

THE



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Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART V.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

The following Extract from the Proceedings of the Governor of Bombay in the Legislative Department is published for general information:—

Abstract of the Proceedings of the Council of the Governor of Bombay, assembled for the purpose of making Laws and Regulations, under the provisions of "THE INDIAN COUNCILS ACT, 1861."

The Council met at Poona on Saturday the 25th June 1892, at 12 noon.

PRESENT:

His Excellency the Right Honourable Lord HARRIS, G.C.I.E., Governor of Bombay,
Presiding.

His Excellency Lieut.-General the Honourable Sir GEORGE R. GREAVES, K.C.B., K.C.M.G.

The Honourable Sir CHARLES PRITCHARD, K.C.I.E., C.S.I.

The Honourable Mr. H. M. BIRDWOOD, M.A., LL.D.

The Honourable the ADVOCATE GENERAL.

The Honourable Mr. FAZULBHOY VISRAM.

The Honourable Mr. NAVROJI NASARWANJI WADIA, C.I.E.

The Honourable Ráo Bahádúr KRISHNAJI LAKSHMAN NULKAR, C.I.E.

The Honourable Ráo Bahádúr RUNCHORELAL CHOTALALL, C.I.E.

The Honourable Mr. A. F. BEAUFORT.

Papers presented to the Council.

The following papers were presented to the Council:—

- (1) Letter from Khán Bahádúr Cursetji Rustomji Thanawala, late Chief Justice of the Baroda State, dated 16th April 1892—Submitting his opinion on the Bill No. 1 of 1892 to amend the Bombay A'bkári Act, 1878.
- (2) Letter from the Honourable Mr. F. L. Latham, Advocate General, No. 31, dated 18th April 1892—Suggesting, for the consideration of the Select Committee, certain alterations in the form of the Bill No. 1 of 1892 to amend the Bombay A'bkári Act, 1878.

- (3) Letter from the Honorary Secretaries, Bombay Presidency Association, dated 7th May 1892—Submitting a representation from the Association for the consideration of the Select Committee appointed to consider and report on the Bill No. 1 of 1892 to amend the Bombay Ábkári Act, 1878.
- (4) Petition from Vithoba Jairamshet and other residents of táluka Bhiwndi without date—Submitting a protest against the Bill No. 1 of 1892 to amend the Bombay A'bkári Act, 1878.
- (5) Report of the Collector and District Magistrate of Thána (No. 3193, dated 20th June 1892) on the above petition.
- (6) Petition from Balaji Sadashiv Gokhale and 371 other inhabitants of táluka Pen, Kolába District, dated 15th May 1892—Stating their objections against Bill No. 1 of 1892 to amend the Bombay A'bkári Act, 1878.
- (7) Report of the Collector and District Magistrate of Kolába (No. 3076, dated 20th June 1892) on the above petition.
- (8) Petition from Narayen Mahadev Paranjpe and other inhabitants of táluka Mángaon, zilla Kolába, without date—Submitting a protest against Bill No. 1 of 1892 to amend the Bombay Abkári Act, 1878.
- (9) Petition from Balkrishna Pandurang Risbud and other inhabitants of táluka Mángaon, Kolába District, dated 15th May 1892—Stating their objections against Bill No. 1 of 1892 to amend the Bombay A'bkári Act, 1878.
- (10) Petition from Chinnaji Narayen Bhate and other residents of Mahád Táluka, Kolába District, dated 18th May 1892—Submitting a protest against the Bill No. 1 of 1892 to amend the Bombay A'bkári Act, 1878.
- (11) Report of the Collector of Kolába (No. 3160, dated 23rd June 1892) on the above three petitions.
- (12) Report of the Select Committee appointed to consider the provisions of the Bill No. 1 of 1892 to amend the Bombay A'bkári Act, 1878.
- (13) Report of the Select Committee appointed to consider the provisions of Bill No. 2 of 1892 to amend the Bombay Salt Act, 1890.

THE MHOWRA BILL.

The Honourable Sir CHARLES PRITCHARD said:—Your Excellency,—I propose that Bill No. 1 of 1892, to amend the Bombay Ábkári Act, 1878, as amended and presented by the Select Committee, be now read a second time. This Bill, on its publication, met with much hostile criticism, founded mainly on the fact that it seeks to resuscitate an unpopular measure that, as I explained at the last meeting of this Council, was set aside ten years ago amidst considerable difference of opinion. Viewing that fact, and recognizing the expediency of subjecting the Bill and the circumstances said to justify its introduction to close examination by a Committee the majority of whose members should have formed no preconceived conclusions in its favour, this Honourable Council at its last meeting referred the Bill to a Committee composed of three non-official and two official members, so as to give to the non-official members an absolute preponderance of votes. Of the non-official members, the Honourable Mr. Nulkar had, as President of the Peona Sárvajanik Sabha, supported the petition presented by that Association against the Mhowra Bill of 1881; the Honourable Mr. Runchorelal Chotalall is well known for his sturdy independence in discussing debatable questions that have arisen in the Municipality of Ahmedabad, of which he is president; while the Honourable Mr. Wadia represents the legitimate trade in mhowra flowers and belongs to that section of the native community amongst which the most persistent opponents of the present ábkári system are to be found. Of the official members, one, the Honourable Mr. Naylor, was a judicial officer who had had little or nothing to do with ábkári management; whilst the other and the only member who may be said to have prejudged the question is myself. The Bill was published on the 29th January last; was read a first time on the 5th April, and the first sitting of the Select Committee was held on the 9th May. Ample time was thus afforded to the opponents of the measure for formulating their objections, and by the time the Committee assembled their criticisms had become fully developed and, as I have

just shown, the composition of the Committee was such as to ensure beyond doubt a patient and painstaking consideration of those criticisms. The result of the Committee's deliberations is set out in the report just read, and due weight will no doubt be given to the fact that there is no voice dissentient on any of the conclusions arrived at, or on any of the recommendations made. The Committee has altered the shape of the Bill so as to embody in its enactment all provisions intended to be enforced by penalties, and to define the extent of the restrictions intended to be placed on the traffic in mhowra flowers. It has further made those restrictions as lenient and as limited as, in its opinion, they can safely be made. But it prominently recognizes the fact that the immoderate consumption of intoxicating liquor and the illicit manufacture of liquor prevail in the districts of Thána and Kolába to an extent that is producing a lamentable volume of crime and is otherwise seriously affecting the welfare of a large portion of the population of those districts. The Committee expresses its conviction that measures which will have the effect of reducing the aggregate consumption of intoxicating liquor, whether it be licit or illicit liquor, are urgently called for, and that the most practicable means of attaining that object lies in the gradual enhancement of the prices at which intoxicating liquors are made available to consumers, an object which obviously cannot be effected unless illicit manufacture is checked. It believes that the Bill, as amended and now under consideration, is calculated to provide a useful and effective remedy against the illicit distillation prevalent, without interfering with the legitimate traffic in mhowra flowers, or their legitimate use, to any greater degree than is reasonably necessary under the conditions existing; and that its enactment will prove beneficial in lessening drunkenness and in diminishing crime. The Committee's report confirms with precision the aim and object with which the Government has introduced the Bill and the opinion of the Government as to the results to be expected from its operation. Those who oppose the Bill must show either that drunkenness and illicit manufacture and resultant crime do not prevail to an extent necessary to justify the adoption of the measure—or that the measure is likely to fail in its object—or suggest other means better calculated to secure that object. Now, in all the many criticisms unfavourable to the Bill that have been presented in communications to this Council, and in letters and articles that have appeared in the newspapers, no one has attempted to controvert the allegation that drunkenness and illicit distillation and disorder and crime of the kinds usually associated with drunkenness prevail to a serious extent in the district of Thána and in part of the district of Kolába as now constituted. The only attempts in that direction have been to show that during the last two years the numbers of detected offences of illicit distillation have fallen below the number reported for the year 1888-89. Not a word, so far as I am aware, has been said to cast doubt on the correctness of the Government statement as to the prevalence of drunkenness and crime. As regards illicit manufacture, the argument is that the diminution in the number of detected offences shows that the police measures adopted have been successful in checking the evil to a certain extent, and that there is reason to expect that perseverance in the same measures for some time longer will reduce the evil to the dimensions within which it was confined in the years immediately preceding the outbreak of 1888-89. I readily accept the proposition that illicit distillation might be kept in check by the continuance and extension of punitive posts and other stringent measures of police repression, but I urge that measures of that kind—of keeping the country side under strict police surveillance and of forcing the inhabitants to pay for large bodies of police employed on the duty—are justifiable only under exceptional circumstances and for limited periods and as a last resort. I deny, again, that the districts of Thána and Kolába were in a healthy state in this matter in the years preceding 1888-89, or that it would be at all sufficient to keep offences against the ábkári laws within the numbers reported for those years. At that time some 50 per cent. of the illicit distillation cases detected in the entire Presidency occurred in Thána and Kolába. Further—and this is the consideration I would chiefly urge—it must be remembered that the prices of liquor obtaining in Thána and Kolába before 1888-89 and also those now obtaining there, are below the prices at which liquor is sold in adjacent Deccan districts with populations generally not so well to do. They are much below what they ought to be in the interests of the people themselves: they do not serve to diminish sufficiently immoderate consumption. The rate of licit consumption per head of population reported for Thána last year is 24 drams—against 13 drams for Kolába, 7 drams for Poona, one dram-and-a-half for Ahmednagar, and only three-quarters of one dram for Sátára. With the aid of this Bill we shall be able to raise prices and check illicit distillation and reduce actual consumption—in its absence, consumption cannot be reduced without resort to

more extensive and even stricter police repression that has hitherto been imposed. Next, as to the objection that the Bill will fail in its object. The argument here is—not that the Bill will fail to check the illicit manufacture of mhowra spirit: its efficiency in that direction has not been questioned—but rather that there is not much use in checking distillation from that particular material, as there are other materials from which spirit might be made, to which illicit distillers would turn their attention if unable to obtain mhowra. My reply to that argument is that, whilst mhowra spirit and toddy spirit are the only kinds of country spirit exposed for licit sale in the districts of Thána and Kolába, there is but small risk of illicit distillation from other materials, as the mere fact of possession of date, or sugar, or rice, spirit would suffice in most cases to secure the conviction of the possessor. As a matter of fact, illicit distillation from materials other than mhowra and toddy is rare. The Collector of Thána has reported that in about 10 per cent. of the cases tried in 1890-91 and of those of more recent occurrence toddy was the material used, and in the rest mhowra flowers, excepting in two or three isolated cases in a particular locality, peopled chiefly by Portuguese native Christians, where sugarcane juice or dates fermented with toddy have been used. In this matter we shall, I think, be quite safe in leaving the future to take care of itself, and in confining our attention now to legislation for the repression of unlicensed mhowra distillation. Lastly, as to suggestions offered of means better calculated than this Bill to secure the objects at which it aims. Here, again, the critics have dealt with only one part of the subject. Their suggestions are directed simply to the removal of the temptation to manufacture spirit illicitly. The remedy they propose is to keep the price of licit spirit low and to remove restrictions on the tapping of trees and at the same time to reduce the rate of taxation on raw toddy, in the expectation that raw toddy will take the place of distilled spirit in consumption. But they set aside, or forget, the necessity for diminishing the aggregate consumption of intoxicating liquor of all kinds, and for reducing the volume of crime attributable to the intemperance of the population. My reply to these suggestions is firstly, that the expectation that raw toddy will ever displace distilled spirit in consumption in Thána and Kolába is chimerical, for the simple reason that raw toddy is not available during many months of the year, and that the habit of the people is to drink distilled spirit throughout the year as well as raw toddy at such times as they can get it; secondly, that the removal of restrictions on the tapping of trees for the extraction of toddy and the reduction of the tapping tax would inevitably result in a revival of the habit of domestic distillation of toddy which, as I shall show, prevailed throughout the toddy talukas previous to 1878. The remedy suggested would simply substitute toddy for mhowra as the material for illicit distillation in those talukas in which toddy is produced—and would leave the evils of cheap liquor and resulting intemperance and crime undiminished, if it did not augment them for the reason that the supply of toddy available on the spot during the season of production is practically unlimited. The experiences of 1838-89 afford a good example of what is likely to be the result of largely increasing the toddy supply. Honourable members will find from Mr. Trevor's report of May 1889, among the papers laid on the table at our last meeting, that when restrictions were relaxed in 1887-88 and 1888-89 a great part of the toddy made available and intended for consumption in the raw state was illicitly distilled.

It is scarcely necessary for me to controvert the fallacy that was loudly asserted during the a'bkári controversies of 1887-89, and has been whispered again in the course of the recent discussion, that toddy is an innocent beverage. Even Mr. Caine has now recanted on that point, as I notice that in his most recent attack on a'bkári management in India he has denounced toddy as an intoxicating liquor. I must, however, caution those who may read communications emanating from the toddy interest, that the writers are in the frequent habit of using the word "toddy" without qualification or distinction, whether the article under reference be raw toddy (a fermented liquor) or distilled toddy. It is necessary, I think, that I should establish what I have just stated as to the habit of the people of the Northern Konkan and the results to be anticipated from the removal of restrictions on tree tapping and the augmentation of the toddy supply. The best method of doing this that occurs to me is to explain the state of things that existed before the Abkári Act of 1878 was passed, the measures taken to meet it after that Act became law, and the system of management now in force. This explanation will, I trust, tend to make clearer the need for this Bill, and to remove some of the misunderstandings that have found acceptance, and will at the same time show what are the existing causes of the main opposition to this Bill, and enable honourable members to form a fair opinion

as to its reasonableness. I must premise that cocoanut palms produce toddy all the year round, but during the rainy season the produce is poor and scanty. Brab palms produce no toddy during the rains. Date palms give a limited supply during the months of November and December, and an abundant supply in March, April and May, but are barren during the rest of the year. The toddy produce of all these trees is drunk in the raw state, and formerly was also used for distillation, in Thána. But practically distillation was confined, except in the extreme north of the district, to brab toddy. Date toddy was and is the favourite drink wherever it is procurable; elsewhere brab toddy is drunk, but to no great extent. In the inland tálukas of Thána and Kolába the toddy chiefly used is the sap of the bastard sago palm, that grows wild in the jungles. This palm is tapped in the hot season. Brab toddy is also used to a limited extent in the inland tálukas. Our distillery returns show that the average toddy yield of cocoanut and brab palms is at least 100 gallons a year, but we have not succeeded in obtaining reliable statistics of the average yield of date palms. In some places they give over 100 gallons of toddy, in others the yield is as low as 30 gallons—all depends on the soil and position of the trees and on the care bestowed on them. To the best of my belief the average for Thána and Kolába may fairly be set at 70 gallons per tree, taking into consideration the fact that with restricted tapping only the best trees are tapped. A gallon of spirit of about the same strength as ordinary London gin can be distilled from 7 or 8 gallons of toddy. The brab and date palms growing in Thána and Kolába number many hundred thousands. Roughly speaking, about half of them grow on unoccupied lands, and the other half on occupied lands. Those growing on occupied lands were specially exempted from assessment to land revenue at the survey settlements. A separate tax has from the earliest times been levied on *all* such trees as may have been tapped for the extraction of toddy. Whether situate on occupied or unoccupied lands the full right of the Government to regulate as it sees fit the tapping of toddy-producing palms has been exercised from times long anterior to British rule. A detailed account of the system under which toddy was drawn and toddy and mhowra spirit was made and sold in Thána before 1878 will be found in the first 9 paragraphs of the Thána Mhowra Committee's report of 1883, and in the statements of witnesses attached to that report, pages 74, 89, 90, 93, 106 to 115 and elsewhere. The Kolába Mhowra Committee's report contains a corresponding account for the Kolába District. Speaking roughly, any one was then allowed to tap as many trees as he liked and to distil the toddy drawn on taking out a permit and paying the light assessment, or bud-dene cess, that I have just mentioned. There were stills in every village in the coast tálukas, and utensils that could be used as stills in almost every home. A description of the method of domestic distillation in vogue in Thána will be found on page 74 of the Thána Mhowra Committee's report. Some people made liquor for their own consumption, others for sale to the shop-keepers. Each still was practically a liquor shop—but the right to sell spirit and toddy in regular shops was farmed. A similar state of things existed in the inland tálukas, the only difference being that mhowra was used instead of toddy. Mhowra was used also in the coast tálukas at seasons when the toddy supply ran short. There were practically no restrictions on distillation, and consequently the offence of illicit distillation was unknown. All over the district the people were habituated to manufacture spirit from materials ready to their hand, while those who did not distil on their own account could buy spirit of strength about 60° U.P. at prices ranging from 1 anna to 1½ annas a bottle. These are the reasons why ábkári administration in Thána and Kolába has been so difficult—and why special measures are now required there for the repression of unlicensed distillation. The first step taken was to prohibit the manufacture of spirit on private account, and to confine the manufacture and sale of spirit and the drawing and sale of toddy to licensed farmers. By degrees the size of the farms was increased and the number of places at which spirit was distilled was diminished. A reasonable tree-tax was imposed on each tree tapped, and the manufacture of mhowra spirit within the district was prohibited, the requisite supply being drawn from the public distilleries at Uran and subjected there to a fixed rate of still-head duty. The result of these measures was to raise the price of spirit of the strength formerly sold at 1 and 1½ annas a bottle to 4 annas, and to reduce very considerably the number of trees tapped for the extraction of toddy and the aggregate liquor consumption of the district. As shown in paragraph 35 of the Thána Mhowra Committee's report, 151,388 trees were tapped in 1877-78, but only 43,831 were tapped in 1881-82. These figures give some idea of the enormous quantities of toddy spirit that was formerly made in Thána in each year. The witnesses most favourable to toddy, examined by the Mhowra

Committee, state that about half the toddy drawn was distilled. I will take their estimate, though I believe that much more than half was distilled—and I will take the spirit yield of each tree at 5 gallons of strength 25° U.P., which is certainly less than half the average actual yield. Calculating on that basis, 756,940 gallons of toddy spirit as strong as gin must have passed into consumption in the Thána District in 1877-78, and that for the supply of the coast talukas only, as no toddy spirit was used in the inland talukas. The fact that it is impossible to tap a tree without hanging on to it a pot that is readily discernible, and that the collection of toddy sap is a slow process, together with the provision of the A'bkári Act that makes the owner of a tree tapped without license responsible for payment of the full tapping fee, provide effective safeguards against illicit tree-tapping, and in the toddy talukas no great resistance to the reforms was offered, though they were of course unpopular. But in the inland talukas where mhowra trees grow and where it is easy to obtain the material for distillation, the reforms were vehemently resisted and the people kept to their old habit of making mhowra liquor for themselves. These are the circumstances that led to the introduction of the Mhowra Bill of 1881. It was, as Honourable Members are aware, vetoed by superior authority, and the only means left for dealing with the outburst of illicit distillation that followed the first attempts to raise the price of spirit was severe police repression. That was resorted to; some lives were lost and many men were maimed and seriously hurt in affrays with the contrabandists, and after several years' determined effort the offence of illicit distillation was checked to some considerable extent. But it was never suppressed—and in the absence of a Mhowra Act, I hesitated to raise the price of liquor above what it was in 1881, lest a fresh access of illicit distillation should be excited. In 1887-88, other counsels prevailed; the system of management was altered, and the price of liquor was largely raised all over the district, whilst at the same time the tree-tax was lowered and restrictions on tree-tapping were relaxed. The result was another outburst of illicit distillation that gradually spread over the whole district, and for the first time mhowra flowers were imported from Gujarát and Khándesh into the coast talukas as well as into the inland talukas to be used for illicit distillation. It is only just to the officers of the Ábkári Department to mention that they were in no sense responsible for the change of system or the results that followed it. In 1889, the Government was obliged to reduce the selling price of liquor below what it had been in 1886-87, in order to allay the demoralization, and at the same time to adopt the repressive police measures that I have already described. Since then we have raised the price somewhat, as the police action took effect. The prices are now 4 annas in Dáhánu and Umbargaon and 5 annas elsewhere per bottle of strength 60° U. P.—and from 8 annas to 10 annas per bottle of strength 25° U. P. In Dáhánu and Umbargaon the prices are the same now as they were in 1880-81. In Poona and Ahmednagar spirit of strength 25° U. P. is sold at 13½ annas per bottle and in Bombay at about the same price. The price of spirits in Thána ought to be raised gradually to about the same price as that now obtaining in Poona—but we cannot raise the price or reduce consumption in Thána without the aid of this Bill, and I very much doubt whether, if this Bill should not be passed, we shall be able to maintain present prices when the punitive police posts are withdrawn. Again, prices ought soon to be raised in Bombay and Poona, but there is difficulty in doing that so long as illicit distillation is prevalent in Thána. The Collector of Thána has reported that he has reason to believe that a good deal of the illicit distillation now rife in his district is carried on as a commercial speculation by the same gangs that used to loot the Thána forests when they were not as carefully looked after as they are now—and there is no doubt that quantities of the untaxed spirit made in Thána find their way into Bombay and the Deccan districts. I will now turn again to the toddy question. For some years after reforms began, the tree-tax and a very light still license fee were the only taxes levied on toddy spirit. The total taxation amounted to about two-thirds of that levied on mhowra spirit sold in the same localities, and the selling prices fixed for toddy spirit were lower than those fixed for mhowra spirit. Notwithstanding the difference in price, mhowra spirit rapidly made head against toddy spirit sold in the same shops, and it soon became evident that the majority of consumers in Thána preferred mhowra to toddy liquor. By slow degrees, still-head duty rates were imposed on toddy spirit, lighter than those imposed on mhowra spirit, and the manufacture of toddy spirit was concentrated in public distilleries. But notwithstanding the favourable duty rate, and the exemption of toddy distillers from the establishment charges that are levied from all other distillers, the demand for toddy spirit continued to diminish. A similar progress of events followed the manufacture

of toddy spirit in Kolába. Eventually, the cost of maintaining the public toddy distilleries exceeded the amounts of duty collected on spirit made in them. They were then closed, and permission, which is still available, was given to any person who desired to open a toddy distillery to do so, on condition of his defraying the establishment charges and paying duty on toddy spirit at the rate levied on mhowra spirit. No one has, as yet, availed himself of that permission, and the licit manufacture of toddy spirit has entirely ceased in Thána and Kolába for the last two years. The farmers are, however, obliged to keep toddy spirit on sale in all their shops at which there is a demand for it. They get what they want from the toddy distillery in Bombay. It is now sold at prices slightly in excess of those charged for mhowra spirit, and it is bought only by a few of the well-to-do classes—chiefly Portuguese Christians—who prefer it to mhowra liquor. The eventual extinction of toddy spirit manufacture in Thána and Kolába was inevitable when once it came into competition with other kinds of spirit. Toddy spirit is a tasteless liquor that is unable to compete on equal, or nearly equal, terms with mhowra spirit. Its sale can only be extended by making it cheaper than other kinds of spirit—*i. e.*, by taxing it at favourable rates—and that of course is against the cardinal principle of excise taxation that enjoins the taxation of all distilled liquors according to their alcoholic strength. Any one who cares to pursue further the causes of the decadence of toddy spirit manufacture will find information in the Bombay Ábkári Administration Report for 1883-84. As regards raw toddy: the demand for this beverage is small as compared with that for distilled liquor in all parts of Thána and Kolába, excepting in the Dáhánu Táluka and part of the Máhim Táluka in the extreme north of the Thána District. Even in the hot weather comparatively little toddy is drunk except in the tálukas mentioned. The toddy-consuming tracts are well defined throughout the Presidency. The consumption is, I believe, entirely a matter of habit. Thus, while toddy is very largely used in Umbargaon and Dáhánu and throughout the Surat District, little or none is drunk in Broach, Ahmedabad and the Panch Maháls—and again in the Deccan and Southern Marátha Country, much toddy is drunk in Dhárwár, Belgaum, Bijápur and Sholápur, and very little in Sátára, Poona, Ahmednagar and Khándesh, though toddy trees are common in all districts of the Presidency. At first, raw-toddy was sold in the same shops as spirit in Thána and Kolába, and the maximum price was fixed at 1 anna a bottle. Complaints were made that the price was too high, and that the shop-keepers found more profit in selling spirit than toddy, and therefore forced the sale of spirit to the exclusion of toddy. There appeared to be some reason in the complaint. The sale of toddy was accordingly entirely separated from that of spirit. The tree-tax was also reduced in the toddy-drinking tálukas—and “booths” were opened in the toddy groves in order that pure and fresh toddy might be made available to all wanting it. The tapping tax on date and sago palms has always been kept low everywhere because the produce of those trees is mostly consumed in the raw state. At the same time the owners of toddy trees, who might wish to draw toddy for their own domestic consumption but not for sale, were allowed to tap a fixed number of trees in proportion to the wants of their households. This system is now in force throughout the districts of Thána and Kolába. The orders are that the Collector is to see that toddy in quantities fully sufficient to meet the genuine demand for the beverage is made available everywhere—but that he is to restrict tapping licenses to the number of trees in each village required to supply the quantity of toddy wanted for consumption in the raw state, in order to prevent as far as possible the use for distillation of toddy drawn from licensed trees. Complaints have been made in petitions presented to this Council and by critics in the press that the illicit distillation with which we have to deal is due, in part at any rate, to the severity of the restrictions on the toddy-supply and the high price at which toddy is sold. Now, I think that honourable members will agree with me that if the restrictions were so stringent as to interfere in any way with the supplies of toddy wanted by consumers, the Collector would hear something on the subject from the consumers concerned. They would petition him, or the Mámlatdár, or the Assistant Collector, and make known their wants. I have by me a report from the Collector of Thána, written only a few days ago, stating that during the year 1890-91 he received no complaints from consumers in his district of the inadequacy of the toddy-supply, and that during the current year he did receive a few petitions from the Umbargaon Mahál which were attended to in due course. Another and an important point, which the critics without exception have carefully avoided, is as to the prices at which toddy is sold. Toddy is now sold throughout the districts of Thána and Kolába—in shops, at 8 pies per quart bottle, and in tree foot booths, at 6 pies per bottle. In Um-

bargaon, where the people are poor and accustomed to the use of toddy, and the tree-tax is purposely pitched at lower rates than elsewhere, the prices are 4 pies per bottle at the tree foot and 6 pies per bottle in shops. I am afraid that these prices cannot be well defended when judged on temperance principles, for toddy as drunk in Thána and Kolába is as strong as London porter. The reason for fixing them at these low rates is to be found in the desire of Government to avoid all risk of tempting people who want strong drink to resort to spirit instead of toddy.

Another point, of which much has been made by the critics, is that the incidence of taxation on toddy is in excess of the import duty on beer and other fermented liquors, *viz.*, one anna per gallon. As regards date toddy and toddy drawn from the Bastard Sago palm, I should say that the average rate of taxation is generally less than that on beer. As regards brab and cocoanut toddy, which is mostly used for distillation, the rate is higher. It must be remembered, however, that whereas beer is a manufactured liquor brought from a long distance, toddy is the natural product of trees on which Government is entitled, as I have already explained, to levy assessment to land revenue as well as excise taxation, whenever their productive powers are utilized. Formerly those taxes were collected separately, now both levies are consolidated in the tree-tax. The fact that the demand from the owners of toddy trees and toddy sellers to tap and sell at present rates is far in excess of the number of licenses issued, shows that the incidence of taxation on raw toddy is not higher than it will fairly stand.

But the fact remains that whilst the diminution of the number of trees tapped for the extraction of toddy and the decline of toddy spirit manufacture has been to the advantage of the population generally, and was indeed unavoidable under any system of administration that aimed at the reduction of liquor consumption, it has caused considerable hardship to many persons interested in the industry. The bhandaris, *i.e.*, the professional toddy-drawers and distillers, have suffered most as a class. Their old occupation has left them, and they have had to find other employment as cultivators and labourers. Some of them were, I fear, put to great straits in some villages; but their loss of employment was gradual, and most of them quickly acquiesced in the inevitable and sought new fields of labour. Their bad time is now past, and no complaints from that class have been heard for some years.

The tree owners generally have suffered less than would at first sight appear, as about half the trees that used to be tapped were the property of Government, and private owners get better rents per tree from such of their trees as are tapped now than they used to get when tapping was general. It must be remembered too in this connexion that no tree owner has ever been entitled to tap his trees as a matter of right. The privilege has always been subject to permission and payment of fee. Some of the tree owners are affected more than others—for instance, the class of landholders in the extreme north of the Thána District, whose statements are given on pages 105 to 121 of the Appendix to the Thána Mhowra Committee's report. It will be noticed that most of the men who have signed the statements are Pársis. The Pársis who first came to the Thána District settled down in the Dáhánu Táluka and the northern part of the Máhim Táluka—and are still the largest landholders in that tract. Many of them own holdings of several hundred acres in extent, which they cultivate mainly with the aid of Warli and Dubla labourers, the remnants of the aboriginal tribes that formerly peopled that unhealthy part of Thána. These tribes, as is well known, have fallen into a degraded condition through the intemperance of generations, and they stand in special need of a helping hand to rescue them from the curse of drink. Many of these labourers, *halis* as they are called, are in the position of bondsmen, or serfs. Their employers hold bonds over them for money advanced at some time or other, and they have to work out their debt by their labour. Meanwhile, they get very little money pay, but they are clothed and fed at the expense of their employers, like the Bhil servants of the Gujar settlers in the western part of Khándesh. I don't say that they are ill-treated, but they certainly are not free agents to go or stay as they please. There is not much field labour for them to do between March and May, and they cannot then earn their keep—at that time of the year toddy is plentiful and they are fond of it. Their employers used to give them one meal in the day and pretty well as much toddy as they chose to drink in the evening. Hard drinkers have smaller appetites than men who drink little—in that sense toddy will take the place of food—and that I take it is the real interpretation of the common

assertion in petitions from the north of Thána that toddy is food. In the same way, distilled liquor is wanted by the landholders to give their labourers in the rice-fields during the rainy season, and in cold weather. Formerly, the landholders drew their own toddy and made their own liquor, and it cost them little; now they have to pay more heavily for both toddy and toddy spirit, and the expenses of their cultivation are consequently enhanced. This is the meaning of expressions that will be found in many of the statements appended to the Mhowra Committee's report to the effect that the date and brab trees used formerly to pay the whole expenses of labour and cultivation. The increase in the price of toddy and of spirit in the north of Thána—though, as I have shown, the prices of both liquors are far below what they ought to be—is no doubt a contributing cause of the illicit distillation prevailing there. The landholders could not tap trees without being found out and compelled to pay the tapping tax—so they took to importing mhowra flowers and getting them clandestinely distilled to furnish liquor for themselves and their labourers. The village bannias followed suit, and illicit distillation from mhowra flowers became general throughout Dáhánu and Umbargaon. Mr. Pestonji Behramji Dantra is, or was, a landholder in Dáhánu, and gives voice to the aspirations of the landholders of that neighbourhood. I cannot say that he represents the labourers' interests, or those of sobriety. The holders of the lease-hold estates in Sálsette, granted at the beginning of this century with the object of introducing improved methods of cultivation into the Konkan, have also suffered much pecuniary loss in consequence of the decline in toddy spirit manufacture. They formerly derived incomes of considerable amount from the leasing of toddy trees growing on their waste lands. Now the trees are left untapped, and their rents have vanished. Many of these estates belong to influential families of Bombay. Their interests, as well as those of the owners of cocoanut oarts in the island of Bombay, have received support from Mr. Dishop Edalji Wacha and in letters that he has signed on behalf of the Bombay Presidency Association and the Anglo-Indian Temperance Association.

The Kalals, or liquor shop-keepers, have also suffered from the new ábkári arrangements. Many of them are Pársis. There are many fewer liquor shops in Thána and Kolába now than before 1878—and those there now are carefully looked after. Formerly, the Kalal was the money-lender in many of the smaller and out-of-the-way villages, and he gave credit for liquor and bartered it, receiving grain in payment. Credit and barter have been stopped, and each liquor seller is now obliged to sell liquor of fixed strength at fixed prices by stamped measure for payment in cash. The profits of the class are necessarily smaller now than they used to be.

I think that honourable members will have gathered from what I have already said that the main opposition to this Bill has its origin in the grievances of persons interested in the production of toddy and the manufacture of toddy spirit, whose profits have been affected by the contraction in consumption of those liquors. So far as the persons and associations whose identity has been disclosed are concerned, the present opposition is precisely the same as that which has agitated against the ábkári policy of Government for many years. In a Despatch, dated the 7th February 1890, replying to questions asked by the Secretary of State with regard to the agitation of 1887-89, Lord Reay's Government wrote: "The Bombay system, it must be remembered, whether it be right or wrong, has not been carried out without injury to the private interests of more than one powerful class, who have the means and the will to agitate against it. The toddy interest naturally wants to increase the consumption of toddy and toddy spirit, and any agitation against the ábkári policy of Government is chiefly initiated and supported by the owners of toddy trees, whose rents depend upon the increased demand for toddy juice. The agitation is one that chiefly proceeds from the producer and distiller, and the interests of the consumers, which are frequently opposed to those of the producers, have not been placed in the foreground at all." This passage accurately describes the present opposition. It proceeds from the toddy interest—which wants taxation on toddy reduced to a minimum and unlimited tree-tapping to be allowed. This is the prayer of the petition that has been advertised in the newspapers as proceeding from thousands of the inhabitants of Thána, and has now been received by this Government for transmission to the Viceroy. It is in reality a petition from the landholders in the north of Thána whose method of cultivation I have just described. Along with that petition are put up copies of representations on the same subject made at various times by the Bombay Presidency Association and the Anglo-Indian Temperance Association, and the petitioners naively refer to those documents as representations made by themselves—clearly showing that

all the communications have emanated from a common organization. Indications of similar import are apparent on the face of the memorials received from the Bombay Presidency Association and the Anglo-Indian Temperance Association. Those last received from both those societies are signed by the same individual, Mr. Wacha, who has for years past been publishing pamphlets and letters supporting the toddy interest, and there is nothing to show that the letters sent out by him in the name of the associations have been considered and adopted by the general body of their members. It is difficult indeed to understand how any society that professes temperance principles can advocate the extension of the consumption of toddy, or of any other intoxicating liquor. Yet I find, in the latest letter received from the Anglo-Indian Temperance Association, signed by Mr. Wacha and said to be submitted by direction of its committee, that unlimited tree-tapping and the removal of restrictions on the transport and sale of toddy is the burthen of its prayer. Have the present managers of that Association, which has more than once taken up the cudgels against the *abkari* policy of Government, nothing to say on the subject of this Bill, which is avowedly and undoubtedly a practical temperance measure—or are we to understand that the concern for toddy rents that dictated their last communication to Government is still overpowering the temperance principles they publish to the world? A recent letter from the present Secretaries informs me that the Honourable Mr. Justice Telang is President of the Society, and that Mr. Gilder and Mr. Tomlinson are now the Joint Honorary Secretaries. The object of the Society, as published in its prospectus, is to aid in calling forth an enlightened public opinion in favour of temperance and against the liquor traffic. I would ask the responsible managers of the Bombay Presidency Association, whoever they may be, the same question, and to prove the truth of the assertion made in the last paragraph of their letter to Government dated 24th September 1887, in which they say that the Council beg to be understood that they are as much desirous of putting down the use of intoxicants by all legitimate means, without unnecessary hardships on any section of the people, as the Government itself. I suppose that the toddy interest agitates against this Bill, partly on account of its grievances against the *A'bkari* Department, and partly because it sees that when illicit distillation is stopped, the price of liquor will be raised in Bombay as well as in *Thána* and *Kolába*—to the further curtailment of toddy rents. Diminution of liquor consumption is of course diametrically opposed to the interest of toddy tree-owners. Now, as during the previous agitation, the consumers of toddy, as distinct from the toddy producers and sellers, are silent. If the people of *Thána* and *Kolába* had felt any severe pressure under the toddy arrangements, we may be sure that they would have made their voice heard, as they have done on many occasions under pressure of the forest rules.

I would further point to the fact that there is no real opposition to the Bill from the tracts in which it is intended to operate. Advertisements appeared in many newspapers of a meeting to be held in *Thána* on the 1st May last to protest against the Bill. The meeting was held, but I have not seen any account of its proceedings, nor has the Government received any communication from its managers. The official report of the meeting is significant. It says: "A meeting of the inhabitants of *Thána* was held in *Mulock's Library* to protest against the *Mhowra* Bill now before Government. The meeting was held on the 1st May and was attended by *Vakils*, Municipal Commissioners and school boys, the agricultural class being unrepresented. The people of the surrounding *tálukas* were invited to hold similar meetings, but they have not responded." The Collector of *Thána*, Mr. Sinclair, writes: "No movement whatever on the part of the rural population against the *Mhowra* Bill has come my way." Petitions from the inhabitants of *Bhiwndi* in *Thána* and from *Pen* in *Kolába*, with the Collector's remarks on them, have been laid upon the table. There are no petitions at all from the chief *mhowra*-growing *tálukas* in *Thána*. This may, I think, be taken to show that the dealers in *mhowra* flowers of those *tálukas* do not apprehend any interference by the Bill with their legitimate trade. The Collector of *Kolába* reports that he has received no written or oral representation on the subject of the *Mhowra* Bill, and that the petition from the *Pen Táluka* resulted from the visit of a deputation from *Thána*. As to the petitions from *Mángaon* he reports that some of the petitioners on being questioned were unable to describe the contents of the petitions, and said they signed them as they were told by certain *Khotes* that Government intended to levy a cess on *mhowra* trees. The unreality of all these petitions is further manifested by the circumstances reported in paragraph 31 of the *Kolába Mhowra Committee's* report. The Committee says that the flowers

of the few trees growing in the Kolába District are left to be eaten by birds in the trees or by cattle on the ground, and furnish no employment to the lawful industry of the population.

As regards anonymous criticisms that have appeared in the newspapers I have only to remark that not one that I have yet seen attempts to grapple fully and fairly with the whole subject. The object and intentions of the Bill in relation to drunkenness and crime, which I endeavoured to explain and insist on in my speech on the first reading, have been almost entirely neglected. I explained on the first reading the reason why it is necessary that the Bill should be extended to the whole of the Kolába District. The reasons are more fully stated in paragraph 34 of the Kolába Mhowra Committee's report. The allegation that mhowra flowers are used as food for man and beast in Thána and Kolába have been dealt with in the Select Committee's report and in the reports of the Thána and Kolába Mhowra Committees. Mr. Mulock, who was president of the Thána Committee, served in that district on and off for 25 years; Mr. Sinclair, the present Collector, was Forest Settlement Officer in Thána and Kolába before he became Collector, and has served in the two districts since 1874. He is a recognised authority on subjects connected with the forests and the forest tribes. He writes: "I went in specially for 'forest diet' when a forester here (Thána) and tried much queer food. But no one ever quoted mhowra to me as food."

I may perhaps be permitted on this occasion to say one word as to my personal experiences in the districts of Thána and Kolába. I served as Assistant Collector of Thána in 1866 and 1867, and from 1871 to 1887 it was my duty to tour frequently in the coast talukas of Thána and Kolába. I have travelled at different times in every district of this Presidency, and I have never seen such hard drinking and drunkenness anywhere as in Thána and parts of Kolába, excepting perhaps in the toddy talukas of Surat during the toddy season. Cheap toddy and cheap spirit are veritable curses in all those districts. It was the sight of the drunkenness and wretchedness there and the superabundance of cheap drink in every village that made me first turn my attention to ábkári administration. Something substantial has been done to improve the condition of the people in those directions. This Bill, if passed into law, will, I am convinced, afford means for further improvement.

The Honourable Ráo Bahádur K. L. NULKAR said:—Your Excellency, in supporting the motion that the Bill be read a second time, I wish to explain the reason which has commended the measure to my approval, as the same is somewhat different from that which is generally given on behalf of Government. The avowed policy of Government is to enhance the duty on country spirits till it reaches the rate imposed on imported spirits, and thereby endeavour to check and reduce consumption. I strongly disapprove of this policy, because I do not believe that it is calculated to secure the desired end. I should advocate a more direct action and reduce the quantity annually offered for sale at the State shops, on the principle that "prevention is better than cure." I shall give my reasons further on. It, however, happens that for the success of either of these remedies all illicit distillation has to be prevented as far as it is possible. I have therefore felt it my duty not to oppose the Bill before the Council.

The honourable member in charge of the present Bill has alluded to my personal share in the public opposition evoked by the one introduced in 1882. I have only this to say on that point that the most unnecessarily sweeping character of that measure and the impatience of legitimate criticism and disregard of all constitutional safeguards to secure full deliberation, which the attitude of Government then evinced, fully justified that opposition. It must also be admitted that there is not much in common between that measure and this, as will appear from the remarks I have now to offer on the latter.

The present Bill has been objected to principally on the following grounds:—

1. That it will interfere with the food supply of the people and their cattle, as mhowra flowers form part of such food.
2. That the alleged illicit distillation from mhowra is not proved, and that according to the latest statistics, there has been a decrease in the number of offences against the ábkári law.
3. That it will unnecessarily harass the people owning and dealing in the article, and also interfere with free trade in it.

As regards the first objection, I have no hesitation in saying that, in the districts

concerned, mhowra flowers do not form a material portion of human food, and only rich or well-to-do people can afford to feed their cattle with it. The oft-repeated contention that the Mhowra Committee of 1883 drew their conclusions from statements of witnesses selected by themselves is entirely unfounded. On the contrary, that Committee had before them statements of 19 persons who appear to have been summoned by themselves, and of 121 persons received (by invitation) through Sir Jamsetji Jijibhoj, Ráo Bahádur G. H. Deshmukh and Mr. Macaulay, who had opposed the first Mhowra Bill in Council in 1882. Any person, who is accustomed to wade through such a mass of conflicting evidence and to endeavour to draw fair conclusions on the probabilities of the case, cannot fail to see that the chief use for which the article is prized in Thána is distillation. It is, no doubt, sometimes used as a relish with food, and eaten when picked up fresh under the trees. On this point the result of the experiment made by Mr. Atkins of the Civil Service, who has served for several years and is known to have taken pains to study the character and habits of the people living in the mhowra talukas of Thána, deserves notice. His report on the practical tests to which he put the question, shows that it could be eaten in its dried form mixed up with bread in a very small quantity, and is sometimes so eaten by a certain class of the forest tribes; and that those who did eat it in that way before him to earn the reward of six annas each, could not have been in the habit of always so using it. The people who had assembled before him on the occasion contradicted each other as to the alleged fact that they were in the habit of eating it. Perhaps the very inferior quality of the mhowra flower of Thána, as compared with that which grows elsewhere, accounts for its not forming part of the food of the wild tribes to any appreciable extent as is the case in Khándesh and elsewhere.

In considering the question of illicit distillation from mhowra flowers in Thána and Kolába, it must be remembered, *first*, that owing to the bulk of raw toddy and the consequent trouble and expense necessary to produce the same quantity of toddy spirit as of mhowra, and also owing to the fact that raw toddy has now been brought under efficient control, it has become much more difficult and unprofitable to carry on illicit distillation of toddy than of mhowra; and *secondly*, the liquor sold by the Government farmer is now almost entirely drawn from mhowra. The cost price per gallon at the Government distilleries of toddy and mhowra spirits is stated to be Rs. 1-8 and 8 annas respectively. Thus, profit, freedom, and facility of possession point to mhowra as the raw material most conducive to the spread of clandestine distillation. When under the blundering ábkári arrangements of 1837-88 and 1888-89, the selling price of licit liquor was raised, and the farmer ceased to have any interest in the detection of ábkári offences, enormous quantities of mhowra flowers found their way into Thána and Kolába from Gujarát, the sale of licit liquor fell from 2,69,553 gallons in 1837-88 to 1,41,678 gallons in 1888-89, and the number of detected cases of illicit distillation increased from 373 to 606; of these cases, the great bulk is known to be due to mhowra. Out of 408 cases tried in 1890-91 fully 90 per cent. are now ascertained to be of mhowra. As to the extent of this class of crime, Thána still stands pre-eminent as the greatest offender as compared with the rest of the Presidency put together. A comparison between eight districts which are more or less noted for this class of offences, namely, Thána, Kolába, Surat, Násik, Ahmednagar, Poona, Sátára, and Ratnágiri, shows that of the total number of detected cases, Thána alone lays claim to no less than—

61 per cent. in 1886-87.
71 „ 1887-88.
63 „ 1888-89.
65 „ 1889-90.
83 „ 1890-91.

In connection with this comparison, it may be noticed that the fluctuations in the number of cases in Thána itself do not correspond with the percentage just shown. Going back to the two years preceding the introduction of the first Mhowra Bill, the number is found to be—

612 in 1880-81.
767 „ 1881-82.
190 „ 1882-83.
Not given in 1884-86.
234 in 1886-87.
373 „ 1887-88.
606 „ 1888-89.
492 „ 1889-90.
408 „ 1890-91.

Many of these fluctuations are simply unaccountable by anything that I have read in the papers placed before this Council or from any reasons given in the annual reports. The first Mhowra Bill was disallowed in 1882, and it is stated that mhowra flowers began to be imported into Thána and Kolába soon after, and yet the number of detected offences fell with one drop from 767 in 1881-82 to 190 in 1882-83, and ranged between 200 and 400 till 1888 when they suddenly rose to 606, probably owing to the increase in the selling price of liquor in that year. But there is no evidence to show that Thána had turned a new leaf during the other years when the number had considerably decreased. I do not think that these figures fully represent the actual state of things, and taken by themselves, must be treated as extremely misleading. The reason is not far to seek. Under the system followed, the ábkári farmer is treated as a government agent invested with the duty of detecting such offences through his own detectives, with the help of the Government preventive establishment, which for places like Thána, though increased from time to time, is weak and inefficient. It is a mistake to suppose that it is always the interest of the farmer to check or detect illicit distillation which at times is found to be so extremely dangerous to attempt in many parts of the district where the illicit practices are most rife. To give an instance of how even in ordinary times the number of detected cases may fluctuate according to the efficiency of the men employed, I may be permitted to mention that the decrease from 94 cases in 1889-90 to 5 in 1890-91, observable in Kolába, is now ascertained to be entirely due to the utter inefficiency of the detective staff, and not to any improvement in the moral character of the people of that district. So long as the selling price of excised liquor is considerably higher than the cost price of free mhowra liquor, or, in other words, so long as liquor is taxed in any shape, illicit distillation from mhowra will continue, and the only means of checking it is to bring the raw material under executive control. The alleged danger of other materials such as jagri or coarse sugar taking the place of mhowra is simply imaginary; but should it ever prove to be an intolerable evil, the duty of Government will then be plain and will have to be performed. A reduction of the tax on raw toddy has been advocated as a more practical measure to induce people to use toddy in preference to ardent spirits. This question of raw toddy has to be dealt with on its own merits. It has no necessary connection with illicit distillation carried on in the inland or mhowra tálukas of Thána.

As to the fear which is generally entertained, not without reason, that the proposed law will place an additional weapon in the hands of the ábkári police to harass innocent people, there is no doubt, that more or less all restrictive legislation has this tendency, and the district officers have to take special care to watch its working. Scarcely any law, however good or bad in itself, is free from such an objection, and in good or bad hands could be administered mischievously or beneficially. There is nothing in the present Bill which need enable the police to interfere with the people's legitimate rights and privileges more than any other provisions of the present Ábkári Act. When the importation of mhowra shall have been stopped through the agency of the railway authorities and the customs department, and the forest portion of the local produce is controlled by the forest department, the private produce growing in the Málki numbers alone will remain to be dealt with. It is to be trusted that nothing will be done in the name of the new law which will have a confiscatory effect on private property, and that permits will be freely granted without difficulty or delay to enable private owners to collect and dispose of their own produce to the legitimate trade in them, local or export. As to the fear of interference with free trade, there is scarcely any trade in the article within the two districts except for contraband purposes. Private consumption as a relish with food or for medicine is sufficiently provided by the unrestricted freedom to possess four seers at a time, and to collect and use the fresh produce during two months or more of the flowering season.

In connection with the oppression anticipated in the working of the proposed law, we must further remember that the existing state of things has necessitated the infliction of heavy punitive police posts both in Thána and Kolába during the past few years. Of the total cost of these punitive posts in the entire Presidency, Thána alone has been paying 73 per cent., and the single Panvel Táluka (Kolába) 25 per cent. Of the total charge of Rs. 20,783 recovered from the offending districts in 1890-91, no less than Rs. 20,699 had to be borne by Thána and Kolába. It seems to me that almost any restrictive legislation necessary to *prevent* the commission of offences which bring down such a crushing punishment indiscriminately on the innocent along with the guilty is to be preferred. Such

wholesale and continuous fines on an entire population of a village or taluka cannot fail to have a most demoralizing effect both on the people and the police of the country. The injustice to the innocent and the impotence to reach the guilty which such punishment confessedly involve, must rankle in the minds of the innocent, and tend to aggravate the inefficiency of the police who are thereby relieved of their responsibility for the failure to detect the real offenders.

With regard to the general policy which has of late come to be adopted to regulate the ábkári administration in India, it seems to me that it has not only failed to check, but has, to a considerable extent, contributed to the spread of the use of spirituous liquors, and has consequently become a rich and welcome source of public revenue. There was a time when Government held a different language than that now adopted in laying down their ábkári policy for the guidance of their officers. In 1838, the orders were:—

“It cannot be too strongly urged upon the Collectors that the object which the Government has in view is to restrain and, if possible, to correct and diminish the total consumption of spirituous liquors, whether clandestine or licensed, being fully persuaded that any amount of revenue that may be lost by the efficiency of the system for this end, will be repaid hundredfold in the preservation and advancement of moral feelings and industrious habits among the people.”

Now, all this is materially changed. The “raising of revenue” is now admitted to be one of “the legitimate objects” of the Government excise administration. “It was at a later stage,” I am quoting from a despatch of the Government of India, “that it was recognised that the regulation of the trade in liquor for the purposes of revenue and police might with advantage be so conducted as to discourage any tendency to drink to excess and to lead to the substitution of a wholesome or comparatively harmless liquor.” “In respect of realisation of revenue, the principle to which” the Government of India say they “have given their adherence is to impose as high a tax as may be possible without giving rise to illicit practices.” The question of direct repression is summarily disposed of by stigmatising it as an “intolerable interference with the liberty of the subject,” and it is denied that the use of liquor “in moderation” is harmful, it being forgotten that with ignorant classes once addicted to it, moderation is entirely out of the question. Further on the revenue question again crops up where merit is claimed for the system in force as one which, if properly carried out, would lead to no “loss of revenue.” On the contrary, “it will be as successful from the financial as from any other point of view.” When it is shown that consumption has increased side by side with the facilities offered by increased number of shops and other faulty measures adopted, confessedly with the object of drawing custom exclusively to authorised places, the Government answer is that “a gradual growth of healthy public opinion will reduce intemperance in a wider, surer, and more lasting manner” than any restrictive measures which Government could adopt. It is said that “a change of this nature in public opinion has occurred in the present century among large classes of the people of Great Britain: habits of intemperance which formerly prevailed among certain classes in England without disgrace, are now condemned as disgraceful.” It seems to be forgotten that here (in India) in this same century, the position is quite reversed, mainly by the contact with western example and by the wrong application of the abstract principle of “liberty of the subject.” What was universally condemned as “disgraceful” before is now openly done “without disgrace”, and all shame or reproach has completely disappeared. And there has ceased to be any necessity for the homage of concealment, which hypocrisy usually pays to virtue. Practically the Ábkári Department seems to say to the people, “you are at liberty to drink as much as you like provided that you exclusively patronise our shops and pay the price we fix for it,” the only check relied upon against drunkenness being the raising or enhancement of the selling price. Such treatment of the ignorant classes like those of Thána who are addicted to the vice for generations and who will, if left to themselves, exercise the “liberty of the subject” to their own utter ruin, cannot fail to end disastrously. It is hopeless to reach them through their pockets only, because it will only lead them to the bitter end all the sooner. The proper remedy against the present deplorable state of things is the adoption of more direct repressive measures. The removal of the temptation, which the number and vicinity of the shops offers, is bound to prove more effective than expensiveness of the indulgence in the vice. As soon as all facilities of illicit distillation are removed, the quantity of liquor issued for sale at the sanctioned shops should be gradually reduced, and the ábkári farms should be sold by public

competition to those who agree to work with steadily reduced number of shops. The preventive establishments, which are at present inadequate and inefficient, should be strengthened and placed under a responsible officer to assist the head of the district in the suppression of illicit practices more effectually than has been hitherto done. In view of the paramount importance of the object to be gained, the increased expenses should be willingly incurred as a charge upon the *shikári* revenue, and any diminution of that revenue, which may result from the adoption of these preventive measures, should be tolerated in the reasonable hope that "any amount of revenue that may be lost will be repaid hundredfold in the preservation and advancement of moral feelings and industrious habits among the people."

The Honourable Ráo Bahádur RÚNCHORELAL CHOTALALL said :—Your Excellency, I am induced to support this Bill on the ground that the prevention of illicit distillation is the most important measure to curtail the actual consumption of liquor with a view to check the vice of drunkenness. Wherever intoxicating drink is cheap and easily procurable, consumption would increase, and as excessive drink is one of the principal causes of poverty, crime and disease, it is the duty of Government having the true interest of the people under their protection at heart to arrest and diminish the total actual consumption of intoxicating drink both *licit* and *clandestine*.

From the papers laid before the Council it appears that the Thána District is one of the most liquor consuming districts in the Presidency, and has the unenviable position to show the largest percentage of crime. From the year 1836 up to 1892 different Government officers in the Revenue, Judicial, Police and Medical Departments have complained very strongly about the drunkenness prevailing in this district; and I think it was very truly said by Mr. Simson, a former Collector of Thána, that "if it be asked, what has tended so much to increase the consumption of spirits in Sálsette and Karanja, the answer is, an abundant supply of the material and a very low rate of duty." The same reply is applicable even at present. The materials here alluded to must be toddy juice and the mhowra flowers. The former has already been brought under control by the *Shikári* Act of 1878 and it has had its good effect in curtailing and checking drunkenness to some extent and the object of the present Bill is to bring the latter under control.

The immediate question for consideration is whether there is any necessity for such a measure at present or not, and I am inclined to think that there is. The consumption of liquor is increasing so much and the mhowra flowers seem to be so much used for illicit distillation that Government will be justified to interfere with the mhowra flowers. The consumption of liquor in the last two years, *viz.*, 1889-90 and 1890-91, has been 4,33,493 and 4,07,154 gallons against 3,23,952 and 5,27,708 gallons in the years 1885-86 and 1886-87. Notwithstanding this enormous increase in licit consumption, the number of illicit distillation cases in the last two years has been 492 and 403, which are much more than the cases in the former period.

The only remedy to check this increased consumption is to raise the duty on liquor in Thána, which is much less than in its neighbourhood, and this cannot be done without effectually stopping the sources of illicit distillation, which is already carried on to an enormous extent.

In the last official year 1890-91 out of the total cases of 575 in the whole Presidency no less than 408 cases took place in Thána alone, the population of which is only from 5 to 6 per cent. of the whole Presidency, while the ratio of illicit distillation cases has been 70 per cent.

When we examine the detail of these 408 cases we are informed by the Collector of Thána that no less than 90 per cent. of them are from mhowra flowers alone.

It appears that Government have done their best to check illicit distillation by adopting most vigorous departmental measures. During this year of 1890-91 in addition to the usual police and *shikári* establishment, special punitive posts costing more than Rs. 20,000 per annum have been stationed in Thána and Kolába districts, and yet the people of Thána have been going on with illicit distillation to a very large extent. As the cost of these punitive posts is to be made good by the inhabitants in general, guilty as well as innocent persons suffer equally, and therefore any measure, which will relieve the people from this burden, will be a great boon to them.

In the opinion of the gentlemen who were against the Bill of 1882 it might be that the powers given in the *Abkari Act* of 1878 which was then recently brought in force would be sufficient to check the illicit distillation of mhowra departmentally, but after ten years' trial it appears that even with most extraordinarily vigorous and costly measures the evil cannot be checked, and therefore the aid of the Legislature is required now.

Under these circumstances it is very necessary that the Executive Government officers should be empowered by the Legislature to check illicit distillation of mhowra flowers. In modifying the Bill the Select Committee have done their best to make the Bill least inconvenient to honest persons. The mhowra tree-owners shall be at perfect liberty during the season to collect and dispose of the flowers, and during the whole year every person requiring mhowra flowers for food, medicine or any legitimate purpose will be able to get them as much as 8 lbs. at a time without any restriction. Dealers in mhowra flowers will get licenses to keep any quantity without having any fee or tax to pay. So there will be no actual hardship on any honest person. Only those who may be interested in illicit distillation will be under restriction.

The opponents of the Bill have not been able to say that the people of Thána are not immoderate drinkers; nor have they been good enough to point out what is the remedy for curtailing consumption except by making the liquor dearer gradually. Some of the critics suggest that duty on liquor should be reduced and the toddy should be made cheaper. This course instead of redeeming the people from the vice of drunkenness will encourage and extend the vice rapidly, and I do not think that any person having the true interest of the people at heart will advocate such a course.

The chief arguments brought forward by the opponents of the Bill seem to be, firstly, that the mhowra flower is an article of food for men and cattle, and, secondly, that if restriction is put on mhowra, other articles such as rice, date, molasses, &c., from which liquor can be distilled, will be used for illicit purposes.

In regard to the first question it is to be observed that both the Collectors of Thána and Kolába say that it is not used as an article of food by men. When we refer to the evidence taken before the Thána and Kolába Committees of 1883 some witnesses say it is not used as food, while others say it is used sometimes by certain class of persons. Supposing that it is really required by some persons for food, relish or medicine, the present Bill does not prevent them from getting it from licensed dealers to the extent of 8 lbs. at a time.

As for cattle I am inclined to give weight to the statement that mhowra flower is too dear to be used as a forage or food for the cattle. In Ahmedabad distilleries we find that after the spirit is distilled the residue of the mhowra flowers is taken away by the people at the rate of 3 pies a basket to feed cattle, and it is possible that in Thána, after distilling the spirit illicitly, people might be giving the residue to the cattle; undistilled mhowra flower will be too dear as food for cattle. If people really wished to give such a dear article as mhowra flower to cattle, they can get better substitutes in oil-seed cakes, &c.

In regard to the second objection it is to be observed that mhowra seems to be the chief article used for illicit distillation at present, and we must provide for it. It is to be hoped that people will not abuse other articles to the same extent as mhowra is at present, but if they do so in future it may be necessary to interfere.

Some of the critics of this Bill say a great deal in favour of making toddy free and cheap, but if they will bear in mind how much more drunkenness there was in the toddy-growing districts before toddy was brought under restriction and if they would place any weight upon the opinion of the experienced officers like Sir B. Ellis and Sir T. C. Hope, who along with others proposed to cut down all these toddy trees because they were the cause of the prevailing abnormal intemperance, they would refrain from saying too much in favour of toddy. All respectable Hindus consider toddy to be an intoxicating drink, and they never use it.

Although India is not cursed with the vice of drinking to the same extent as many other countries, it is generally believed, and there is a truth in it, that this vice is making its progress in this country a great deal, and therefore the friends and well-wishers of this country are very glad that many noble and philanthropic gentlemen of England and India are exerting themselves to arrest this evil. I am very glad to see, from the books and papers laid before the Council, that the British Parliament, the Secretary of State,

the Government of India and the Local Government are all desirous that the extension of the use of ardent spirit should be arrested and diminished in India. This humane and noble policy of Government can only be carried out by the enhancement of the price of liquor and by reducing the number of liquor shops, but these reforms cannot be accomplished without first adopting measures to stop efficiently the illicit distillation of liquor. As the Bill before the Council has this aim in view, I have no hesitation to support it.

I am a sympathizer of the movement of temperance, and I think that the friends of temperance should have no hesitation to support a measure like one before this honourable Council. There can be no temperance at all in a country if illicit distillation of liquor and sale thereof are not strictly restricted.

The Honourable Mr. N. N. WADIA, C.I.E., said:—Your Excellency, before I proceed with my remarks I would take exception to one remark made by the honourable mover, and say that I do not sit at this Council as a representative of those communities amongst which the most prominent opponents of the present *Ábkári* system are to be found. I represent no such bodies, nor am I a member of either of the two bodies named by the honourable mover. But I may mention that, with the exception of a few, my community has little or no connection with the liquor interest, and of those few the principal portion come from the poorer classes and from the districts of *Dáhánu* and *Umbargaon*.

When the Bill now before the Council, with the statement of objects and reasons, came first in my hands, and on reading the criticisms thereon both in the English and Native Press, I felt that, unless there were other grounds than those named in the statement of objects and reasons, such a measure was likely to cause hardship; but when at the first reading the honourable mover laid before the Council a quantity of printed matter, which it was not possible then to go through, and made a lengthy statement explaining his reasons for introducing the Bill, I felt that there could be no harm in my voting for its first reading, seeing it committed this Council to nothing beyond giving its assent to the measure being further discussed in Committee, and consented to act on the Select Committee to enable me to lay before the honourable mover views of different persons who opposed its introduction. Before the meeting of the Select Committee, I obtained the views of gentlemen who opposed the measure, and who were said to be experts in their knowledge of the administration of the *Ábkári* Act, carefully studied the criticisms of the Press, and on comparing them with the compilation and printed correspondence handed to the Council at the first reading, led me to feel that the Bill was opposed on the ground that *mhowra* flower is a common article of food and sustenance, while on the other hand a study of the criminal statistics showed that there were good grounds for controlling the collection and possession of the flowers on account of illicit distillation.

The principal objections to the Bill by those who oppose it are as follows:—

Firstly—That it is unjust to proscribe an article of food such as *mhowra* flowers and exclude many others which are susceptible of distillation into liquor or spirit.

Secondly—That the reasons which weighed with the Government of India in vetoing a similar Bill ten years ago apply with all their force even to the present Bill.

Thirdly—That even the latest official testimony shows that the evil of illicit distillation has diminished, and is by no means what it was ten years ago, or even in 1888-89.

As regards the first, it is a fact which can be proved to those who choose to make enquiries into the matter that *mhowra* flower is not an article of food in the *Thána* and *Kolába* districts, and is given to the cattle only as a blind.

I was greatly impressed with the evidence of Mr. J. DeC. Atkins quoted on page 99 of the special *Government Gazette*, from which it will be seen that the method he adopted to arrive at the facts and the conclusions he formed fully confirm the enquiries I made.

During the present hot weather I tried to induce several of the hill tribes I met at several spots on different days on the hill of *Mátherán* in the *Karjat Táluka* to eat small quantities of *mhowra* flowers, and even offered them consideration for doing so, but was much struck with the uniform way in which they one and all declined to do so, alleging that they could not eat more than a few flowers, but to eat any quantity such as half a *ser* would cause them to vomit, produce looseness and more particularly severe pains in the head. I felt certain that those poor people would have eaten them if it were possible because of the consideration which was offered to them, *viz.*, 8 annas a person. Again,

on enquiry at Thána and with several well-known and experienced persons, I find that mhowra flower is not an article of food in the districts of Thána and Kolába, but they confirm the statement that when fresh and green the flowers are taken as a relish, just as one would eat raisins or plums which the natives call "bore," while they are given in small quantities by the well-to-do class to cattle only when they are young to increase their speed and staying powers when used for conveyances, and also for fattening milch-cattle in lieu of cotton-seed.

The provision in the Bill that the flowers may be gathered and possessed during the flowering season without a permit, and with a permit all the year round, meets these cases

Again, the provisions that 4 sers of flowers may be possessed without a permit ought to meet any objection which may be raised against its prohibition for medical purposes, and further, to avoid mistakes, mhowra berries and seeds have been described in the Bill as being outside its scope.

Again, the relative prices of mhowra as compared with rice and nágli may be judged from the following:—

Rice, cleaned	at 8½ pies per Bengal ser.
Nágli	at 3¼ " " "
Mhowra flowers (Thána)	at 6 " " "
Do. do. (Khándesh)	at 8 " " "

Therefore it will be seen that the wild tribes would find it preferable to use nágli to mhowra flowers.

The objection that it is unjust to proscribe an article of food such as mhowra flower and exclude others which are susceptible of distillation into liquor, may be answered that even as an article of food it is not much cheaper than rice, as shown above, while I am informed that the quantity of spirit obtainable from the flowers is larger than from similar quantity of other articles, such as dates, molasses and rice, in the proportion of 13 is to 9. The flowers are also found in the woods, and fuel being close at hand they offer more facility for illicit distillation than other articles.

As regards the second objection, it will be remembered that the Government of India when vetoing the Bill in 1882 suggested that further enquiries be made as to the cause of illicit distillation, and observed, as pointed out by the honourable mover at the first reading, that "if after these enquiries have been made it was found that the flower was not used as an article of food and if it were clearly proved that no remedy for the existing state of things in those districts could be found in a relaxation of the present ábkári laws, it might then be considered whether legislation should not be undertaken for the purpose of placing some restriction upon the collection, sale and possession of mhowra flowers in those two districts alone."

The further enquiry as desired by the Government of India was made, and the reports of the Mhowra Committees appointed in the two Collectorates, with the voluminous evidence which has been reprinted at the suggestion of the Select Committee and laid before the public in the form of a special *Government Gazette*, together with the more recent reports attached thereto, shows that crime in the Thána and Kolába districts (in the latter of which Karjat and Panvel now form parts) is on the increase and is greater than in any other parts of the Presidency.

That Thána with a population of approximately 9 lákhs of people and with the advantage of having Bombay close at hand as a large employer of labour should have one person in 90 annually brought before a Magistrate, will be admitted as an evil which requires remedy.

Crime in Thána which in 1886 was in proportion to population as 1 to 115 has increased in 1891 to 1 in 90 notwithstanding the fact that police expenditure has been augmented from Rs. 21,923 in 1881 with an increased population in the ten years of 100,000 people to Rs. 48,417 in 1889-90, shows that some remedy is necessary.

As to the third objection it has been shown that the number of cases brought up for punishment do not bear any proportion to those of illicit distillation, and further that mhowra flowers are not exported but on the contrary imported into the Thána and Kolába districts.

Sir Charles Pritchard informs us that in former years illicit distillation from mhowra flowers was prevalent only in the inland tálukas of Thána, viz., Sháhápúr, Váda, Bhiwandi, Kalyán, Murbád and Karjat, and in the Panvel and Pen tálukas of Kolába.

But since 1888 large quantities have been imported from Gujarát by sea and from Khándesh and Central Provinces by rail into the Thána and Kolába Collectorates, and thus illicit distillation has now spread throughout Thána, and over the Paqvel, Uran and Pen tálukas of Kolába, and therefore it will be admitted that some efforts are necessary in order to abate drunkenness, which has been forcibly brought to the notice of Government by experienced officers who have been connected with these districts.

The following opinion of Mr. W. P. Coghlan, Session Judge of Thána, may here be cited with advantage:—"It is," he says, "within my experience that much violent crime is committed in the district of Thána under the influence of drunkenness."

He further observes: "The inebriety of the large portion of people in the Thána and Kolába Collectorates is a public scandal, and in my opinion demanding serious consideration and vigorous action from Government. If liquor were made accessible to the public only under proper restriction I should expect diminution of 50 per cent. of offences accompanied by violence."

I may also quote a more recent opinion of the well-known Dr. K. R. Kirtikar, whose experience ought to have weight:—

Letter No. 30-P. dated Thána, 12th February 1883, from Surgeon K. R. Kirtikar, I. M. D., Civil Surgeon, Thána, and Medical Officer, Thána District Jail, to W. B. Mulock, Esq., Collector of Thána.

"Sir,—With reference to our conversation on the ábkári question some days ago, I have the honour to submit to you these remarks, being the result of my repeated and careful examinations of the convicts sent to the Thána District Jail under the present A'bkári Act. From the last week of March 1881, when I took medical charge of the jail, to the end of December last, a period extending over twenty-one months, I have examined about six hundred such convicts.

"Of these three hundred and ten convicts were examined from 22nd March to 31st December 1881. Out of this total number one hundred and fifteen were in indifferent or bad health, and one hundred and ninety-five in apparent good health. During the year 1882, there were two hundred and seventy-four such convicts examined; of these no less than one hundred and ninety, or over two-thirds, were in indifferent health, and only about eighty-four were in apparently good health.

"These men, as a class, were utterly unfit to undergo the hard labour or rigorous imprisonment they were condemned to. And the jail authorities had consequently to be extremely careful in the practical carrying out of the sentence. This adds gravely, it need hardly be added, to the responsibility of the jail executives.

"If real 'hard labour' is exacted from this class of convicts, they will certainly die, and the jail will have its mortality list swelled to an enormous extent without our ever having the chance or satisfaction of adopting preventive measures for the diminution of such mortality, inasmuch as the incoming convicts of this class has his constitution already shattered. In great majority these convicts are old, infirm, and scorbutic, and form the bulk of our jail 'convalescent gang,' which means being fed at Government expense on what is sufficient diet for a non-working convict, and thus being encouraged to come into jail again for an easy and ready living.

"It is not within the scope of this communication, though it is a well-known fact, to touch here the question of a systematic attempt made by the clandestine liquor-distilling and liquor-drinking classes to incriminate and subsequently to get convicted an infirm, old and crippled man or woman in whose hut a number of such clandestine liquor-distillers gather together; get the old man or woman to distil liquor far beyond her own immediate requirements as is often alleged; drink it on the spot; perhaps enter into a brawl and fight among themselves afterwards; and subsequently when found out by the police, let in the old man or woman who lent the use of the hut for such drinking purposes.

"When such men are admitted into the jail, no medical officer, judging from their general condition, can put them to hard labour. The attendance among the out-patients is likewise increased by such patients, on whom the effects of chronic alcoholic poisoning are apparent. Besides, the liability of such men to disease is greater than in ordinary persons.

“ It would be much better if this class of men, when outside the jail, could be made to spend their income in obtaining proper food rather than improper drink. The refreshing effects of alcoholic drinks can only exist temporarily. When, after the day's work, the labourer's system wants something to revive him, he should fly to food for support, for food in that state would be a substantial and more lasting restorative than a bowlful of alcoholic drink ever can be. Nobody grudges even a labourer his luxuries; but an article like liquor ceases to be a luxury when indulged in beyond the bounds of moderation. And it is only those men that are addicted to an immoderate use of it that distil it clandestinely. The moderate man is content with what he can purchase in the shop. The outcome of this drinking propensity is even more prejudicial to the progeny than to the drinker himself, the children of men whose nervous vitality is weakened by drink being physically decidedly feebler.

“ In writing to the Compiler of the Bombay Gazetteer on the subject of the health of this district, I have alluded to the tendency and strong desire on the part of the lower classes of the Konkan to drink as a fruitful source of disease and degeneracy of the race as compared with the races of the Deccan. A moderate use of alcohol taken *with* food and *as* food is, in the opinion of the most advanced and experienced practical physicians, not prejudicial to health, even if calculated, as is done by some, not beneficial or necessary. But practically the drinking habit of the Konkani, who so often comes to the jail as a convict, is far beyond moderation, and can be only checked by firm and timely legislation, even as an erring and thoughtless child is brought to its senses by paternal castigation, and I say this from a personal experience of several years, being a native of this part of India myself.—I have, &c.”

Now, Sir, since this was written about nine years ago, and as Dr. Kirtikar is still in charge of the convicts of the Thána Jail, and has kept his enquiries (the result of which I understand is that not only does he confirm what he wrote before, but is of opinion that the evil still exists, and that too in a more aggravated form), a report from him before the third reading would be of value, and I hope the honourable mover will make arrangements to get it.

From the opinions quoted it will be evident to those who desire the welfare of these districts that some measure is necessary, and will agree with what fell from Sir James Fergusson in his speech on the subject in 1882 :—

“ I am convinced,” he said, “ that the poorer classes so far as honest dealing goes will not be injured in the smallest degree by this measure. No man who is living honestly and seeks to gather mhowra flowers will be injured at all under the regulations which the Government seek to impose. On the contrary, I believe there will spring up a very profitable industry, which, in the wilder districts, for which our compassion has been asked, will greatly increase the profits of the people.”

May I add that now as restriction is about to be put on the possession of mhowra flowers that Government will endeavour by every legitimate means to offer facilities for its export to foreign countries.

Mhowra flowers, I understand, possess many valuable qualities, and by careful investigation its value, as an article of commerce, might be materially increased, and thus afford to the poor gatherers a relief in the direction they want, *viz.*, by getting an enhanced price which their present system of barter with the Bania shopmen prevent them getting.

Before I conclude there is one point upon which I shall like to have a clear statement from the honourable mover.

During my enquiries I found that there is an opinion that section 18A, sub-section (1) as drafted does not clearly define that permits or passes will be granted on application, that is, any person who agrees to conform to the regulations can have on application a pass granted to him.

I understand that none below the rank of a Mámlatdár can grant passes; the owner of a few trees may have to travel some 10 or more miles to go to the authorised person to obtain a pass, and then, if obstacles are thrown in his way by referring his application for report to the village Taláti to which the applicant belongs, a second journey would have to be made and much time lost.

It might, therefore, not be worth the while (seeing that the value of an yield of a tree is about Rs. 1 to 1½) of the owner of a few trees, whose produce he is entitled to enjoy, to go to this trouble. This I think should be prevented.

Again the village Talāti might not approve of the applicant getting a pass; and there may be further trouble in convincing the officer authorised to grant permits; hence I want it distinctly embodied in the Act, and I trust the honourable mover will consent when we are considering the Bill in detail, with the assistance of the learned Advocate General, to so modify section 18A, sub-section (1), as to make it perfectly clear that applicants are entitled to get permits on application unless good reason can be shown that the applicant is a person who cannot be relied upon to possess such a permit. I have looked into section 30 of the A'bkāri Act of 1878, but in that there is nothing clearly defined as to making it obligatory on the part of the authorised officer to grant a pass on application.

Another point is that I was at one time anxious that the form of the permit should be attached as an appendix to the present Act; but it has been pointed out to me that there would be difficulties in making changes from time to time which experience showed would be necessary. I therefore do not press this, but ask for a distinct statement from the honourable mover that the license shall not contain any provision hindering the transfer from one tāluka to another of fresh mhowra flowers during the flowering season, thus obviating any monopoly as to purchases made by the local wholesale dealers. This will give the gatherers opportunities of selling the flowers to greater advantage.

I contend that the great point is that if the wild tribes or poor people who collect them in the jungle have facilities given them for collection and for selling at such prices which would enable them to obtain higher prices than that of grain, there will then be less temptation to store them illicitly, and the Act, instead of being of hardship to these poor people, will, in the words of Sir James Fergusson, above quoted, be the source of increasing the profits of the people.

In conclusion I feel that those who differ from our opinion will recognise that no endeavour to obtain all the information that could be got has been spared, and that the arguments against the Bill have had due attention and weight, and though we have been unable to agree with the view that the Bill is not a necessary one, will admit that the amendments introduced secure a substantial advantage to those who will be affected by it.

The Honourable Mr. FAZULBHOY VISRAM said:—Your Excellency, I do not think I should now trouble the Council with many facts or any figures after what have been already submitted in support of the Bill. It would be an unnecessary infliction if I did so. I shall, therefore, only say in a general way, that, after taking everything into consideration, I feel that a case has been made out for the proposed legislation to regulate the use of, and traffic in, mhowra flowers with a view to prevent illicit distillation therefrom of spirit and to check the consumption of liquor. I am quite aware of the various objections raised against the Bill by the Press and other people, but they are more or less based, as it seems to me, on sentiment or misunderstanding or interested grounds. For instance, a prominent citizen of Bombay remarked to me the other day, that he would not object to the restrictions on mhowra liquor if the European spirits were subjected to the same conditions. Another said that the passing of this Bill will throw 40,000 people into starvation; but when his attention was drawn to the modification therein made by the Select Committee which will enable the people to collect and dispose of the flowers without any restrictions during two months in each year when the flowers are in season, he at once said "that of course alters the matter." Then again, at least, one writer is known to have said that there is already enough law to embitter the existence of the masses and *therefore* this Bill should be abandoned. What an unfortunate way this is of criticising the actions of the Legislature? Some people seem to think that the best way to become popular or to show their independence is to oppose Government and their measures indiscriminately, tooth and nail, but in doing so, they simply set the subjects against the rulers and do incalculable harm to the country at large. There are some who ascribe to Government the motive of increasing its revenue by this legislation; but whilst any Government would be justified in legitimately protecting its sources of revenue, I think all right-minded persons will give this Government credit for other and higher motives. For, is it not proved that the illicit manufacture of spirit and the consumption of liquor prevail to an alarming extent in the districts to which this legislation is directed? Why, in some villages, I am credibly informed, the people generally are in a state of intoxication towards the night after their day's work. Should such a state of

affairs be allowed to exist in the interests of the people themselves? Moreover, the cases of illicit distillation must be far greater than what the reports show, because there must be a good many that are not detected as is the case with all other offences. Of course, it is rather hard for the people to tolerate any interference with their old habits, but when they are injurious to their well-being it is the *duty* of Government to interfere. So far as I can judge, the opposition such as it is—it does not seem to be based on any solid reasons—comes *principally* from those who use the spirits rather than the mhowra flowers, and does not therefore, perhaps, merit that weight which it otherwise would—of course I say this parenthetically. However, it seems to me to be almost hopeless to attempt to enter into the maze or to penetrate through the haze which has been created by the long—almost too long for business people—discussion which has taken place on the subject, both official and in the Press. To my mind the question depends on a few simple facts, which, so far as I am aware, will not be disputed by those who are opposed to the Bill. These facts I will very briefly place before the Council, *viz.* :—

1. It is a fact that the revenue derived from ábkári is derived from a monopoly which in its character is similar to the monopolies of opium and salt.

2. It is a fact that all monopolies are objectionable as they lead to vexatious *espionage* and interference with the people concerned. We are, however, at present not concerned with the advisability or otherwise of having monopolies. We must take the ábkári monopoly as an accomplished fact, and see whether the proposed legislation is or is not necessary to work it.

3. It is also a fact that monopoly laws, specially in their penal provisions, must be severe, as if they are not so, and if any loop-holes exist for evading them, the object of the monopoly is defeated, and not only the State revenue suffers, but demoralization of all concerned ensues as a consequence. Take, for instance, the provision of the law relating to any article of monopoly, *viz.* if any quantity of that article, however small, but legally illicit, is found in a cart or in a sea-going vessel, that cart or that vessel with all the goods in it is liable to be confiscated. One reason, amongst others, for such a provision, is, that when a monopoly law is lax, the smuggler finds it profitable to carry on illicit traffic when the chances of his being detected are so few.

4. It is further a fact, that in the matter of penal provisions, whether general or special, the soundest policy for Government is to do all in its power to prevent offences and to call in the aid of the Magistrate only as a last resort. Even an ardent opponent of the Bill cannot deny the soundness of this policy.

5. Now I desire to call the attention of the Council to the fact that, in the districts to which this Bill is proposed to apply, a strikingly abnormal percentage of people is addicted to drink; also to the fact that in the same districts crime is abnormally prevalent, and we have it on the best authority that this crime is greatly to be attributed to drinking. Then we have the fact that a great portion of the mhowra flowers locally produced and imported does not go to the Government distilleries. This is proved not only by the local production and import of mhowra, but also by the number of cases of illicit distillation which have been detected, not to speak of those that have escaped detection.

Your Excellency, if what I have just stated are facts, I venture to say that they are such as impose upon us the necessity for minimizing, as far as lies in our hands, the existing evils; nay, as regards the prevalence of drunkenness or crime, Government would at any time have to devise preventive measures independently of any monopoly, and indeed I think that if the measure now before us had been based on the necessity of putting down drunkenness and crime and not been connected with the ábkári monopoly, there would have been little or no opposition to it.

From the facts of the case, I feel convinced that the present Bill, greatly modified as it is in the Select Committee, is necessary in the interests of the people themselves, to say nothing of the revenue derived by Government.

The case therefore is reduced to this: on the one hand it has not been proved that the flowers are used as food to any appreciable extent by man or beast in the districts in question, whilst on the other hand Government have proved to the hilt that illicit distillation as well as immoderate consumption of liquor exists; such being the case we must accept the Bill.

I shall therefore certainly vote in favour of the second reading of the Bill.

The Honourable Mr. BEAUFORT said :—Your Excellency—Any ideas I may have had of opposing this Bill, have been completely dispelled by the speeches of the honourable mover and the other gentlemen and I will vote in favour of the Bill. In some of the petitions addressed to this Council I notice one remark which, perhaps, is of more importance than others to merchants, and that is the statement made in regard to the Bill preventing the export of mhowra flowers to foreign countries. I thought that during the last seven years none had been exported, and I looked up the matter and found that the last export was at the end of 1884. Previously, I believe, a patent was taken out in France which enabled the objectionable odour in mhowra liquor to be removed, and a considerable quantity—from two to three thousand tons—were annually exported. The French Government, for some reason or other, put a heavy duty upon the flower, and stopped the trade. I do not think for the past seven years mhowra flowers have been exported to any foreign country.

The Honourable Mr. BIRDWOOD said :—Your Excellency—I have no wish to discuss at any length the reasons for and against the measure now under our consideration, or to go over ground that has already been covered by the honourable member in charge of the Bill and the other members of this Council who have already spoken. Still, in regard to a Bill which has excited much interest outside these walls, I am unwilling to give a silent vote on the motion that it be read a second time, by which we are called upon to affirm its principle. I was not a member of Your Excellency's Government when this Bill was introduced, and approach the consideration of it without bias of any kind. My vote for the second reading will be given because I am satisfied from the evidence that has been placed before the Council and the arguments that have been addressed to it, that the Bill is one which, in the circumstances of the districts to be affected by it, the Council is bound to pass. I cannot suppose that this Government would ever have introduced a Bill of this kind, which interferes to a certain extent with private rights and with the possession of private property, unless the necessity for repressive measures had been made very clear. Now the report of the Select Committee shows clearly the circumstances which have imposed upon the Government the duty of undertaking such measures. It shows the prevalence of gross drunkenness among certain classes of the community in the Northern Konkan. It shows that this state of drunkenness is largely due to the illicit manufacture and consumption of liquor made from mhowra flowers; and it shows incontrovertibly that serious crime has been induced by such drunkenness in that part of the country. There are undoubtedly grave evils to be dealt with; and I agree with those who have spoken before me who think it better that these evils should be checked by a law regulating the possession of mhowra flowers, such as that now before us, than by the continuance of punitive police posts in the districts where crime, due to the immoderate use of liquor, is prevalent; for the cost of such punitive posts falls alike on the innocent as well as the guilty. The Bill before us is distinctly on the side of temperance; and it is a moderate Bill. It has been improved in its passage through the Council. It is free from some of the objections to which it was open when it was introduced. As it stands, it is well calculated, I think, to be of use. Whether it will secure all the objects that are desired, time alone can show. But if it secures for the people of the Thána and Kolába districts one-half of the benefits that are expected from it, then this Council will, in passing it, have earned the gratitude of the people, not of those districts only, but of the whole Presidency.

The Honourable Sir CHARLES PRITCHARD, in reply to the Honourable Mr. Wadia, said : The honourable member has not quite caught the drift of my remarks, which pointed to the fact that those members of his community who have been loud in their opposition to this measure would naturally have had no difficulty in obtaining from him a fair hearing of their objections. I am glad to hear that there are but few Pársis who are hostile to this measure. The honourable member expressed a wish that there should be a clause in this Bill compelling the grant without any restrictions to all owners of mhowra trees of permits for the collection, possession, sale and transport of the flowers produced by their trees. I am afraid we cannot make such a wide concession; if we did so, the object of this Bill would be defeated. As regards his other suggestion, that permits should be granted for the export of the mhowra flowers from one táluka to another, the necessary provision has already been made. Sub-section 3 of section 18A provides for the export of mhowra flowers from one táluka to another during the period of two months, from the 16th February to the 15th of April in each year, or such longer period embracing the said two months as

the Governor in Council from time to time in the *Bombay Government Gazette* directs. If the Honourable Mr. Wadia should see fit to move an amendment in furtherance of the views he has expressed, it can be considered in detail on the third reading.

His Excellency the PRESIDENT said :—Under ordinary circumstances I think that a peroration in favour of this Bill would be unnecessary from me, seeing that a Select Committee—composed as my honourable colleague has described—has recorded its opinion, that “after a careful consideration of these several documents, it is convinced that the illicit manufacture of spirit, and the consumption of intoxicating liquor exists in Thána and Kolába to such an extent as to seriously affect the welfare of a large portion of the population of those districts, and they are satisfied that no real or lasting improvements can take place unless steps are taken to prevent illicit distillation and consumption of liquor.” The Select Committee, composed as my honourable colleague has described, has deliberately expressed that opinion, and this Council has unanimously supported it, and I repeat that under ordinary circumstances, a peroration would have been unnecessary. It is impossible, however, to ignore the fact that a considerable opposition has been raised outside of this Council against the principle of this Bill, and I think that it would be regarded as disrespectful to that opinion on my part if I was to allow this debate to conclude without offering some remarks on the opposition. The Bill itself has taken a long time in preparation for various reasons, and as a matter of fact when I arrived in this country I found it on the stocks ready for me to take up, and it was my bounden duty to consider the evidence placed before the Council, voluminous though it was, and I do not think that I complained at the amount of labour entailed upon me in having to scan that evidence, although I observe complaints are now made outside the Council because this Government has endeavoured to keep its promise and lay upon the table all the information it had in its power. Having read that evidence, and having discussed the question with those who had practical experience of the condition of these districts, I have come to the conclusion that the policy which has resulted in placing this Bill before the Council is justified, and I cannot avoid going on with the Bill which, it appeared to me, was absolutely necessary, and which this Council has declared to be absolutely necessary. Now, the opposition the Bill has met with has come from three quarters. It has come from the Press, several Associations, and, in a modified form, from one or two talukas in the affected districts; but it is remarkable that the main opposition has not been from the districts affected, but from the city of Bombay and the city of Poona. Now as regards the opposition from the Press, I should be very sorry if it was thought that I put any depreciatory value upon the criticism passed on the Bill, but I do not think that that Press criticism is exactly of the same character that it would have been in a country, or in those countries in which legislation is proceeded with on somewhat similar lines to that in which legislation is proceeded with here. I mean in this way. This Council legislation in India is proceeded with upon the lines which after centuries of struggle has been won by the people of western countries, and in course of time it has resulted that in those countries two parties or more, as the case may be, have grown up, and attached to each of those parties there is Press representation, and the consequence is that a question of an interesting character is invariably discussed from all points of view at considerable length in each section of the Press before a Bill becomes law. Now the same opportunity hardly exists in this country. Government is without any party Press behind it. There is a Press which I am glad to have the opportunity of saying is upon many questions thoroughly impartial, and is certainly in the majority of cases, so far as I can see, extremely well conducted. But it is a fact that the proposals of Government are, when opposed by the Press, without that consistent support which a party Press gives to the proposals of Government in those western countries to which I have alluded. I am not only thinking of the Press support given in leading articles. I am thinking far more of that independent discussion which takes place upon legislative proposals, and which, I think, every one will admit, produces a careful and critical discussion on the merits, or even the detail of measures that may be proposed by Government. In this country Government itself is so fully occupied—the executive part,—that its officers have not the opportunity of ventilating its side of the question in the Press in the way that the supporters of the Government do ventilate the views of Governments in those other countries I have mentioned. That is what I mean when I say in India when a measure is opposed by the Press there is not that full discussion from both points of view we find elsewhere, and consequently the public has not that opportunity of scanning the arguments of both sides which it has elsewhere. I am not, of course, challenging the right

of any paper to take an independent opinion, but I do say under other conditions—those conditions being that parties have grown up—a measure of this kind would have received from the party supporting the Government an amount of ventilation which would have shown the reasons Government had for introducing it in a far more able form than this Executive Council has, and, therefore, I do not attach so much importance to the unanimous opposition—and I must admit it was unanimous—of the Press that we have met with, that I should do in a country where there are separate parties, and where it is obvious that the unanimous opposition of the Press would have at once killed a Bill. The grounds for the opposition are various. I think I have seen it stated that the Bill is unnecessary. At any rate I may take this edition of the quarterly journal of the Poona *Sarvajanik Sabha* and note what it says. “The Bill, we repeat, is absolutely unjustifiable in principle, and will prove harassing and oppressive in the workings.” That may be the opinion of the Poona *Sarvajanik Sabha*. I do not question its right to entertain that opinion; but I say that if the Executive Council of Bombay, with the facts and the figures that it has before it, and has placed before this Council, and the opinions of local officers, who have practical acquaintance with the state of drunkenness and crime in Thána and Kolába, if this Executive Government had with these facts before it shirked the responsibility of bringing in this Bill, I have no hesitation in saying I do not think it would have been a Government worthy of that name. Again, it has been said that it is a Bill that should not be taken up, because a Bill something of the same character was vetoed by a superior authority some ten years ago. I will extend my last remarks, and will say that although this Bill was vetoed by a higher authority it would, if my turn of office would allow of it, and with these facts and figures before me, be the duty of the Bombay Government, if the Bill were again vetoed, conscious of the responsibility of legislating for the improvement of the people of this Presidency, to bring in the Bill again. Therefore, I cast aside as without weight the suggestion that the Bill should be dropped because one of the same character has been vetoed before. Another argument that has been used is that if we prevent the free transport, sale and collection of mhowra flowers we may attempt to do the same with regard to rice and sugar or some other article from which intoxicating liquor may be produced. Why should there be any temptation for the Ábkári Department or Government to interfere with the free transfer of these articles when there is no illicit distillation of liquor from them? If there were, then in all probability it would be necessary to bring in legislation of some sort to prevent illicit distillation. But there is no occasion for us at this moment to consider that as an argument of importance, because those articles are not used for illicit distillation; therefore it is not for us to contemplate legislation. The Honourable Mr. Fazulbhoy Visram, in supporting his argument, pointed out that the ábkári system was a monopoly and from the point of view of some people was, therefore, objectionable. But, with great respect to him I am inclined to think that that statement rests upon a fallacy. I am prepared to admit, if you like, that ábkári, that is the system under which products of the earth capable of being made into intoxicants are taxed, is a monopoly. But whose? Why, the people of India. It does not belong to the Government which exists for the administration of laws. The proceeds from the monopoly return to the people in some form or other, and if revenue was not raised from ábkári it is perfectly clear either that some benefits which the people have, the protection of their life and property, or other advantages would have to be given up, or some further taxation put on the people. Again, it is stated that the Bill is unnecessary, because punitive police posts could check the illicit distillation, and the remarks of the late Commissioner of Ábkári are quoted in support. Well, Government has shown the esteem it has for Mr. Loch very clearly, but neither the Government esteem for Mr. Loch, or anything else, will make him a prophet, and his expression of gratification that the check which has been placed upon illicit distillation by the punitive police posts, does not involve him in saying that it would be sufficient for the future. I don't see how anyone, looking at the figures which have been quoted by most speakers to-day, can consider for a moment that the condition of affairs in Thána and Kolába is satisfactory, or that the statement of Mr. Loch is sufficient argument for giving up the Bill. Some writers are inclined to view lightly the imposition of a punitive police post on the people. Well, I am glad to say, Government does not view it in any such manner, for it punishes the innocent as well as the guilty. Since the Bill was introduced, a Pársi Inspector made a seizure in Kalyán and whilst doing so was set upon by forty or fifty men and severely beaten. Thirty-nine men were arrested, and seven sentenced to three years' rigorous imprisonment each. Kalyán is one of those tálukas in which a punitive post

is placed, and it has not checked altogether illicit distillation, and has resulted in the people being subjected to visits from the police of an irritating character, and resulting in serious crime and attempts to interfere with the action of the officers of the Crown. Well, I am of the opinion that it is not the duty of Government to depend upon punitive police posts, as they are a serious cost, and the innocent have to pay for the prevention of crime, such as illicit distillation, when it is possible by such legislation as that now introduced to secure a minimum of interference in the transfer of the particular article and thereby, it is to be hoped, do away with the particular offence which leads to crime, such as I have quoted. I have been referring rather generally to the objections I have observed, but I will now take up some of those specifically brought forward by the *Sārvaṅanik Sabha*; but before I enter into them I would, in a friendly spirit, say to these Associations, which are in the habit of presenting memorials to Government when it is about to legislate, that their representations would, I believe, secure a larger measure of respect and support if they were placed before the public in a more public manner than they are now. I mean if these Associations were to admit, at meetings on important matters, the Press, we could then know what number of members of the Association took an interest in the subject, what discussion took place upon the memorial placed before them, and whether it was unanimously supported or not. I think the public would generally take more interest in them and would give more consideration to their representations. As it is now, they come from the blue, and we have no idea of how many members of this or that association were present when a memorial was discussed, or whether it was unanimously adopted, or opposed in any way. I offer these remarks in a friendly spirit, and I hope they will be accepted in the same way. Returning to the specific objections to the Bill raised by the *Sabha*, on page 29 of their quarterly journal, they give an account of the result of the introduction of the measure in 1882, and they point out that the Bill was approved by the seven official members, and was opposed by the five non-official members. Well how different is the case now. Why should we drop a Bill that has received the unanimous support of the Council upon the recommendation of a Select Committee on which non-official members had a majority? On page 71, the *Sārvaṅanik Sabha* states: "Because a few individuals dishonestly distil liquor from mhowra flowers, therefore Government propose to shut out all people—and these deeply sunk in poverty—from all legitimate uses of them." How does this Bill shut out people from a legitimate use of these flowers? For two months in the year when the flowers are fresh there is no restriction at all, and for the other ten months when the flowers are dry and fit for distillation, they are able to move them under a permit. The *Sārvaṅanik Sabha* concludes by saying: "False notions of humiliation may prevent the Bombay Government from dropping the Bill now, but wise statesmanship and genuine regard for the true interests of the people alike dictate the course which we have earnestly and respectfully asked Government to take." Apparently, in the opinion of this Council, it is wiser statesmanship to check an intolerable evil, which exists in Thána and Kolába. In the analysis of the Thána Committee Return, published by the same body, I am struck by this remark, that since 1888 the number of cases has rapidly diminished, and that in the course of a year or two a return to the state of things, which prevailed prior to 1888, might legitimately be looked for. I should regard the condition of things prior to 1888 as hardly one which we should endeavour to attain to, seeing that prior to 1888 we find that in Thána and Kolába the ábkári offences ran between 356 and 413, and that the total of crime of the population was from 1 in 110 to 1 in 115. I confess I have hopes of reaching even a more desirable state of things than that with the help of this Bill. The analysis also deals at considerable length with the question of the use of the mhowra flowers as food for man and cattle. Well, we have ample evidence to show that it is only used for food by man in very few cases, and for cattle it is only used by the wealthy. But the Bill does not prevent its use as an article of food. My honourable colleague has challenged the Indian Temperance Association for not having come forward in support of Government, as whatever else the Bill is, it was absolutely impossible for the most critical opponent to say that the Bill is not an attempt to put down intoxication. It seems to me that the Association should have come forward on this occasion and addressed a memorial to Government asking them not to be deterred by the opposition but proceed with the Bill. Those were the only points it is necessary for me to deal with, but, perhaps, I may mention the regret I feel that my honourable colleagues, who are not official members of the Government, should have been subjected to attack in unmeasured terms because they have approved of the Bill. They have, no doubt, discovered

before now that gentlemen in public positions have to put up with attacks of that character, and I have no doubt that there are other people in their various communities, who although subjected to the same attacks, would also be prepared to take up an independent position upon matters such as this, and I say this deliberately—because we know that these Councils are shortly to be enlarged, and because it seems to me a matter of urgent importance that gentlemen who are elected or selected for this Council, should be prepared to form independent opinions on the merits of measures placed before them, and not to quail before the criticism passed upon them. In conclusion I would call attention to one paper laid before this Council, a very old one, perhaps, but nevertheless important—seeing the name that is attached to it. Mr. Mulock, who knew the Thána District well, said in 1882: “Those who opposed the Mhowra Bill when before Council had certainly not the real interests of the ryots at heart. It would be infinitely better to have a few rules restricting the possession of mhowra berry, and thus take the means to do ill-deeds out of their hands, than having the inspectors searching their houses and the Magistracy sending them in large numbers to jail. From my experience of nearly fifteen years in the district, I can positively assert that the mhowra berry is never eaten by the poorer classes, as was represented, and as food for cattle it would prove quite as expensive as rice, the basket of mhowra berry costing four annas, or the same as a basket of rice.” In another paper Mr. Spence, Acting Commissioner of Customs, Salt, Opium and Ábkári, in December 1890, quoted a report from the Collector, as follows:—“I am not surprised at the petition, for which I can assign two adequate causes. First, those who do not engage in illicit distillation are afraid of being harassed by searches, and mulcted for the support of punitive posts; secondly, those who do illicitly distil in some cases, I fear do so under pressure, and would be glad of any measures which would free them from the pressure. I am not much acquainted with Kalyán myself, but I have had a good deal of experience with the western side of this district, and on that side I am convinced that the mhowra importations are viewed with extreme dislike by all except the Pársi landlords, who compel their tenants to illicitly distil with a view to petty gains and enjoyment of the first outturn of the illicit stills. So strong is the feeling in Umbargaon that the Bráhmín landlords evict tenants who deal with mhowra merchants and who illicitly distil, while in some cases the villagers, to protect themselves, not from Government but from local coercion, combine to suppress spirit-drinking altogether. It seems to me that I am at present almost powerless against Umbersi and his fellows. All that I can do is to watch and shadow the importer, and by doing so a case of illicit distillation here and there may be fully proved against one of his wretched victims; he will be hampered and annoyed, a customer here and there may be warned off, and possibly a conviction against a purchaser may be snatched. A successful prosecution of a purchaser is, however, a very ticklish affair, as it risks an authoritative declaration that under no circumstances is mere possession sufficient evidence, and such a declaration would be known far and wide. The subject of the mhowra trade has been fully gone into by Mr. Campbell in his ábkári report, and it is unnecessary to discuss at length the necessity of a Mhowra Bill, which has been urged over and over again. I see no objection to such a Bill if confined to the districts of Surat, Thána and Kolába; the only possible hardship in this district—that on the owners of mhowra trees in the inland talukas—can be obviated by a permit system.” These opinions I thoroughly endorse, for in this district over which this Act will apply there is not only an intolerable evil, so far as Government is concerned, but an intolerable hardship to a number of persons of this district, and, therefore, Government is justified, apart from its ábkári policy, in introducing this Bill, because it will ameliorate a deplorable condition of things and improve the position of a number of people who are hardly used in consequence of this illicit distillation, and I am glad to find that this opinion has been unanimously endorsed by the Legislative Council.

Bill read a second time.

The Bill then passed its second reading without opposition.

HIS EXCELLENCY:—In case any member wishes to move an amendment, I think it is only fair to set down the Bill in detail for this day week; and if there are no amendments it will be quite possible, I imagine, to proceed right through with the Bill on that day.

THE BOMBAY SALT BILL.

A Bill to amend the Bombay Salt Act, 1890. Second reading.

HIS EXCELLENCY :—The Select Committee has made no alterations and has made no remarks on the Bill. I understand there is no opposition to the Bill either in its original form or as it comes from the Select Committee.

Bill read a second time.

The Bill then passed its second reading.

The Council adjourned until noon, Saturday, July 2nd, 1892.

By order of His Excellency the Right Honourable the Governor in Council,

C. H. A. HILL,

Secretary to the Council of His Excellency the Governor of Bombay
for making Laws and Regulations.

Poona, 25th June 1892.