Servant of India

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TOPICS OF THE WEEK.

THE debate in the House of Lords shows how English opinion is hardening against India at present. The most sympathetic of the speeches made on the 31st ultimo. came from Lord Pentland, who by his repressive régime had roused such fierce resentment throughout the country, He stood loyally by the reforms and reminded their Lordships that if the Government of India Act had ceen thrown out of gear by the obstructionist tactics of the Swarajists in two provinces, there are six other provinces where the Act was being worked smoothly, as a result of which several beneficent measures had been put on the statute book. was therefore unfair, he observed; to judge, of the working of the Act from their experience of Swarjist-ridden provinces, and in other provinces at least the demand for further advance could not be resisted. Indeed Lord Pentland is not aware that the Swarajist policy is fast undergoing change. At the meeting in Poons, e. g., held some three weeks ago, Swarsjist speakers tried to make out that their policy was none other than that of Mr. Tilak's Congress Democratic Party, which was one of responsive oc-operation. Mr. Nehru was at great pains to inform his audience that the change which had now, been effected in the Swarajists' programme by permitting members to bring ford constructive proposals before the Legislatures brought their policy level with the now defunct Congress Demogratic Party's. This shows that the Swarejists are already revising their methods and their experience will teach them soon to utilise the reforms even where they are in an absolute majority. In provinces where they ars not in a majority their pusillanimity in the

Councils is excelled only by their bragging out of doors.

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LORD CHELMSFORD answered on Lord Cheimstord's behalf of Government. If he was selected for this task for his inborg cautious temperament, in order to prevent a word 🛰 of too warm sympathy being unwarily expressed by Lord Olivier, the selection was fully justified, for his remarks are as cold as cold could be. The speech only emphasised and underlined the contents of the extracts (which he read at the end) from Mr. MacDonald's letter to the Hindu. The warning that Mr. MacDonald gave in this letter to the Swarajists against trying to bully the British Parliament into conceding further power by the method of political sabotage is writ large in Lord Chelmsford's statement. This wavning is not altogether unwarranted, but the Labour Cabinet ought not to mistake the unreasoning obstructionist policy of the Swarsjists for the general policy ruling 4n the country. If the above warning were accom-panied by any encouragement given to the constitutionalists who have been making the fullest use of the constitution in the public interest, it would have been in the right spirit. But Lord Chelmsford missed out this from Mr. MacDonald's message and fastened only upon that portion of it where a severe castigation is administered to the Swarajists. This statement shows in an unmistakable manner that under the present régime there is not much prospect of au immediate advance. It may be that the Labour party is not in a position, as situated at present to make about position, as situated at present, to make any forward steps in the Indian constitution and is to make any only making the Swarajists' obstsuction an excuse to cover up its own helplessness. However that may be, it cannot be denied that the Swarajists, who have been unable to do any constructive work where they have not obtained a majority, have clearly played into the hands of the bureaucracy where they have secured a majority,

IF the Education Minister of Bom-Backs Polley of bay is doing nothing to give effect to the Compulsory Education Act passed by his predecessor, the Excise Minister is doing nothing to give effect to the recommenda-tions of the Excise Committee's report. And in either case the Swarsj Party is equally impotent in exerting the least amount of pressure on the Government. In the last session of the Bombay Legislative Council an attempt was made by a Swarajist member to get the Minister of Excise to declare the goal of Government's policy to be total prohibition to be reached within ten years by the grant of local option and other methods. But other Swarajists would not agree to local option, and in order to secure unanimity amongst them, selves the Swaraj party had to leave out all sugges. tions of the means for the attainment of prohibition. They did not stop there; the leader of the party;

Mr. M. R. Jayakar, rose at a very early stage of the discussion to express his complete satisfaction even if prohibition was brought about within twenty years, and from his speech it appeared as if the period within which the province was to go dry did not matter to the party at all; the only thing that mattered was a pious declaration in favour of the dry policy. He also undertook in a somewhat airy fashion to find money to replace the loss that would be incurred by the extinction of the liquor revenue, but any effect that such a promise might have produced on the House was promptly neutralised by the speech of another Swarajist member, whose statements lead one to think that in his opinion all the four crores of rupees which accrue at present from the liquor traffic can be made up by retrenchment. Anyhow the Swarajists do not now exhibit one-tenth of the ardour they showed when they were out of the Councils that liquor traffic must be abolished immediately and at all costs. When they themselves suggest twenty years—well, prohibition may well take fifty. The Minister promises to make a statement of his policy in four months, which means really that the Council will have no opportunity for a year to bring up the question in a concrete form, and the Swarajists are utterly powerless in extorting from the Government a statement of policy.

Two resolutions came up in the Bombay Legislative Council last week asking for the restoration of freedom to two political workers of note, on both of which the Government adopted an unreasonable attitude. A Swarajist member, Dr. Velkar,

of which the Government adopted an unreasonable attitude. A Swarajist member, Dr. Velkar, prayed that Mr. Vinayak Damodar Savarkar, should no longer be required to keep aloof from all political agitation, a condition on which be had been released. It may be, as was stated on behalf of Government, that Mr. Savarkar had himself suggested that a ban on politics would in his case be perfectly justifiable; he might even have gone the length of expressing his opinion, as we were told by the Home Secretary that he did, that it would be foolish of Government to release him unconditionally. But that is really beside the p int in considering whether it is necessary to maintain the conditions and when the matter is dispassionately considered, the necessity of these conditions does not become apparent. If Mr. Savarkar takes to constitutional agitation, the Government will lose nothing, but gain everything by his re-entry into politics; for his very presence will be irretragable testimony to the futility of revolutionarism and to the superiority of constitutionalism to violence. if he takes to secret societies, he will have not much greater facilities for such subterranean work if unconditionally released than he has at present, as was pointed out by Mr. R G. Pradhan. In any case there is no particular security in restraining Mr. Savarkar from politics, but in his release from such restraint the Government may well find a road to the heart of the people, which with the usual bureaucratic blindness and want of imagination they so often

THE other resolution asked for the Swaralists' Eulory remission of the unexpired sentence imposed on Mr. Divakar of Dharwar. From the facts mentioned by Mr. Jog, who moved the resolution, a strong impression is left on the mind that the Government pursued him with relentless persecuton. He escaped scatheless from two prosecutions: he was honourably

acquitted in the notorious shooting case, and the charge preferred against him had to be withdrawn on another occasion. The Government however lost no time in proceeding against him for the third time, which resulted in imposing on him the maximum sentence allowed by law, two years' rigorous imprisonment, for printing a booklet the author of which was dismissed with a mere warning. Mr. Divakar is a young man of unblemished character, and he does nothing that other sincere and energetic non co-operators do not do. There seems to us no reason why he should be singled out for such con inuous attentions from Governme t. Apropos of these resolutions the members of the Swaraj party might have acre ed with much greater firmness than they did. It was surely unnecessary for the mover of the resolution relating to Mr. Savarkar—no more prominent member could be persuaded to father this resolution than Dr. Velkar—to have laid so much stress on Mr. Savarkar's willingness to offer responsive co-operation to Government in working the reforms, implying therely that non-co-operators deserved no quarter from Government. Again, it seemed somewhat incompatible with the Swarajists' rôle of obstructionism to eulogisa the "humane régime" of the Governor of Bombay when so little is yet known of the Governor's policy. If the Bombay Swarajists have long given up the pretence of offering "uniform, continuous and consistent opposition" to Government, must they ladie out unreflecting praise? Between wholesale obstruction and indiscriminate flattery there are many stern methods of political bargaining which self-respecting politicians may employ, but Swarajists must be either On the other resolution at one end or the other. regarding Mr. Divakar the Swarajists might have been much more insistent than they were, but an impression was produced on those who listened to the debate on this resolution that they had no heart in this matter, and the studious silence which the leader of the Swaraj party maintained on this resolution will not help to dispel this impression. The resolution on Mr. Savarkar was heavily defeated and that on Mr. Divakar given a form which is as good as defeating it.

THERE were four questions dealing with the conditions of labour. The Swaralists and Labour. Collection of Statistics Bill some representatives of the employing classes openly opposed, but many others were "willing to wound but afraid to strike." The attitude of the leader of the Swaraj party eminently answered to this latter description and the Government had to yield to the capitalistic influences. The Bill is now to be circulated among the owners of industrial concerns, and this is but a oreliminary to the strenuous opposition that will follow when the Bill comes up later. The Trade Dispu'es Bill has been withdrawn by the local Government in favour of all-India legislation to be promoted by the Government of India. Mr. Bole's resolution on maternity benefits was one in which the Swarajists took no interest, but was treated by them as a fad which, to keep up appearances, they must support. On the Rest Act Amendment Bill the Swarajists could not agree, and their leader having thrown his weight in the scale against the Bill, they proved on the whole hostile to the Bill, which, as a consequence, was thrown out. If the swarajists had unanimously supported it the Bill would surely have passed. They are thus successfuly obstructing, not wicked schemes of Government, but beneficent schemes of non-officials.

THE BOMBAY LEGISLATIVE COUNCIL.

INTERPELLATIONS.

THE autumn session of the Bombay Legislative Council which began on July 21 last lasted for eleven days. Out of these, only five were allotted to non-official business. Looking to the large amount of business which popular representatives wanted to be considered by the Council, there can be no doubt the time so allotted was very inadequate. Besides the five bills of which due notice d been given, there were on the agenda as many about 130 resolutions. Even after allowing for duplications, their number could not have been less than 100. It was clearly impossible to finish all this business within the time allotted; and as a matter of fact only eleven resolutions were disposed of. The non-official complaint has always been that in the matter of apportionment of time, the Government treats non-official business in a step-motherly fashion. This is but too true. Moreover, they do not besitate to take away with one hand what they have given with the other by occupying one hour daily of the non-official time in answering questions. While during the time set apart for Government business there are as few question lists as possible, during that for non-official business they are as many as they could be. It is to be hoped that Government will be more liberal in future in apportioning time between Government and non-official business.

During the session a very large number of questions were asked, their number, if report speaks true, having exceeded 1000.* If the privilege of asking questions is availed of by all M. L. C'.s alike, there should be just cause for rejoicing. But the number of questioners is proportionately small. There appear to be a number of members who have not got a single question to their credit, the Swarajist leader, Mr. Jayakar, being one of them.

The interpellations dealt mainly with local and communal matters; but there are a few which deserve mention here. The questions put by Mr. R. G. Pradhan show a close study of the Government of India Act and the large mass of literature that has grown round it. He wanted to know whether as recommended by the Joint Select Parliamentary Committee on the Government of India Bill, 1919, the three Ministers were acting together. But even after several supplementary questions, no definite reply was forthcoming. Similarly, he asked Mr. Hidayatulla as the Senior Minister why it was that the Ministers had not availed themselves of the provision in the rules under the @Novernment of India Act for the appointment of a Joint Financial Secretary. His reply was: "Because of financial stringency and the general feeling against the creation of posts carrying high rates of salary, unless proved to be indispensably necessary." A good deal of curiosity was also exhibited as to the communications that passed or

are passing between the Local and Central Governments on the subject of further constitutional advance; but the Government sheltered themselves behind the confidential nature of the documents. The pamphlet recently brought out by the Bombay Development Directorate also formed the subject of an interpellation. The Government stated that Mr. Saint Nihal Singh was paid £210 for writing it and the Times of India Press about Rs. 2250 for printing it. The Government gave as the reason for engaging his services for the task his connection with the American and British Press which would ensure wide publicity to the Davelopment scheme. One fails to see the need of this world-wide advertisement, when one remembers that the operations of the Directorate are intended more or less for the convenience and comfort of people living in Bombay. But perhaps the real object was to beem Sir George Lloyd in England at the cost of the Indian tax-payer, and we have no doubt that that purpose will be well served by the booklet in question. The withdrawal of some crop protection gun licenses in Kanara also figured among the numerous questions put by Mr. Karki, who seems to have made a close study of the forest grievances in Kanara. The Government unblushingly confessed that the liceness were withdrawn, because the holders were non-co-operators. Mr. Jayakar's very pertinent query whether that was the settled policy of the Government was not satisfactorily replied. It seems the correspondence addressed to the Sind Khilafat Committee and a number of individuals in Karachi is intercepted. An M. L. C. sought to ascertain by means of a question whether it was a fact and to know the reasons for it. The Government simply refused to supply the information; and no further elucidation could be had by means of supplementary questions, there being no time for it.

A noticeable feature of the question-time in the Council was the number of supplementary questions that members put; but it must be admitted that these are not always pointed or brief. Given greater time to prepare themselves with their supplementary questions as in C. P., where it is understood question lists are supplied on the day next preceding that on which they are to be answered, there is no doubt that the privilege will be much more largely used than at present.

LEGISLATION.

The legislative business transacted during the session was more or less of an unimportant character except for the Children's Protection Bill the Statistics Collection Bill and the Co-operative Societies Bill, with needs fuller treatment than can be given here. As regards the first, it will be remembered that the opposition of the Swarajists to it at the last session on the ground of want of time to study its details and its consequent rejection had led Lord Olivier to believe, wrongly as it has turned out, that in Bombay, as in C. P. and Bengal, the Swarajists were out to obstruct, Subsequently a motion of adjournment to draw

attention to the misleading information supplied to the Secretary of State was discussed in the Council, when the Swarajists through their leader made it clear that they had entered the Council, "not to obstruct, but to give co-operation to Government" in doing away with diarchy; in other words, to co-operate with the Government for securing provincial autonomy at the earliest opportunity -just what the Liberals were doing during the first three years of the reformed Councils. This is, however, by the way. When the Children's Protection Bill came up for consideration, no objection was taken to the principle underlying it; but it was suggested that there were obnoxious details which would need careful looking into in the Select Committee. For instance, it was said that the provision of considering a police thans as a place of security under the Bill was very objectionable. It was also pointed out that the Bill proposed heavier penalty for mere ill-treatment of a girl than for keeping her in a brothel. Again, no time-limit was laid down within which an arrested 'young person' must be produced before a magistrate for trial. The Bill was of course allowed to go to the Select Committee which, is thoroughly representative of all sections of the House. including the Swarajists.

The criticism of the Bill popularly known as the Statistics Bill had also nothing to do with its principle, though some of the capitalist members did not hesitate to condemn it as being unnecessary, mischievous, and uneconomical. Some of the objections urged against it were that (1) commercial bodies had not been consulted; (2) that as legislation regarding the settlement of strikes was going to be an all-India measure, the proposed legislation should preferably be introduced in the Assembly: (3) that as admittedly a large proportion of the Bombay mills had responded to the request of the Director of Labour for statistics, there was no particular hurry or need about the Bill; and (4) that the Bill proposed to invest the Director with too much power. As all the parties in the House combined in pressing the first objection, the Government had no alternative but to yield and agree to re-introduce the Bill after consultation with commercial and industrial opinion.

Among other pieces of legislation, the one to amend the Rent Act so as to extend the period of its operation in Karachi up to the end of next year needs a brief reference. This is not to draw attention to any striking feature of the debate that onsued, which of course ran on the usual lines of landlords vs. tenants, but to the attitude of the Swaraj Party in regard to the Bill. On this question, the party was evidently sharply divided, the representative of the landlords being very influential, if in a minority, with the result that even after prolonged discussions no unanimous decision could be arrived at. Under the circumstances, the party decided not to make it a party question, but to leave every member to vote as he liked. Now, the Swarajists are never tired of priding them-

selves upon their being a party of the people and for the people; but it is noteworthy that on a matter which so vitally affected their well-being, the party could not throw the whole weight of their numbers for the benefit of the people.

The Bill to amend the Deccan Agriculturists Relief Act is to be mentioned for the crushing defeat which Government sustained on the motion for its first reading—so much so that they did not even dare to challenge a division! The discussion brought out the fact that under the Bill as it stood, under cover of securing uniformity of procedure, it was sought to place the agriculturists at a deadvantage, which served as a very good rallying point.

As the beginning of the new year will see elected presidents of the legislatures in Inlia except the Council of State, the Government introduced, in accordance with the provisions of the Government of India Act, a Bill to determine the salary of the elected President, which is sought to be fixed at Rs. 3000 p.m. In view of the delicate nature of the points that will have to be considered, viz, the burden of the president's duties, the calls they make upon his time when the legislature is sitting and when it is not, etc., the Bill was very properly referred to Select Committee. A consequential change in the Standing Orders laying down the procedure for the President's election was also referred to the Select Committee.

SUPPLEMENTARY GRANTS.

Among the Government demands for supplementary grants, only two call for notice. One was for Rs. 20,000 for providing establishment to the Director of Information. At the time of the Budget, the Council had thrown out the whole provision of Rs. 40,000 for the purpose, since when the Government had carefully scrutinised the Director's Budget and reduced it to Rs. 20,000, for which the Council's sanction was asked. As the President explained, he would have had to rule the demand out of order, but for the new rules promulgated by the Government of India. The demand gave rise to a good deal of discussion, but eventully went through, some of the non-Brahmins who had voted for the rejection of the item last March having gone over to the side of Government.

In discussing the provision for additional Police in the Bombay suburbs as a result of the cry for effective protection against Pathan terrorism, Mr. Nariman made two suggestions which deserve serious consideration at the hands of Government. One was the liberal issue of free gun licenses and the other was the use in this connection of the services of the Governor's Bodyguard, which was now maintained only for ceremonial occasions.

NON-OFFICIAL BILLS.

Turning to non-official business, mention must first be made of the motion for adjournment of the House moved by Mr. Nariman to discuss the new rules enabling reduced and rejected grants to be introduced as supplementary demands. The motion was of course defeated, thanks to some non-Brah-

m in and Muhammadan members who voted with Government; but the debate would be long remembered by all those present in the Council Chamber for the passage-at-arms between the President and the Home Member. The Government evidently wanted to talk the motion out; but the President had made it clear that if closure was moved at about 5-30 p. m. it was his intention to accept it, so as to enable the mover and the Government to finish their replies before 6 p.m. Accordingly when he accepted the closure, the Home Member tried to call his conduct into question. bat the President proved more than a match for Sir Maurice Hayward and in effect told him that he alone was the master of the situation; and no one had any business to interfere with him.

Mr. Surve was the only non-official M. L. C. who was successful in securing the Council's leave for the introduction of his amending Bill of the Bombay District Police Act. His Bill seeks to make the approval of the Legislative Council expressed by means of a resolution a condition precedent to the imposition of punitive police anywhere in the Presidency. There is no doubt that in view of what happened at Borsad not very long ago, such a safeguard against the abuse of the unlimited power of the executive is urgently necessary.

Four other non-official bills, almost all of them of great public good, were turned down for want of leave to introduce. Needless to say, the Government was in no small measure responsible for the fate which overtook them. One is reminded in this connection of the hue and dry raised against the Assembly for its refusal to allow the introduction of the Princes Protection Bill. It was said in Government circles that in thus refusing leave. the Assembly had been very inconsiderate. was also pointed out that the motion for leave to introduce was more or less a formal matter and is hardly ever refused. We remember having heard from a responsible Indian gentleman in high position at the time of the Bombay Government having almost made it a rule never to oppose such leave; and yet; the same Government is in the present case responsible for stifling four very good pieces of legislation!

Among the non-official resolutions disposed of during the session, three are worthy of note. Mr. Jog from Southern Division moved for the release of Mr. Divakar of Dharwar. A highly educated young man, Mr. Divakar started taking part in politics and in 1921 took to non-co-operation, since when he came under the notice of Government. Two unsuccessful attempts to get at him were followed by his prosecution last year for printing at his press a seditious booklet with the result that Le maximum punishment of two years' rigorous imprisonment was inflicted upon him in November last. The mover made a good point of the fact that while the printer was so severely dealt with, the author was sent away only with a warning. Both the Home member and Home Secretary participated in the debate, but no reply to this point was [

even attempted by alther. The other two Karnatak representatives added their voice to that of Mr. Jog. thus showing that the demand for Mr. Divakar's release had universal support. It seemed for a time that the resolution would be carried against Government; but Mr. Surve came to their rescue with his amendment to make the release conditional upon Mr. Divakar agreeing to such reasonable conditions as the Government might choose to lay down; and the amended resolution was passed. Another motion of a somewhat similar nature was for the removal of restrictions imposed upon Mr. Vinayak Damodar Savarker. The restrictions are (1) that he should not leave Ratnagiri District without the permission of Government, and (2) that he should not take part in politics except with the approval of Government. Mr. Surve, who is now known in non-official circles as the mover of amendments convenient to Government, again came forward to help Government out of a hole by suggesting that all conditions except that relating to participation in politics be removed. The resolution was defeated by a very large majority.

The third resolution was an attempt by Mr. Saptarshi to commit Government to at policy of total prohibition in regard to the drink traffic. His resolution proposed ten years as the time within which the goal was to be reached and mentioned the remedies recommended by the Excise Committee like local option, rationing of liquor, etc. for doing so. Again, the ubiquitous Mr. Surve came forward to whittle it down by doubling the time-limit and doing away with local option altogether. The Minister for Excise merely asked for time and begged the Council not to force his hands. He could have done so with some justification if the Excise Committee's report dealing with the whole problem in all its aspects had been received just a little time ago; but the document is now nearly five months old and it is said the Hon'ble Minister has not even looked at it. The moner of the resolution was too weak to press his resolution; he agreed to out out clauses regarding local option, &c., and to extend the period within which prohibition was to be brought about to twenty years, thus consenting to lag behind the Excise Committee which advocates prohibition being enforced within ten years.

NORTH-WESTERN FRONTIER.—VII.*

If a policy of peaceful penetration of the Agency Areas is adopted and followed in right earnest, and work is provided for the unemployed of these tracts in their own areas, I am sure their raiding propensities will be considerably checked. The settled districts can then be released from the control of the Foreign Department, and handed back to the Purjab. During the last 20 years and more

[•] Previous articles in this series appeared in the issues folday 29, June 2 c, July 3, 17, 24 and 31.

during which the settled districts of the Frontier Province have remained separate from the Punjab. the tone of civil administration in these districts has admittedly deteriorated. Crime has increased. There is less security of property, and there is greater extravagance in the departments-Foreign Department takes credit that there have been fewer punitive expeditions undertaken during the last twenty years. They say that while the districts were under the Punjab Government there was much greater frequency in punitive expeditions. I admit that that was the case. But what does it prove? It only proves that the Panjab Administration was ready to punish the tribes whenever permanent residents of the settled districts suffered in the least at the hands of tribesmen. The Foreign Department on the other hand is too much alive to keeping the tribes in good temper, even though by this policy the interests of the civil administration may suffer. The greater frequency of punitive expeditions during the period of Punjab Admistrations was due not to inefficiency on their part but due to their greater regard for the interests of the settled districts. Foreign Department wants on the other hand to bring the tribal areas more effectively under their control, not by military occupation, nor by peaceful penetration, but by keeping the tribes in good temper, even though this latter policy may have to be worked at the expense of the permanent residents of the settled districts. The policy of keeping the tribes in good temper was expected to produce two results:-

- (a) In peace times the raiding propensities of the tribes may be checked; and
- (b) In the time of war tribal help may be secured.

Both these exceptions have been falsified. Though punitive expeditions have become less frequent, raids and dacoities have increased more and more. From Police reports we find that from 1906 to 1920 the cases of serious crime have increased from 2,458 to 5,469. Murder cases have increased from 197 in 1901 to 644 in 1920. Raiding cases have increased from 41 in 1906 to 391 in 1920. Even if we exclude the war period, the case for the administration of the Foriegn Department does not become better. In the Frontier Province the number of serious cases in 1914 was 3,561, as compared with 2,458 in 1906. The number of murder cases in 1914 was 316 as compared with 197 in 1901. The number of raids in 1914 was 165 as compared with 41 in 1906. In war times serious crimes, murders, and daccities and raids increased very much, Again in the third Afghan War of 1919 the tribes. instead of helping us, looted our garrisons and attacked our cantonments. So if we want to raise the tone of civil administration in the settled districts, if we want properly to protect the permanent residents of these districts, which I believe is the first responsibility of Government, we must free these districts from the methods of administration, which, however useful they may be for

border areas or spheres of influence, are absolutely unsuited for settled districts. At present the settled districts are under the supervision and control of the Foreign Department. And the machinery of the Foreign Department of the Government of India is so designed that it cannot control and supervise civil administration. The result is that the local administration in the Frontier Province is for its internal administration responsible to no higher authority. The civil administration therefore suffers. Again the population of the settled districts is only 21 lacs, equal to half the population of an average Commissionership in the Punjab. The number of public servants fixed for service in the province is naturally small. This small cadre, therefore, working in a small area, cannot have wide experience. The administration under such circumstances cannot be efficient. Then again the polcy of keeping the tribes in good temper compels the administration to favour the big Khans, who have intimate relations with the tribesmen across the border. In order therefore to humour the big Khans, the Judiciary in the Province is recruited from among their relations, without paying any consideration to their educational qualifications. It is therefore no surprise that the judicial administration in that province should be inefficient. Under such a system of recruitment of the Public Service there can never be an impartial administration, especially when officers recruited on political considerations have, on account of the province being very small, to be posted in the vioinity of their homes. The only solution is to transfer settled districts to the Punjab, and to keep the tribal areas and agencies under an Agent to the Governor General stationed at Peshawar. When the tribal areas are sufficiently pacified, and tribes become accustomed to settled forms of government, time will arrive for the absorption of these areas also in the Punjab. The entire 35 lacs of Pathans in British territory will then, like the Jats, become united. Within the province of the Punjab the Pathans can have a Commission rehip to themselves, like Sind in the Bombay Presidency.

If the arrangements outlined above are adopted, they will result in the following consequences:

- (a) The judicial administration will come under the control of the High Court, Lahore.
- (b) Recruitment of services will have to be made on the result of Competitive Examinations.
- (c) The Commissioner and Deputy Commissioners in charge of the Frontier districts will, instead of being responsible to no one for internal civil administration, become responsible to the Punjab Government, and through them to the Home, Law, Finance, Commerce and Educational and Land Revenue departments of the Government of India.
- (d) The tribesmen visiting the settled districts in the winter season will come under the jurisdiction of purely Civil Officers.
 - (e) In order effectively to control the trans-

Shorder men within the settled districts a strong "border military Police recruited from among non-Pathans preferably of cis Indus districts, will have to be maintained. The Frontier Constabulary and this special border military police may form one force in charge of the Inspector General - of Police. Even at present the political department of the Frontier Province spends about 280 lacs of rupees per annum on the watch and ward of the trans-border. If larger military garrisons are established at Chitral, Landi Kotal, Parachinar, Miran Shah and Wans, the maintenance of Khassadar levies (local militias) will become unnecessary. All that expenditure can be saved, and the border military Police of suffi-- cient strength can be maintained at much smaller expense. The Burms Government also maintains a military Police, and that example can with great profit be copied in the Frontier districts. In the sarlier days of the Punjab Administration too we had a force called the Punjab Frontier Force. It existed from 1849 to 1885, in which year it was - amalgamated with the Regular Army. This military Force under the control of the civil authorities did very useful service in keeping peace in the settled districts. It should be revived under the name of Border Military Police. This force can be entrusted with the task of keeping watch -ever the trans-border men visiting the settled dis-⊀riots in the winter season.

(f) Arrangements will have to be made for the proper registration of all trans-border men "visiting the settled districts and putting up in public serais, encampments, or private houses. On the principal roads entering the settled districts, Charriers should be put up. They can be used for the collection of the customs duties, as well as for the registration of the addresses in the British Districts of trans-border men. I believe there is an Act called the Public Serais and Puraos Act (No. XXII of 1867), which is in force in U. P. and in the Punjab. This Act was applied to the Punjab in 1879 and must be in force in the Frontier districts as well. Proper watch on trans-border men can be kept by utilising this Act. If this Act is not enough, another Act may be passed by the Indian Legislature to make provision for keeping better watch on trans-border men and even all foreigners visiting British Districts. That I am sure will help a great deal in reducing serious orime in the Frontier districts. I believe something of this kind is done in Switzerland, India should think a law similar to the one in force in *that country may also be framed for India. It is admitted that at present no proper watch is kept con the activities of trans-border men visiting British districts. On 9th June 1924 the Honourable Rai Bahadur Ram Saran Dass, C. L.E., put the following question in the Council of State:-

Question 299: (a) Will the Government kindly state whether watch is kept on the movements and activities of these different tribesmen by the authorities of the settled districts? Will they kind. ly explain the nature of measures adopted for keeping a watch over these people?

- (b) Do these trans-border men of Afghan subjects, while in British districts of the Frontier Province, live in sarais specially built for this purpose, or in private residential houses, or in open enamping grounds? What arrangements are made for keeping watch over each class of visitors who live in these different ways, during their stay in settled districts?
- (c) Is a regular record, with necessary particulars of incomers to and outgoers from these sarais, private residential houses or encamping grounds, kept by Government agents?

The Honourable Mr. J. P. Thompson on behalf of Government replied:—

- (a) Such watch as is possible is maintained through village officials and police putrols.
- (b) They usually live in encamping grounds near villages; a few live in Sarais. Both classes are watched as stated in answer to question (a).
- (c) No record is kept nor is any such record possible without a great increase of staff.

We can understand what kind of watch over these tribesmen is possible through village officers, Lamberdars and Patwaris, etc., who are in many cases the relations of these trans-border men, and who are in some cases in league with the transborder offenders. The preparation of a law for the proper registration of trans-border visitors to settled districts is a necessity.

I believe the agitation for keeping the Frontier districts separate from the Punjab is unreal. Phis agitation has for it support only two props. The Foreign Department wants to keep the status quo; and the big Khans among the Pathans of Peshawar who do not want to lose the special favours they are at present getting through the Government policy of keeping the tribes in good temper. If these two classes cease from agitating it will be at once found that the entire population of the rettled districts, Pathans as well as non-Pathans, want amalgamation of their districts with the Punjab. Re-union of these districts with the Punjab will

 (a) benefit the permanent residents of the settled districts of the Frontier,

and (b) enable the Agent to the Governor-General at Peshawar to devote his attention entirely to political affairs of the agency areas. He does not require to keep under his control the civil administration of the settled districts, because it is undesirable to use pressure, persuasion, threats, or bribes, on tribesmen, in the performance of ordinary day-to-day duties of administering justice. Settlement of disputes, and administration of justice should never be allowed to be influenced and affected by political considerations.

(c) It will also benefit India as a whole. It is desirable to extend the bounds of settled and civilized form of government in the entire frontier areas. If we want to avoid complications on the Frontier, in times of future wars, we must quickly

pacify the tribal areas, and make the civil administration in the settled districts, a model administration. That would attract the Pathan India-wards, not any other policy.

GULSHAN RAL

(Concluded.)

A SEPARATĚ LEGISLATURE FOR BERAR. TOWARDS the end of 1917 the leaders of Berer on behalf of the people of Berar submitted a memorial to Mr. Montagu and Lord Chelmsford, the then Secretary of State and Vicercy of India. This document has a special importance and a peculiar value from the point of view of the Beraris at the present juncture when H.E.H. the Nizam bas again raised the question of the retrocession of In this document it has been unequivocally stated that to Berar be extended the same rights

and privileges as exist in British India. It was urged that "under the tenure under which Berar was held, it must in law be deemed to form a part of British India."

It is a well-known fact that Berar occupies unfortunately a peculiar and an anomalous posi-As the memorialists truly say, it was beld under a kind of mortgage from 1853 to 1902 by the Government of India. But since the treaty of 2nd November 1902 the districts of Berar have for all practical purposes become a permanent British possession." Accordingly all rights and powers of administration, whether executive, legislative, judicial or financial, have now been vested in the British Government entirely. The Government of India has only to pay a quit rent of Rs. 25 lakhs to H.E.H. the Nizam and has to recognise the latter's sovereignty fomaily.

And with a view to secure all the rights and privileges of British India, the people of Berar had repeatedly submitted memorials to the Secretary of State and the Government of India in 1905, 1908, 1910, 1911 and 1912 without any effect. The Secretary of State could not take the view that Berar in law be deemed a part of British India. Thus tech nically it is clear that legislation for Berar is not permissible to the Imperial Legislature, nor the Legislature for the Central Provinces. These Legislatures cannot make laws or regulations for Berar. Again it is doubtful whether Berar members in the C.P. Legislative Council or the Imperial Legislature can claim to sit and work as of right. To-cay they do so on sufferance, by nomination. The memorialists frankly but truthfully say that the power of the C. P. Legislature and the Imperial Legislature to deal with general and financial matters of Berar while discussing its Budget or making disposition of its revenues, is extremely questionable. This position is not only precarious but untenable and full of injustice, hardship and inferiority to the Beraris.

Though small in area, the districts of Berar are the richest, the most progressive, and the most public-spirited under the administration of the

Governor of the C. P. It is also needless to mention here that Berar is among the most valuable. cotton-growing areas in the country, yielding annually on the average between the and the of the total cotton produce of the whole country. Why should the people of such an important and enlightened Province be continued to be placed in a position of perpetual inferiority and disadvantage? Again the revenues of Berar come to about two fifths of the total provincial revenues of the territories administered by the Governor of the C. P. Till the other day Berar gave nearly 65 lakhe a year to the Imperial Treasury and contributed something like 30 to 35 lakhs a year to the C. P. expenditure. Such an important Province and its people deserve to be treated on terms of equality with the British Indian Provinces and their peoples.

And what is the escape from this situation? The memorialists have suggested a definite way cut of the difficulty. According to them, which means according to the opinion of the people of Berar, "the only way in which equal and equitable treatment be accorded to it, is to have a separate Legislative Council for Berar". Then it is further suggested-and it is a practical solution-that the two territories of the Central Provinces and Berar, which are already joined administratively as a Province, be placed under a common Governor in Council with separate Legislatures and independent finances. Berar may continue to contribute its due share to the Imperial Treasury and: to the C. P. Treasury for its just share of the common charges.

This memorial also submits a definite scheme for the Berar Legislative Council. It has been urged that this Council should consist of at least 27 members, 21 of whom should be elected by the following constituencies and 6 nominated.

Residents of Amraoti paying a certain amount: of land revenue of income tax, or direct Municipal taxes or rates above Rs. 20

Residents of Akola " *** Residents of Municipal towns other than

Akola and Amraoti with similar qualifications, one for the Municipal areas in each district ... 9

Residents of rural areas paying a certain amount of land revenue or income tax, one for each district

Large landholders, one for each district ... 4 ... 3 ... Mahomedans ... 1 Commerce and trade... 1 *** Factories ... 1 *** Vatandars 1 Graduates

> 21 Total

Simultaneously with the establishment of responsible government in India, it is a long and dearly cherished ambition of the Young Berar that responsible government should be established in Berar also. This is also equivalent to their desire of not going back to H.E.H. the Nizau

It is the duty of the Berar Liberals that they should take up this question as they alone are fit and capable of undertaking it. They are shortly meeting at Amraoti in a Conference and it would be in the fitness of things if this vital question is - considered by those who assemble there.

T. R. GADRE.

A LETTER FROM LONDON.

(FROM OUR OWN CORRESPONDENT.)

LONDON, JULY 17.

INDIA AND EAST AFRICA COMMITTEE. It is officially announced that the Committee appointed by the Secretary of State for the Colonies to inquire into various matters connected with East Africa has been finally constituted as follows:-Lord Southborough, chairman, Lt. Col. Andrew Balfour, M. D., Mr. R. N. Barolay, M. P., Capt. Reginald Berkeley, M. P., Sir Henry Birchenough, Bart., Mr. C. Roden Buxton, Major A. G. Church, M. P., Sir William Edge, Sir H. Rider Haggard, Lt. Col. F. D. Hammond, Mr. J. H. Harris of the Anti-Slavery Society, Mr. T. E. Harvey, M. P., Sir Sydney Henn, M. P., Mr. W. H. Himbury, Mr. E. D. Morel, M. P., Mr. W. Ormsby-Gore, M. P., Mr. J. H. Oldham, Mr. Harry Snell, M. P., and Lord Stanley, M. P. The terms of reference of the Committee are as :follows: -

To consider and report

- (a) On the measures to be taken to accelerate the general economic development of the British East African Dependencies and the means of securing closer co-ordination of policy on such important matters as transportation, cotton-growing and the control of human, animal and plant diseases.
- (b) The steps necessary to ameliorate the social condition of the natives of East Africa, including improvement of health and economic development.
- (c) The economic relation between natives and non-natives, with special reference to labour contracts, care of labourers, certificates of identification, employment of women and children.
- (d) The taxation of natives and the provision for services directed to their moral and material development.

Mr. Thomas, who has, I am informed upon the best authority, been pressed to appoint either an Indian or someone well acquainted with and sympathetic towards the Indian point of view, has resolutely refused to do so. He was questioned on the point earlier in the week by Mr. Robert Richardson, and answered that the membership of the Committee had not been decided on any sis of representation of local interests. He had no doubt that the Committee would have ample opportunity of ascertaining the views of Indians on matters within the terms of reference. Mr. Thomas, as usual, was thoroughly disingenuous, for he knows very well that one of the principal

an economic danger to the natives. In those circumstances, and as the whole of the personnel of the Committee is European, to whom the white settlers in Kenya will make a racial appeal, it would have been the merest justice to have some eart of Indian representation. In the circumstances, the Government of India ought to send someone to Kenya, when the Commission which will consist of a small number of members of the Committee goes out, in order to assist the Indians to prepare and effectively present their case.

Lord O.ivier will on Monday endeavour to answer an omnibus interpellation by Lord Peel on the Indian situation which the recently reported Hindu-Mahomedan riots have done nothing to improve except from the anti-Indian point of view. They have undoubtedly made the work of the Indian delegation here more difficult. Mr. Sastri expects to be leaving on his return journey to India next week.

On Tuesday Lord Olivier will receive a joint deputation of the parliamentary Labour party and the Trade Union Council which will make representations to him on the general political and economic situation in India. It may be auticipated that the delegation will present its case forcibly.

INTER-ALLIED CONFERENCE.

Beyond all doubt, the most important event to chronicle this week is the assembling of the London Conference of Ministers and experts to examine whether and how the Dawes Report is to be put integrally into operation. It is the first Inter-Allied Conference that has met to discuss the Reparation question since the celebrated meeting, in January 1923, at which Mr. Bonar Law and M. Poincaré "agreed to differ." Ten countries are represented, being those most directly interested in payments from Germany. The principal Allies are represented by special delegations and the minor ones by their diplomatic envoys already resident hera. The United States is in a special and peculiar position. She is directly interested in German payments, but she has not accepted the Treaty of Vers-Any agreement reached by the Confeailles. rence, therefore, will not bear her signature. Her representative, Mr. Kellogg, the American Ambassador to the Court of St. James', is merely an official observer. But there is no doubt that the United States means to do her utmost to make the Conference a success. It is not going to be at all easy to do this, in spite of the optimism of Mr. MacDonald and the goodwill and personal sympathy of M. Herriot, It must be remembered that, more even than the the British Prime Minister, the French Premier or, to give him his correct title, the President of the Council, is in leash to the majority parties in the senate. They have just given him a vote of confidence, but it is upon conditions and M. Poincaré is ever ready to fire the mine accusations against the Indians is that they are | that will blow up the Herriot Government unless, in the ex-Prime Minister's view, his policy is given substantial effect to. It would thus seem that, whatever decisions may be reached by the Conference, they may be brought to nought by outside influences. There is, however, one motive that may, after all, bring about agreement on the principal issues before the Conference. It is the certainty that, if it fails, the European situation will cease to be governed by well-recognised standards. Chaotic as the situation seems to be to many observers to-day, there is still some semblance of order and hopefulness. But the failure of the Conference mark the end of a chapter, and the existing chaos will be multiplied infinitely, for there is no alternative plan before Europe for the restoration of confidence and human relationships. That is why the rest of Europe is entitled to ask France to make clear what her position is exactly. She cannot, without the responsibility being brought sharply home to her, insist upon retaining or assuming a position that will but add to the general insecurity, because she insists upon impossible guarantees of her own security. France can never be safe until she has helped Germany to a better state of mind and until she has entirely purged herself of the spirit of Imperialism, whether military or commercial, of which she is more than strongly suspected even by her best friends.

IRISH BOUNDARY DISPUTE.

The Judicial Committee of the Privy Council to determine the questions stated by the British Government in reference to article 12 of the Irish Treaty is to meet on Tuesday. Lord Dunedin will preside, and the other members of the Board will be Lord Blanesborough (formerly Lord Justice Younger), Sir Lawrence Hugh Jenkins, formerly Chief Justice of Bengal, Sir Adrian Knox, Chief Justice of Australia, and Justice Lymn P. Duff, Judge of the Supreme Court of Canada. The questions briefly stated, upon which the Judicial Committee is asked for its opinion, are (a) whether a Commission can be competent to determine the boundary between the Irish Free State and Northern Ireland in the absence of a Commissioner appointed by Northern Ireland; (b) whether, if the answer to (a) is in the negative, it is competent for the Crown to instruct the Governor of Northern Ireland, in default of advice from his Ministers, to make an appointment and, in that event whether the Commission would be duly constituted; (c) whether, if the answer to (b) is in the negative, it is competent for the Crown to make the appointment, and in that event whether the Commission would be duly constituted; and (d) if the answer to the three preceding questions are in the negative, whether there is any constitutional method of bringing the Commission into existence so long as the Ministers of Northern Ireland maintain their refusal to appoint a Commissioner. There is one further question that, for obvious reasons, cannot be put to the Judicial Committee, and that is, what is going to happen if it can give no answer to the fourth question? I

have reason to believe that there are many people who are extremely anxious on this point, as it is certain that if, under the Treaty, we do not constitute the Commission, we shall be charged by the Irish Free State with having led them to approve the Treaty under a misapprehension of so grave a character as to invalidate it. This is an important matter, in view of the release announced to day of de Valera and Austin Stack, the Republican leaders. Meanwhile, Mr. Justice Feetham, the President of the Commission (if it ever becomes duly constituted) is going over the whole ground of the dispute very literally. He is met. ing the responsible leaders on both sides informally, in the hope that they will be able to come to some sort of an agreement which will merely have to be registered by the Commission, whose constitution would then present no difficulties.

REVIEW.

ARCHITECTURE IN BOMBAY.

THE BOMBAY ARCHITECTURAL ASSOCIATION YEAR BOOK, 1923-24.

As remarked in the Editorial Note, architecture is one of the very few rational tests of a national awakening. It is only the architect that can create out of existing conditions and materials, the beautiful realities which perpetually stir the noblest impulses and dreams of humanity.

Time was when India was replete with the best specimens of architecture, Hiudu and Indo-Saracenic. One has to note with great regret that after India came under the British rule national architecture found a place nowhere and the result is the stereotyped P. W. D. buildings which one sees everywhere.

Recently, however, the Bombay Government became alive to the growing aspirations of the people in this direction and opened an architectural department. The people of Bombay owe a great debt to Mr. G. Wiltet for the innovations in the design of public buildings as we see in Bombay in the construction of the Museum, the General Post Office, the Western Gateway of India, etc., all of which are typically Indian.

Mr. Wiltet's paper, "An Architectural Ramble", read before the Association, is very interesting and instructive reading. Students of architecture will find very many valuable and practical hints embodied therein. The second paper read before the Association on "The Architect associated with the Engineer in Town Planning" is also a valuable one inasmuch as Town Planning must always precede any architectural activity. The author's remarks on narrow "gullies", to which he ascribes most diseres in Bombay, are very true.

All local authorities should see that the growing suburbs are well laid out on town planning lines and ample spaces are reserved for public sites, gardens and play-grounds.

The annual report of the Association shows

manifold activities. It deserves the full support of the people and also of the Government at least in its initial stages and we have every hope that its endeavours to revive public interest in architecture will meet with every success, and the day will not be far off when it will succeed in evolving a new architecture befitting India as a nation.

A. B.

MISCELLANEA.

NEHRU ON TILAK,

COMMENTING on the speech which Pandit Motilal Nehru made in unveiling a statue of Tilak on 22nd July, the Indian Social Reformer says:—

THE SCENE AT THE SUBAT CONGRESS.

It is an immature mind that cannot express its appreciation of a character without indulging in depreciatory comparisons with others. Pandit Motilal Nehrn is a late arrival in Indian public life and has still very much to learn of the inspiring story of its long and laborious evolution. No other proof of this is needed than his description of the National Congress till the Lokamanya appeared on the scene as being nothing more than "an academical society of the talent of the country meeting once a year to consider the best means of importing the ideas and methods of free European countries into this land of bondage." One is sorely tempted to ask what Pandit Motilal Nehru was doing all the time, and whether, in his opinion, a non-co-operation movement had a greater chance of success in 1890 than in 1920. We do not know if Pandit Motilal Nebru was present at the ill-fated Scrat Congress. He spoke as if he were, and recalled "the one solitary figure standing unmoved with his arms crossed across his chest" on the platform. This writer was a close witness to the scene upon the Surat platform, and what impressed him more than Tilak's stolid demeanour in the face of howls and bisses from the audience, was Gokhale's jumping forward to shield his lifelon poponent som a stalwart volunteer who was moving towards the Lokamanya to hustle him off the platform. Any schoolboy who reads the full text of the Paudit's speech in the Bombay Chronicle of the 25th July, can see that he was really indulging in a criticism of the Gandhian school in the guise of at appreciation of the Triak school of politics. No doubt, he tried to make out that Tilak's programme was practically the same as the Bardoli programme with the charks left out. Either the Pandit has forgotten the Bardell programme or he did not care to ascertain what the Lokamanya's programme was, or even if he had one. We claim to have been a critical student of the Lokamanya's activities during many years and it is news to us that the Lokamanya had included the removal of untouchability and Hindu-Mahomeden unity—the two first items of the Bardoli programme—in his

THE LESSON OF THE MARATHA EMPIRE

Pandit Motilal wanted to draw the moral-for the benefit no doubt of Mahatma Gandhi-that " religion and asceticism" should not be mixed up with politics. The better to point the moral he invented the theory that "he (the Lokamanya) had seen the mighty Maratha Empire orumble to pieces by the injudicious mixture of a pseudo-asceticism with the purely accular methods of attack and defence in political grafare." We had never come across this extraordinary theory of the history of the Maratha Empire before. We do not think that the Lokamanya believed in it. Sivaji, the founder of the Maratha Empire, like Oliver Cromwell, was a practical mystic, always a tremendous force, as a biographer of the latter says, in human affairs. Religion and politics were inextricably blended in Sivaji's mentality. It would have been wall for the Maratha Empire if Sivaji's successors had been imbued with a little of the spirit of asceticism, If Pandit Motifal Nehru had studied more carefully the history of the.

decline and fall of the Maratha Empire, he would not have indulged in flippant remarks regarding the importance of social reform for political progress. Oliver Cromwell wish to be painted as he was with the wart on his face, but he never suggested that the wart should be represented as anything but a blemish. Pandit Motilal's conception of appreciations however, seems to be to praise a man not only for his great qualities but also for his gaping defects. Lokamanya Tilak was a man, and he had his human failings, one of which was his unreflecting hatred of those who differed from him. The rancorous manner in which he pursued men like Ranade and Gokhale, was the most serious flaw in a character which, but for it, would have been as noble as it was indubitably powerful. The Lokamanya's bifter opposition to social reform and social reformers, was partly the cause and partly the consequence of his hatred of Mr. Ranade. Pandit Motilal Nehru, approving of the strict exclusion of social reform from Tilak's programme, asked, "Would the re-marriage of all the widows in India or the wholesale breaking of caste by all and sundry, bring us any nearer to Swarej? There are enough widowa in India who are permitted to remarry and a great number who have actually remarried. There are enough men and women in India who have either no caste or, having one, break it at every turn. Are the re-married widows or men and women of no caste any better off under the present foreign rule than the poor child doomed to perpetual widowhood or the man who wastes half his preclous time in preserving caste ?" With much deference to Panditji, these questions can be described only as being pointless. Nobody wants that all the widows in India should be re-married. Does the Panditji know that there are thousands of child-widows in the country, and does he seriously believe that the unhappiness and misery of which they are the cause and the victims in hundreds of families in the land, is a source of national energy facilitating the advent of Swaraj? As for the baneful influence of caste in relation to Swaraj, Pandit Mofilal Nahru may prefitably study the share of caste antagonisms in bringing down what might have been the mighty fabric of the Maratha Empire. Tha traces of this confliot are even new visible in Brahmin-non-Brahmin relations Maharashtra.

A MEANINGLESS CHALLENGE.

Pandit Motilal Nehra spoke of the Lokamanya as having been " in his own life a much more parotical social reformer than most persons who are keen on holding Social Conferences." Let us take the liberty of telling Panditji that there are two kinds of dissimulation which are both equally anti-social. One is for a man to preach what he does not practise, and the other is for him to preach the very opposite of what he is practising. Of the two, we consider the last to be not less disingenuous than the first. Pandit Motilal said: "He (Mr. Tilak I challenged the social reformers of his day to join him in inviting social legislation to bind themselves but not the masses who are not ready for a sudden break from their long. cherished past. Such a challenge was evaded by Mr. Justice Ranade of revered memory and has not been taken up since. We do not remember to have seen any such meaningless challenge made by the Lokamanya. There can be no social reform without the mames and no social legislation can bind social reformers only without binding the masses. Social reformers do not form a community or caste by themselves and it is an absurd idea to think of legislation binding only themselves. There was no need for Ranade to evade such a futile question which, we are sure, Mr. Tilak was too shrewd to pose to him. We are very sorry for the reactionary sentiments expressed by Panditji because we have a sincere respect for him and we cannot help thinking that he must have been doing violence to his own sentiments in propounding them for this special occasion.

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