahratta, every Hindoo, to whatever party he may belong, must rejoice at this (Shivaji) festival. We have to strive to regain our lost independence, and this terrible load is to be uplifted by us all in combination." There has been much dispute about the word *swatantrya*. "Liberty" is applied in all sorts of sense in English. It may according to the context mean some kind or other of liberty. In connection with this sentence the translation of the word is liberty or independence: independence is national or political liberty. Then there are the words "This terrible load is to be lifted by us all in combination." It is difficult to realise what the terrible load means except that it means a task of regaining liberty. Then it was said "it will be never proper to place obstacles in the way of any person who tried to uplift the terrible load by any mode he chose. Choose your own mode; let other people follow theirs." That means that we should not set ourselves up to judge persons who are trying to follow their own views. It was perhaps even stronger than that, for it advised no interference, as was shown in the next remark: "Our mutual dissensions impede our progress greatly." I suppose that must be read in combination with what had gone before, and must be intended to mean the regaining of lost independence. He then says: "If anyone be pressing down the country from above cut him off, but do not place impediments in the way of others." Assuming that that only meant not to place impediments in the way of others, let them then consider the next words: "Let bygones be bygones and let us forget and forgive one another for them. Have we not had enough of this strife which would have had the same value in the estimation of great men as a fight among rats and cats? All occasions like the present festival which tend to unite the whole country must be welcome." There you will see that all dissensions are advised to be put aside. Now, in regard to the meaning of the lecture, Professor Bhanu has given his own explanation. Mr. Pugh has put before you a letter of the Professor which had been sent after the article had been published. It appears that after the lecture was published some attention was drawn to it in a letter to the *Times of India*, and this came to the notice of Professor Bhanu, who wrote on 8th July 1897, expressing his opinion of the construction to be put upon his lecture, and also gave his own version of what took place. He said he did not mean to allude to independence, but that the end and aim of the lecture was something entirely different, and that he agreed with Tilak only in so far as the Shivaji celebration was concerned, and that they had come together for that purpose. There are two different points in connection with the matter, and I shall put them before you, and it will be for you to consider which of them you rely on. The prosecution had said the meaning of the words used signified lost independence, and the defence theory is that the sentence is not intended to be read in that way,

but that it should be read in another way altogether. Here were two public men agreed more or less in regard to putting forward some scheme in regard to the gaining of their lost independence, one of whom had suggested that in some future time their children would be able to take the administration of the country into their own hands. That idea might be consistent or inconsistent, and in regard to that let us see what follows, remembering that it is a most clear indication of the intention of the publisher in putting such remarks in his paper. Let us look at the paragraph which goes on to state, "So saying the Professor concluded his speech." Afterwards Professor Jinsiwale said: "If no one blames Napoleon for committing two thousand murders in Europe, and if Caesar is considered merciful, though he needlessly committed slaughters in Gaul (France) many a time, why should so virulent an attack be made on Shri Shivaji Maharajah for killing one or two persons? The people who took part in the French Revolution denied that they had committed murders, and maintained that they were only removing thorns from their path. Why should not the same principle of argument be made applicable to the Maharashtra?" You must take into account the way in which the accused dodges about from present to past and past to present. He had also suggested that Shri Shivaji was no more deserving of blame than Napoleon for killing people. I think it, however, only fair to tell you to bear in mind that this article only purports to be a report of the proceedings of a meeting, and must have been a good deal condensed. The word "afterwards" may have been intended to denote the lapse of a considerable period, and that the rapid transition from Shivaji to Napoleon may thereby not be so significant as it appears in the article. The allusions to Shri Shivaji and Napoleon and the killing of people in the French Revolution might have been justified, but why should he allude to the present time and the Maharashtra?

Then the article continues: "It is true that we must swallow down our opinions on any occasion when an expression of them might be thought detrimental to the interests of the country, but no one should permit his real opinions to be permanently trodden under foot." Professor Jinsiwale concluded his speech by expressing the hope that next year there would be "witnessed greater unity amongst the various parties in Poona on the occasion of the festival." You have got the document before you, and I advise you to read the whole of the paragraphs again. I cannot say more about it than I have done, except that it is for you to say whether it does not strike you that the construction put on the words by the translator is correct in regard to all the talking about lost independence. Take the whole passage containing the reference to "striving to regain our lost independence," and say if you think it is a peaceful sentence. If you think so, you can believe the defence, but you must also consider whether there is not a good deal of significance in the allusion to lost independence. It is for you to say whether you think these expressions cannot be taken as meaning an intention to excite the feelings of the people. Counsel on both sides have dealt with the matter, and I now leave it entirely to you to deal with it, and in doing so to consider the time it was used and the feelings of the people to whom it was addressed. You have to consider the whole article, and whether he was justified in seeking greater political power for Hindoos from the British Government. We then come to the words "after Professor Jinsiwale concluded his speech, the President, Mr. Tilak, commenced his discourse." In regard to that you must weigh the explanation of Professor Bhanu, and remember that it was published in July, while the original article appeared on the 15th June. Professor Bhanu was then trying to excuse himself from something that had appeared in the *Times of India*, but in considering that you need not swallow everything that has been said to you. We then come to the part of the article where Tilak was the discourser. He said: "Great men are above the common principles of morality. These principles fail in

their scope to reach the pedestal of great men." In that Tilak undoubtedly draws a line between his hero and himself, and it is satisfactory that he does so, but he ought to have considered the subject was one that readers of a newspaper might misunderstand.

In writing such an article he should have done so with the greatest care especially when he considered the then state of the people, but the fact still remains and it is undoubtedly a fact that he drew a line between ordinary men and exceptional men like Shivaji. The next sentence is: "Did Shivaji commit a sin in killing Afzulkhan or not? The answer to this question can be found in the Mahabharat itself. Shrimat Krishna's advice in the *Gita* is to kill even our teachers and kinsmen." In regard to that Tilak has clearly said that no blame attaches to any one who kills his teachers. Asking them to also consider that sentence with the others, his Lordship alluded to the following passage:—"With benevolent intentions he murdered Afzulkhan for the good of others. If thieves enter our house and we have not sufficient strength in our wrists to drive them out, we should, without hesitation, shut them up and burn them alive." In regard to that sentence, it might be taken as a justification to people unable to resist the inroad of the thieves to burn them alive, and might have reference to a resistance of the Government. The Jury must, in considering the article, take into consideration Tilak's remarks about the French Revolution, about the entering into the houses, and his remarks about Afzul Khan and the justification of Shivaji and all the rest of it, and taking them in conjunction with the context, you are to make up your mind whether the accused meant only that "the people should unite to improve the people and to share in the administration of the British rule," or that he meant that the British rule was a terrible burden, and that extreme measures should be resorted to for the accomplishment of that object. You must in this matter exercise your common sense and your understanding of the way in which a loyal man writes. You must exercise your common sense and your knowledge of the world and you may consider again and again right through the case in what light an ordinary reader of the *Kesari* would have taken the passages in question? It is for you to determine what an ordinary reader would think of the justification of Shivaji committing the murder, and of the people being invited to unite and other things mentioned in the article, considering the state of the country and the state of feeling prevailing particularly at Poona and Western India.

Then they came to an important sentence, "God has not conferred upon *mlechas* the grant inscribed on a copper plate of the kingdom of Hindustan." There had been a good deal of dispute about who was meant by the *mlechas*, and as to whether it was "has" or "had," but the Advocate-General had said he would not labour the point, and I advise you to accept the word "had." Mr. Tilak in his letter to the *Times of India* had stated that by *mlechas* he meant Mahomedans, and this letter the jury were entitled to weigh, subject to the consideration he had referred to in Professor Bhanu's case, that this was the letter of a man on his defence.

We next come to the sentence, "The Maharaja strove to drive them away from the land of his birth. He did not thereby commit the sin of coveting what belonged to others." Here, again, was the justification for a driving out of the British. Then we come to the sentence, "Do not circumscribe your vision like a frog in a well; got out of the Penal Code." Before going into this matter I would like to refer to the reference of the *mlechas* made by Tilak. He referred to the French Revolution, and in that way strove to justify the killing of Afzulkhan by Shivaji, or in other words, attempted to justify political assassination. Now, with regard to getting out of the Penal Code, he advised his readers to leave out of consideration the four corners binding

the Code, and like great men get into the higher atmosphere of "Shrimat Bhagwad Gita." Later on there was the sentence, "A country which cannot unite even on a few occasions should never hope to prosper." Here you have the exhortation that where an action was for the good of the community, that Hindus like Professor Bhanu, who is a Reformer, should be willing to unite with the orthodox party and sink their differences for the common good. Here was a distinct appeal that however much they may be disunited during the 365 days of the year that on one day at least and on one subject they should be united. You are to decide whether by this was meant simply to unite for the purpose of improving the condition of the people so that they might ultimately take a larger share in the administration of the country, or whether it was to unite to get rid of the terrible burden of British rule and not to be too particular about adopting extreme measures to that end.

I will now consider the other articles which have been put in on the part of the prosecution to prove *animus* and to show that the paper had that spirit in other writings in its columns, and by the defence to show the loyalty of the prisoner Tilak in connection with certain articles regarding the plague operations. I would remind you, gentlemen of the jury, that these articles are of secondary importance. If you come to the conclusion that the two incriminating articles, as they have been called, are sufficient for you to give a verdict, then you are to put aside from your minds entirely these other articles. But, on the other hand, if you have any doubt with regard to the articles which form the subject of the charge, you will take into consideration those articles put in on the one hand by the prosecution to prove *animus* and on the other hand by the defence to prove otherwise. First of all I propose to deal with the articles put in by the defence in respect to the plague. The first set covers a period from the 16th February to the 4th of April, and it shows that Tilak was sincerely anxious to get rid of the plague. He co-operated with the Government and did all in his power to get his co-religionists to accept the regulations of Government. That, as Mr. Pugh said, was very excellent work. It is also in evidence that on the 8th of March he submitted a memorandum to Government embodying certain suggestions in connection with the plague which was formally acknowledged by the Private Secretary to Lord Sandhurst. You have not that memorandum before you, but some indication of it has been given by Mr. Pugh in connection with something which appeared in the *Maharatha*. I have no doubt that the suggestions were very good ones, and though during this period there was some criticism of the Government measures appearing between the 16th February and the 4th April in the *Kesari*, they did not overstep the bounds of legitimate criticism. On the 4th May however an article of quite another character appeared. It was in connection with the plague and showed that Tilak's opinions had for some unknown reasons undergone considerable change. In it there was a complaint against the British soldiery; they were charged with committing all sorts of excesses, with insulting women and committing thefts. He said the people were discontented, and there seemed to be a deliberate intention to impute to Government that they were oppressing the people. You will bear in mind that this was nearer the date of the publication of the incriminating articles which were published on June 15th; and it seems to me that Tilak's feelings at that time were the reverse of friendly. This is important in connection with Mr. Pugh's argument that the prisoner could not be attempting to overthrow the Government because he was at that time co-operating with the Government. But the desire to overthrow the Government at that particular time was perfectly immaterial. Moreover it is ridiculous to suppose that Tilak expected any personal benefit from attacking Government. It was hardly likely that in the year 1897 the whole of the executive machinery of the Government could disappear and a native agency be substituted in its place. May be, it was anticipated, that two or three hundred years hence such a thing might happen, but it

is foolish to suppose that Tilak would gain personally. But, on the other hand, it was not unreasonable to suppose that while disliking the Government and planning for their overthrow, he should have been co-operating with the Government and been genuinely anxious to get rid of the plague. He is a man of intelligence, and there is no doubt that he was willing for the time being to restrain any feelings that he may have had against the Government in uniting in a common cause. Probably he thought that the ends justify the means. There was also an article, dated 18th May 1897, regarding a deputation to Mr. Rand in connection with the Hindu Plague Hospital, in which certain suggestions were made with regard to continuing it. But this hardly has any bearing upon the case. We now come to what may be called the Jubilee articles. These have been put in by the defence. The first of them is dated the 8th June, and is chiefly in praise of the personal character of the Queen, her virtues as a sovereign and the success of her reign. It refers to the increase of commerce, English dominions, and generally on the great improvement during her 60 years' reign. I need not trouble you with reading these articles in detail. Time will not permit of it. It was said by the prosecution that these articles had been copied; that would not affect them. They were very clever articles, no doubt, compiled from authorities; but that was perfectly legitimate. I have nothing to say about this article. There is nothing the least objectionable in it. There was much to approve of. But the celebration of the Queen's Jubilee had called forth expressions of appreciation from the whole world, and Tilak's appreciation of the personal worth and virtues of the Queen was not incompatible with a great degree of hostility to the British rule as administered in India. All the continental papers had been loud in appreciation of the Queen, and it could not be urged that they showed any loyalty or was incompatible with a dislike to the British nation. There was another article on the 15th of June, which pointed out the great increase and the strength of the Empire, and a third article dealt with the state of India during the reign. After discussing the question in an inoffensive way, the writer comes to the conclusion that, on the whole, the state of the people in India is very much worse now than at the commencement of the reign, and that they have not the same reason to rejoice at the Jubilee as the English have. Although they made that distinction, there were certain expressions here and there which went to show that the people of India were bound to rejoice to some extent, but there is not much value to be attached to a few scattered sentences of that kind. The Jubilee had been discussed by writers in the papers all over the world, and expressions of admiration for the Queen or the power and greatness of British rule were used by foreign writers, of whom it could not be argued that they were necessarily in love with British rule. I do not think that in order to show that it could logically be argued that because Tilak wrote those articles, he could not at the same time dislike the Government or incite against it. We must also remember that, in connection with the Jubilee, Tilak published the article on the "Indian princes" who went to London to participate in it. I will now read the article (Ex. 26). (His Lordship, having read the article, continued.) The native princes were not only sneered at in every line, but were told that they were unwelcome, and this although they were the guests of the Queen and the country. The jury must form their opinion as to the spirit which breathed in every line of that article, which was nothing but a string of sneers at the princes of India who went to show loyalty to the Queen as many other people did. Mr. Pugh had contended that this was only a skit, such as might be published in *Punch* and *Truth*, and a protest against the extravagant expenditure of princes going home, spending money on the journey, and in the celebration of the Jubilee; but the only remark which referred this point is the last sentence in the whole of the article. There is a distinctly disloyal reference to the Prince of Wales who is likened to a circus-wallah. Can you say that the object of the article was to protest against extravagance or is it a string of sneers

against the native princes for showing loyalty to the Queen. This is a seditious article, but you are not prosecuting for that. What you are asked by the defence to say is that it was not compatible with the feelings of the accused Tilak to write disloyally. I ask you to compare this article with the others of the time and to come to your own conclusion. I ask you to say whether it could be considered as a skit or an article the object of which was to sneer at princes for showing loyalty to the Crown. Mr. Pugh, for whose speech I have nothing but the warmest admiration, also argued that Tilak could not have been actuated by a desire to create disaffection because the second of the Jubilee articles showed that he had a knowledge of the invincible power of England. Tilak knew this so well that he quite understood, said Mr. Pugh, that it would be hopeless to try to overthrow that power. I think it is perfectly clear that Tilak knew this, but I do not for one moment suppose that any gentleman of the jury would think that the articles were issued to subscribers of the *Kesari* with the definite intention that those persons and others would within the next few months, or even in the next few years, rise up against the might of English rule. It was quite clear that he was far too intelligent a man, to put it on no other ground, to think of that, but it was not material that there should be any assignable time in which the seed of disaffection sown should ripen into revolt in order to bring these writings under Section 124A. The question whether readers of the articles would be led thereby to come into conflict with the British power was not the test of guilt under Section 124A at all. It was sufficient for the purposes of the section if the feeling the prisoner intended to incite was enmity against Government—an enmity that might take root and spring up in the distant future.

The other articles to which I might refer might be divided into two sections—those which were apparently contributions from outsiders and those which were editorial articles. Mr. Pugh very rightly said that a distinction must be drawn between the two. But I would point out that in his letter of 22nd June to the *Times of India*, replying to the criticisms of correspondents upon his speech at the Shivaji celebration, Tilak not only attacked the correspondents, but also attacked the editor, and proceeded on the assumption that the insertion of a letter of that particular sort implied on the part of an editor a degree of agreement. I simply mention this, but it must not be necessarily assumed that the views of correspondents represented the views of the editor or proprietor. It was quite true, as Mr. Pugh said, that he was not bound to prove anything as to the authorship of contributed letters; but if he did not, I think that it is possible to say that the insertion of letters against Government might be looked at as of some value in considering the intention of the paper itself. However, I do not intend to lay any particular stress upon that. We will now have to consider the letter of Ganesh published in the *Kesari* of 4th May. I will read you a few passages. Among them are “and perseveringly ask him again to create among us a Shivaji similar to this,” and “so will our young men, instead of doing this, imitate during their lifetime most of the things recorded in the life of Shivaji and the Ramayana.” This is a distinct reference to Shivaji, and bears on the point that the Hindus are to emulate the deeds of Shivaji. I ask you to make up your minds as to whether you think that the allusion to the story of Mahomedans overthrowing the rule of the Brahmin oppressor in Ceylon has any hidden reference to British rule.

I will only refer briefly to the article of the 30th May, headed “Arms Act for Baroda.” I do not want to lay too much stress upon it; but still if you have any doubt about the incriminating articles as to whether the writer or publisher had any intention, you will bear in mind this distinct intimation that, if constitutional measures fail, there could be resort to arms. There is an article of 9th February about the sowkars, but with this article I shall not deal in detail; it is simply a question regarding the revenues, and for the defence the last passage—“Only the sowkars must patiently

set forth their claims before Government. Wherever notices have been served upon them, they must send their petitions to the Collectors and through them to the Government ; and we believe that if such applications are made and the work carried on in earnest, at least some of the grievances will be redressed"—was urged in defence of the prisoner. You must give whatever weight you think just to this ; but still, although the petitions may be made, it is hinted that there will be very little chance of redress.

Having read you all these articles and having called your attention to certain matters, I must tell you that you must divide them under two heads. First of all, you must remember the test to be applied is, whether these people were trying to stir up a rebellion or feeling of enmity against the Government. Secondly, it is for you to consider the class of readers of the publication and the state of feelings at the time the articles were published and the natural effect which, according to their view, the articles of the 15th June would have upon them at such a time. Now, I just want you to consider what does and does not concern you. You have nothing to do with the conduct of the Government in this matter. It is a matter entirely for them to consider. All you have to consider is, whether the prisoners are guilty or not guilty. I have already spoken to you about the question of the trial at Poona. With regard to the telegrams supposed to have been sent Home, we have no evidence to justify it, and there is also nothing to show when the articles were first sent for translation to the Oriental Translator. We have it on record, however, that Tilak was returned to the Legislative Council on the 23rd of May and that his election was accepted on the 24th of June. With regard to when the translations were sent to Government, we are entirely in the dark. Even Mr. Baig said he could not fix the date, and I would ask you, Gentlemen of the jury, to give an impartial consideration to this case. Everyone of you must try to forget everything that you have heard or read in this case, and make up your minds, without prejudice, to give a verdict on what has been put in evidence before you. You are to read the articles with the other evidence, and putting aside all prejudice say if Tilak was trying to make his readers hate the Government or was commenting on measures with a view to excite disapprobation compatible with a definite policy to support the Government. I do not think you will find any difficulty in deciding. You are simply to look at it in the way that it has been placed before you, and I would ask you all to try, if possible, to come to an unanimous conclusion either one way or the other. Take your time about the decision, and do not return until you are either unanimous or are quite sure that no amount of discussion will make any change in the verdict at which you arrive. If you have any reasonable doubt about the guilt of the prisoner, you are to give him the benefit of that doubt, but at the same time if you feel that in connection with these articles he is guilty of exciting, or attempting to excite, feelings against the Government established by Law in British India, you will be justified in bringing a verdict against him.

The jury retired at 5 p.m. Immediately the jury retired, Mr. Pugh rose to address the Court.

Mr. Pugh: Your Lordship, with regard to the two points which you will remember your Lordship reserved on a former occasion as to whether there was sufficient order or authority for the complaint in this case.

His Lordship: I will bear you, Mr. Pugh.

Mr. Pugh: The three points are:—First, whether there was any sufficient order or authority within the meaning of Section 196 of the Criminal Procedure Code for the complaint made in this case; secondly, if not, whether that Court had power notwithstanding to accept the commitment under Section 532 of the Criminal Procedure Code and proceed with the trial; and thirdly, if, in regard to the charge, he directed the jury that disaffection was the absence of affection. Now your Lordship has put it according to my notes that disaffection only means want of affection. Your Lordship, I think, also used the words ill-will, dislike, enmity. The point I wish to call attention to is whether your Lordship's direction to the jury that disaffection was absence of affection was correct.

His Lordship: What I said was that the term absence of affection might be taken in its general sense as ill-will, disloyalty, enmity. They are only shades of difference.

Mr. Pugh: What I understood was that your Lordship used the words absence of affection and illustrated it by the words ill-will, enmity, &c.

His Lordship: I intended to use the words absence of affection as a general expression of all those terms.

Mr. Pugh: I would point out that the term disaffection can only be applied as regards the disaffection of a regiment to an Officer, or the subject to the Government, and is expressed in Webster's Dictionary by the word "Disloyal."

His Lordship: Mr. Pugh, I fully considered the points you have raised, and as I do not think any useful purpose will be served by reserving them, I decline to do so.

The Jury returned at 5-40 p.m.

Clerk of the Crown: Are you unanimous.

Foreman of the Jury: We are unanimous with regard to accused No. 2, but are not unanimous with regard to accused No. 1.

Clerk of the Crown: What is your verdict with regard to accused No. 2.

Foreman of the Jury: Not guilty on both counts.

Clerk of the Crown: What is your majority.

Foreman of the Jury: 6 to 3.

Clerk of the Crown: Guilty or not guilty.

Foreman of the Jury: 6 for guilty and 3 for not guilty.

His Lordship: I accept the verdict.

Clerk of the Crown: Tilak, you have been found guilty of attempting to create disaffection against the British Government. Have you anything to say why judgment should not be passed upon you according to law?

Tilak : I wish to make a statement. In spite of that verdict I still maintain I am innocent, and for this reason I think the verdict has been arrived at owing to the misunderstanding of certain Marathi texts. In fact, there was not a single intelligent Mahratta gentleman put into the witness-box by the prosecution. It seems to have been lost sight of, and not pressed on the attention of the jury, but whatever it is, I still hold that the writings themselves are not seditious. They were not written with any seditious intention, and were not likely to produce that effect, and I do not think they have produced that effect on the readers of the *Kesari*, or would produce on any or any intelligent Mahratta readers.

The Judge : Tilak, you have been found guilty of attempting to excite feelings of disaffection to the British Government established by law. And I agree with that verdict. I do not think any reasonable and fair man applying his mind to these articles could doubt that in publishing them you have been animated by a feeling of disloyalty and disaffection to the British Government, and that you attempted to inspire those feelings in your readers. I have now to consider what sentence I shall pass on you. I may state at once that I do not intend to pass on you the maximum sentence allowed by law, or anything like that sentence. In my opinion the maximum sentence ought to be reserved for the worst possible offence under the section. Although I take a serious view of your offence, I do not take such a serious view of it as that. There are certain considerations which I shall take into account in passing sentence. I take into account that this is the very first prosecution under the section in this Presidency, and the second in India. The section under which you have been convicted has been allowed to remain for a considerable time almost as a dead-letter, and I think that you and others like you may have been emboldened by this to think that there was no kind of writing in which you might not indulge with impunity. I shall take that into consideration to some extent in passing sentence upon you. I shall also take into account and will attach still more weight to the fact that, at all events for a considerable period, you did good work in connection with the plague and attempted to enforce a reasonable policy upon your countrymen. To that extent you co-operated with the Government and did so not long before you published these articles. I shall also take that into account in passing the sentence upon you. But, on the other hand, I must take into account certain other facts which are not in your favour. You are not an ordinary obscure editor and publisher, but you are one of the leading members of your community ; and being a man of influence, many of your people look for their guidance to you—a man of intelligence, a man of remarkable ability and energy, and who might under other circumstances have been a useful force in the State. Instead of adopting that course which would have brought you credit, you have allowed yourself to publish articles of this kind which, if persisted in, could only bring misfortune upon the people. I must also take into account that a man like you must know that, at such a time as this, it behoves everyone, especially persons of influence, to be careful as to how they address the people in regard to their relations with the British Government. I have done my best to bear in mind everything that could be considered in your favour, as well as the matters considered against you, and the result is that I have come to the conclusion that I ought to pass upon you half the full term of imprisonment allowed by the section, namely, a sentence of eighteen months' rigorous imprisonment.

Keshav Mahadeo Bal, the Jury have found you not guilty. You are discharged.

In the High Court of Judicature at Bombay.

CROWN SIDE.

THE QUEEN EMPRESS

versus

BAL GANGADHAR TILAK.

Upon reading the Petition of Bal Gangadhar Tilak affirmed on the 17th day of September 1897, praying that this Court will declare that this case is a fit one for Appeal to Her Majesty in Council against his conviction under Section 124-A of the Indian Penal Code, and upon reading the notes of the summing up of the Hon'ble Mr. Justice Strachey herein and the authority given by Government on the 26th day of July 1897 for the prosecution of the said Bal Gangadhar Tilak under Section 124-A of the Indian Penal Code, and upon hearing Mr. Russel, Counsel for the said Bal Gangadhar Tilak, and the Hon'ble the Advocate-General for the Crown, this Court does refuse to declare that this case is a fit one for such appeal.

Witness Sir Charles Fredrick Farran, Knight, Chief Justice at Bombay aforesaid this 24th day of September 1897.

By the Court.

(Sd.) M. H. STARLING,

Clerk of the Crown.

Messrs. BHAISHANKER AND KANGA,

Attorneys for Bal Gangadhar Tilak.