

1/1400

Confidential No. 159
1893

1
2
154 69/79

Confidential

2017/25/17

Judicial DEPARTMENT.
G.O., DATED 27-10-93
No. 2836
2287
Series. This

First copy sent to Press.

Returned for signature.

Despatched.

[Despatch Abstract.]

slaughter of king

P-
Q-
R-PH

Trans. India

of the disturbed district liable for the cost of the police quartered upon it, and leaves the Magistrate no discretion to exempt any class of persons. Thus the very persons against whom disturbances were got up and who have suffered from them may be called upon to contribute to the cost of the police equally with those who were in fault.

5. The alterations of the law herein advocated are, the Lieutenant-Governor thinks, simple, and such as cannot be objected to by reasonable and loyal persons. They ought, he thinks, to be passed as soon as possible, for it is certain that we are face to face with a very dangerous organization which threatens in some districts to become the government *de facto* of the country, and if not suppressed will certainly cause very great trouble in the not distant future.

Sir Charles Crosthwaite believes that this danger may still be averted by firm and fearless action. The true way of administering India is by enforcing village responsibility and compelling the people to control each other, or if they cannot, to inform the authorities and enable them to do it. In these Provinces the tendency for years has been to break up and disintegrate the village communities. We have attempted to keep order and suppress crime by means of an outside police who seem yearly to become more feeble and corrupt, and are hated by the people. We fill our jails with criminals at a vast expense, without getting the upper hand of the criminal classes. Whereas by falling back on the old system of the country, and by enforcing the responsibility of landowners and of villagers as a body, we should get much better results in a more merciful and less costly manner. The present organization of the cow societies works on the people as a whole, and it must be met by the assertion of the principle of joint responsibility.

6. There is one more amendment of the criminal law which can be easily effected, and which the present circumstances of the country most urgently demand. The false and alarming stories that have been published in the newspapers since the occurrence of the disturbances at the Id festival have done very great mischief, and are continuing to do mischief. It is hardly necessary to quote instances, as the Government of India is doubtless aware of the facts. I am however to enclose a copy of correspondence which has taken place between this Government and the *Morning Post*, a newspaper edited by a European and published at Allahabad. It can hardly be doubted that the Editor has been victimized, in the case of both the false reports published, by some one who desired to increase the excitement between Hindus and Muhammadans and to inflame the minds of the former. It is evident from the Editor's reply that he had taken no pains whatever to ascertain the truth of the alarming stories which he published, and which he served up with remarks of his own calculated still more to alarm the public. These stories have been taken up by the Bengal Press and made use of to excite the Hindus against the Government and against the Musalmans.

The tardy contradiction and insufficient apology made by the Editor shows the necessity of having a law which can bring home to persons of his type some sense of responsibility and of the duty Editors of journals owe to the public.

7. The present law (section 505, Indian Penal Code) throws on the Government the onus of proving that the person circulating or publishing a false report knew that it was false. This is an almost impossible task, and section 505 is consequently useless. Sir Charles Crosthwaite recommends that section 505 be amended so as to make it applicable not only to statements which the person circulating or publishing them knows to be false, but to those also which he does not believe in good faith to be true. He recommends also that in that section after the words "with intent to cause fear or alarm to the public, and thereby to induce any person to commit an offence against the State, or against the public tranquillity," the following words be inserted—"or knowing or having reason to believe that such report will cause fear or alarm to the public, and thereby will induce any person to commit an offence as aforesaid."

If this alteration in the law is made at once, it will enable the Government to control one of the worst forms of journalistic crime, namely, the invention and dissemination of lies for the purpose of exciting the people against the Government and of setting race against race. Very few issues of the native newspapers are without instances of this offence; and some newspapers owned and edited, it is believed, by Europeans, such as the Allahabad *Morning Post*, are equally guilty, though perhaps from different motives. The inflammatory and seditious tone of the Native Press, especially in Bengal, cannot have escaped the notice of the Government of India. The Native Press is doing infinite mischief, and unless it can be to some extent suppressed and controlled, it will lead to rebellion and bloodshed.

The other matters dealt with in your letter under reply are receiving the Lieutenant-Governor's attention, and he hopes to address the Government of India concerning them at an early date.

I have the honor to be,

SIR,

Your most obedient servant,

J. J. D. LATOUCHE,

Chief Secy. to Govt., N.-W. P. and Oudh.

"THE MORNING POST":
Allahabad, September 14th, 1893.

DEAR SIR,

I DELAYED publishing and acknowledging your letter of the 3rd, in order to make inquiries. The result appears in our issue of the 12th. I regret that I have not yet been able to trace the sender of the murder story. I may add that in future I shall refer all such reports to the Local Government before publishing them.

Yours truly,
T. G. PIKE,
Editor.

Extract from the "Morning Post" of the 12th September 1893.

WE communicated with our correspondent at Cawnpore, whose reply we quote in full:—"The cow-head rumour was very strong in the city. I first got what I considered fairly reliable information from a member of the Municipal Board. The following morning I heard it corroborated by at least forty men from different parts of the city. I put on a reliable Muhammadan and a Hindu to get me special information about it. The former is a merchant, who has dealings with the owners of the temple. I learned that the owners desired to suppress the rumour, as it was likely to bring ill odour on the building thus desecrated, but that the rumour was true; that it had been done at midnight; that four men were present when the head was found; and that a boy had been seen running away, and it was presumed that he had done it. It may be true or the reverse, but it is still firmly believed in the city, and the impression is that steps have been taken to deny it for diplomatic reasons. Of course, in writing you, I said that 'from what I could gather,' that was the cause of the ill-feeling. I learn to-day from a friend who has known the family (connected with the temple) for years, that there is much internal quarrelling, and that the probability is that, if it be true, they have done it among themselves, and it is not the work of a Muhammadan. From Government's agitation about the matter it would suggest that they know it to be true, and, presuming that your informant is a Government servant, they want to make it hot for him for divulging secrets. For Government's special benefit you contradicted the rumour next day. What more do they want? All is quiet here now. Our Collector worked like a slave for three or four days right in the heart of the agitated parts. He handled things well, and deserves great credit.

"P. S.—There is no getting really at the root of a thing like this unless by a proper inquiry of a magisterial nature, and not even then. Beyond what I have given you above I cannot vouch for the accuracy or otherwise of the report."

We need say no more about the matter than that we do not divulge the names of correspondents under any circumstances, unless, of course, we are deliberately misled, as in the Sahaswán case. We are endeavouring to trace the sender of this report.—EDITOR.

Strictly Confidential.]

No. 1323.

FROM

C. J. LYALL, ESQ., C.S.I., C.I.E.,
Secretary to the Government of India,

TO

THE SOLICITOR TO GOVERNMENT,
CALCUTTA.

Home Department.
Public.

Simla, the 16th September 1893.

SIR,

I AM directed to forward a statement of facts regarding the *Gorakshini Sabhas* or cow-protection societies which have been established in certain parts of India, and to request that you will be good enough to lay it confidentially before the Honourable the Advocate General for his opinion on the questions raised in the latter portion of the statement.

I have the honour to be,

SIR,

Your most obedient Servant,

C. J. LYALL,

Secretary to the Government of India.

The *Sabhas* constitute themselves tribunals to take cognisance of the offences laid down in their rules, and records of regular trials held under the presidency of the *Sabhapati* have been found. The following are specimens:—

Gao Mahārāni (Cow Empress) versus Sita Ram Ahir of Haldi.

Charge—Impounding a cow in the Government pound.

"The cow was sold by auction (from the pound) to one Gangu, a butcher, for Rs. 10. The fact was brought to the notice of the *Sabhapati*, who, sending for Sita Ram, ordered him to buy back the cow, which he did for Rs. 14, and then sent him up for trial before the *Sabha*. The court was formally held in _____'s house in _____. Sita Ram pleaded guilty, and was sentenced to Rs. 4-8-0 fine. He refused to pay the fine, and was brought before the *Sadar Sabha*, and sentenced to 24 days' outcasting and various religious penalties."

Gao Mahārāni versus Sheo Lochan.

Charge—Impounding a cow in the Government pound.

"Tried by the head *Sabhapati*. Sentenced to 12 days' outcasting, with the accompanying religious penalties, and to pay a fine of 8 cows. On default to four times the above punishment. Any one abetting his default to pay half the above fine."

Gao Mahārāni versus Ram Bhavan.

Charge—Inducing people to act contrary to the *Sabha's* orders.

"Sentenced to a fine of Rs. 10, to be paid towards the *Gaoshala* fund, and 15 days outcasting."

The papers of which these are specimens disclose a widespread system of coercion among Hindus of all castes directed towards the establishment of the authority of the *Sabha* and the boycotting of the Musalmans. The enforcement of contributions is secured by the penalty of outcasting and the threat of religious terrors. All Hindus are thus compelled to join a *Sabha* where one has been established, and any recusant person, or member who violates the rules of the *Sabha*, is formally tried and punished with money penalties and outcasting as shewn in the above records of cases.

Whenever any prominent person is considered to have been guilty of conduct offensive to a *Sabha*, notices are distributed enjoining all Hindus to refrain from associating with him; and persons receiving these notices are required to make copies of them and distribute them to others under penalty of being considered guilty of the death of so many cows. Many such notices or proclamations have been found.

The opinion of the Advocate General is desired as to whether proceedings such as those above described can be brought within the provisions of the Indian Penal Code.

It would seem that the enforcement of contributions by the threat of outcasting or other religious penalties would come under sections 503-506 of the Indian Penal Code as criminal intimidation, and also, if the threat is as described above, that the person threatened will be held guilty of cow slaughter or of eating cow's flesh, under section 508 (apparently a mere threat of outcasting has been held* not to come under that section).

* See O'Keefe's Indian Penal Code, 3rd Edition, page 336.

Such proceedings in trials by the *Sabhas* resulting in the exaction of fines as are described above might probably be brought within the definition of extortion in section 383. The word "dishonestly" used in that section, as defined in section 24 of the Code, seems to cover such usurpation of authority as is involved in claiming the right to fine a person for an act which is no offence.

The Government of India also wish to be advised whether persons who conspire together to form an association on the basis and for the purposes above described, and who pass rules prescribing penalties for such acts as have been detailed, cannot under section 107 of the Indian Penal Code be indicted for abetment of criminal intimidation, extortion, or an offence punishable under section 508, as the case may be, or otherwise prosecuted.

C. J. LYALL,

Secy. to the Govt. of India, Home Department.

Opinion of the Hon'ble the Advocate General upon the case submitted with the letter No. 1323, dated 16th September 1893, from the Secretary to the Government of India, Home Department, to the Officiating Solicitor to Government.

The case submitted is novel. There are no cases in the books or reports similar to the present. I am therefore advising on a *res nova*, and I cannot but do so with some doubt. There are two cases, namely, the *Queen vs. Sankara*, I. L. R. 6 Madras 381, and *in re D'Cruz*, I. L. R. 8 Madras 140, in which religious or ecclesiastical authority was exercised over persons who were excommunicated, and it was held that there was no offence under section 503 or 508 of the Indian Penal Code. I think these cases have no application to the present. The societies formed have (so far as I am aware) no religious ecclesiastical or other authority to punish persons with pains and penalties such as outcasting and imposing fines. In the case now before me it is stated as a fact that the whole of the Hindu population is, where a society of this kind is established, compelled to contribute to its purposes or suffer expulsion, and that the enforcement of contributions is secured by the penalty of outcasting. I would have preferred a statement in detail of the exact method employed to compel persons to become members or to contribute or to suffer the prescribed penalties. I will, however, assume for the purposes of this opinion the facts and conclusions stated in this case.

If outcasting by the societies (although without legal authority as it appears to me) has in point of fact the effect of outcasting a person or ostracising him from the society to which he belongs, I am of opinion that the offence of criminal intimidation under section 503 of the Indian Penal Code is made out, when a complaint is made by a person who declares that he was induced to become a member of one of these societies, and to agree to observe its rules, by reason of and under the influence of a threat held out of being declared an outcast. When contributions have been paid or fines inflicted and paid under the abovementioned threat, I think the case falls under the head of extortion (see section 383 of the Indian Penal Code). If either of these charges is made out, the actual instruments are liable as principals and others who instigate such principals as abettors under section 107 of the Indian Penal Code.

It is clear that any person who voluntarily joins one of these societies cannot complain either of criminal intimidation or extortion.

Under the English law societies of this kind would be suppressed by indictments under the common law for conspiracy to carry into effect a purpose hurtful to some individual or a particular class of the community, or to the public at large. (Stephen's Commentaries, vol. 2, page 274; Archbold's Pleading and Evidence, 20th edition, 1087; and Roscoe's Criminal Evidence, 11th edition, 399.)

Such offence of conspiracy as I have described is not an offence under the Indian Penal Code. In the presidency towns conspiracy to carry out the objects above indicated, being a part of the English Criminal Law untouched by the Indian Penal Code, is indictable as an offence. (See *Queen vs. Thompson*, 1 B. L. R., Original Criminal, page 1.)

Although I have advised as above, I would propose to the Government to pass an Act dealing directly with the questions which have arisen, if political considerations do not interfere with such action. In the year 1886 the Bengal Government passed an Act (Act III of 1886), although under the Penal Code there was a partial remedy (see the remarks of the Advocate General in the Supplement of the *Calcutta Gazette* of the 22nd September 1886, page 1867). It was thought advisable not to risk the failure of a prosecution.

Before instituting a prosecution under the existing law (should it be deemed inexpedient to amend it), proper legal advice should be taken on the facts of a case which should be carefully investigated, in order to provide against the risk of failure, the chances of which will continue considerable unless the law is changed and explicit and specific directions are given by the law.

G. C. PAUL.

22nd September 1893.

not available here

Appendix.

BENGAL.

1. The *Sulabh Dainik* of the 11th July has the following :—

The *Bagr-id* riots.

Revival of race-animosity is the cause of the serious disturbances that have taken place at Bareilly, Azamgarh, and other places in connection with cow-slaughter on the occasion of the *Bagr-id*. The violent and hot-headed Musalman first wantonly attempted to offer an insult to the Hindu religion, and the Hindus having opposed that attempt, disturbances arose. And the carelessness and indiscretion of the officials have intensified the evil.

But we ask the Musalman—"What good do you expect from such disputes? Both Hindus and Musalmans now live under the same sovereign. The fact that the sovereign is kind to you, Musalmans, should not lead you to expect that you will avoid punishment if you deserve it, and the fact that the sovereign does not like us Hindus will not justify the supposition that we shall be punished, though innocent. What good do you then hope to gain, O Musalmans! by making such disputes? What harm, too, can you hope to do to us Hindus by such disputes?

"Do not your books of morality, O Musalmans! praise the virtue of unity? Have you forgotten the excellency of that unity which once made you masters of the world? Have never heard that great proverb of the English, 'United we stand; divided we fall?' Has no historian related to you the evil consequences of the dissensions between the Patricians and the Plebeians of Rome? Why then do you now forget your invaluable motto, Unity, and thereby bring ruin upon yourselves? If the Hindu and the Musalman again heartily sympathise with each other, and have the English Government for their protector, there is no power on earth that they will need to fear.

"And we must also tell you, O English Government! that if you adopt proper precautions in time, these evils cannot occur. But you are careless; you have much to gain in the shape of court-fees from such disputes. But to endanger the people in this way for the sake of money is to ill-discharge the duties of a Government. If the young Magistrate of Azamgarh had adopted proper precautions in time, the disturbances could not have taken place. But he was sleeping all the time, and the result was that dreadful disturbances broke out under his eyes."

2. The *Sulabh Dainik* of the 26th July has the following in the course of an article headed "Who is to blame?"

Quarrels between Hindus and Musalmans.

On whom rests the blame of the late riots between the Hindus and Musalmans? So far as can be ascertained, the riots were everywhere brought about by the fault of the authorities, by the insolence, short-sightedness, and ignorance of the religion of the people on the part of the magistracy. Yet these very officers are considered the best criminal judges and the strongest supports of the Empire.

The Magistrates being, as a rule, Europeans are beef-eaters, and cannot therefore see any objection to the slaughter of cows and beef-eating by the Muhammadans. A Magistrate is rather astonished that the Muhammadan should come to him for permission to slaughter cows. He grants the Muhammadan's prayer at once, and considers any objections made by the Hindus as arising from mere prejudice. He also at once binds down the Hindus to keep the peace, and encourages the Muhammadans by personally appearing at the place of the slaughter. The illiterate, hot-blooded Muhammadans naturally enough take this in the light of an encouragement given them by Her Majesty herself to slaughter cows. What wonder that they should fear nobody? This explains the origin of the quarrels which ultimately lead to bloodshed. The blame rests therefore entirely on the shoulders of the Government's pet civilian magistracy, who have scarcely any experience of the manners

2

and customs of the people. And yet the Secretary of State did not hesitate to declare the other day that the civilians rendered the greatest help in carrying on the administration of the country.

The authorities entertain the most inveterate ill-feeling towards the Hindus. There was great oppression of the Hindus under the reign of Aurungzebe. It was during that reign that the Muhammadans escaped scot-free after persecuting the Hindus. It was during that rule that the *Fizia* (poll-tax) was imposed, and the Hindu's cup of misery was full to overflowing. Is it not a sin even to think that Aurungzebe's time has come back to India even under the beneficent British Government? But the action of the authorities fully reminds one of the *Fizia* tax. Either with the object of maintaining the public peace during the *Muharram* festival or with the object of keeping the Hindus under check, a military police force has been stationed in Azamgarh at a cost of Rs. 30,000. The cost is to be borne entirely by the Hindus, the Muhammadans of the place not being called upon to contribute a cawrie towards it. What is this but the *Fizia* in another shape? What has more surprised the writer is that after the riots in Azamgarh, only Hindus to the number of 400 were arrested, as if the Muhammadans had nothing to do with the riots. A military police has also been stationed at Bareilly, and there too the Hindus alone will have to bear the cost.

If more instances of the attitude of the authorities in these quarrels were wanted, the writer could point to the occurrence at Bazardiya near Benares, where the greatest violence has been done to the religious feelings of the Hindus by the Musalmans, and yet it is the Hindus who are being sent to jail by the authorities in batches. The writer is fully aware that the riots between the Hindus and the Musalmans in the North-Western Provinces are the fruit of the seeds of dissension sown among them by the Lieutenant-Governor, Sir Auckland Colvin. But will Sir Charles Crosthwaite quietly accept the results brought about by the folly of his predecessor? Or is His Honor determined not to say anything to what his civilian brothers may do? Under these circumstances, it is absolutely necessary that the Government of India should at once order an enquiry into the cause of the present quarrels between the Hindus and the Musalmans.

3. The *Sulabh Dainik* of 5th August has the following:—

We have already referred to the reign of anarchy in the North-Western Provinces, and that anarchy is gradually increasing instead of decreasing. When one considers the present condition of Balia and Azamgarh, one cannot believe that they form a part of British territory, for justice has vanished from these two districts; oppression has taken the place of justice; administration has made way for grinding oppression, and instead of peace there is great unrest and uneasiness; instead of impartiality there is partiality, and one finds there strange travesties of justice by civilian officers. The English law provides for the punishment of those who wound the religious feelings of other people. But the very reverse of this is now found in Azamgarh, and we know not but greater evils may happen in future.

We shall inform our readers of the present condition of Balia and Azamgarh, and they will then see how justice is being administered there. The *Amrita Bazar Patrika* says that a body of Hindus in Balia were apprehended as rioters, although the complainants could not identify any among them as guilty of the offence. According to the criminal law, a man accused of any offence must be identified before he can be punished. Indeed, it would be extremely unjust to punish a man without proof of his guilt. But the reader will be extremely surprised to hear what has been done in Balia.

The judicial officer in the present instance was an Englishman, and not only that, but a civilian to boot. He not only found the accused guilty of having been members of an unlawful assembly, but also concluded that they had committed robbery. And the result of such a decision might very well be anticipated. It is a serious matter that a number of persons were convicted of rioting and robbery, although no one could identify them as guilty of those

3

offences. If the number of such officers increases, and the authorities do not cure them of their haughtiness and partiality, the North-Western Provinces will soon become a vast cremation ground; Sir Charles Crosthwaite will rule over a realm inhabited by ghosts, and the judicial officer will have no other company than that of carcass-eating jackals and vultures. Many of these so-called rioters were men of education, position and respectability, and these are the men who have been convicted of dacoity. Yes, how should a civilian display his glory if not in this way? Such, alas, are the fantastic freaks which the civilians are playing in fallen India!

But the matter has not ended here. Warrants have been issued against the Hindu residents of 35 villages. The police is going to those villages at all hours of the day, and is apprehending the Hindu residents, plundering their property and working their ruin in a trice of time. We cannot easily bring ourselves to believe these reports, for the English law still prevails in India; the despotic system of Government is not yet established in this country, and the fear of Siberian exile, as in Russia, does not yet dominate men's minds here. But from what we hear we cannot but conclude that in the Indian Empire of the English an impartial administration of justice will soon disappear.

The mode of trial adopted in the present instance was also a novel one. Though no one could identify the accused persons as having committed the offences with which they were charged, they were considered deserving of punishment by the civilian officer. In his opinion these men deserved to be punished, because they belonged to the villages in which the disturbances had taken place, and because the villagers could not identify the persons who had committed the disturbances, although, as a matter of fact, it was impossible for the residents to identify the persons who had committed disturbances in their villages and then vanished.

There is no knowing how many innocent persons are being punished in this way every day. And what is still more astonishing is that, while common persons are escaping in some cases, men of position and respectability are being in all cases punished with imprisonment or fine. The other day two respectable Rajputs of Balia were publicly whipped in court, and the sight of their indignity drew tears from all who saw it. Again, two boys having caught a Musalman woman in the act of polluting a Hindu temple by throwing beef into it, brought her before the Magistrate. The woman, however, denied her guilt, and was believed by the Magistrate. He, therefore, sentenced the boys to three months' imprisonment each for giving false information.

Again, more than a hundred Hindus were hearing the *Bhagavatgita* read at a certain place. A Musalman policeman sent them up for trial on a charge of unlawful assembly. The Magistrate fined some Rs. 5 each, and sentenced the rest to imprisonment for three months each. The reader will be surprised to hear that one of the persons so punished with imprisonment is a blind man. Thirty-eight Hindu residents of Gopalnagar have also been sentenced to imprisonment for four months each, and one Bhagirath, a Hindu legal practitioner of Bareilly, has been sentenced to imprisonment for six months and a fine of Rs. 500. Two Bengali residents of Bareilly were also apprehended, but were fortunately let off. What should we call all this if we must not call it anarchy?

These judicial officers are not only punishing the Hindus, but are also disregarding the instructions of their superior officers. The Magistrate of Azamgarh received written instructions from the Divisional Commissioner to see that Musalmans did not in any way provoke the Hindus by wounding their religious feelings. The instructions in question also stated that "any attempt to violate the agreement or to parade animals for slaughter will be severely punished." The Commissioner also directed the Magistrate to tell the Musalman leaders to sacrifice only goats and sheep in those quarters which have both Hindu and Musalman residents. But the Magistrate paid no regard to these instructions, and has acted very haughtily. And yet the Commissioner has not taken him to task. The civilian Magistrates are great pets of Government, and they can commit any wrong with impunity.

Some say that Sir Charles Crosthwaite is not aware of these things. But if this true, it is a grave reflection on him as a ruler, for a Governor who does not keep himself informed of all that goes on in his province is unfit to rule. We, for ourselves, consider Sir Charles Crosthwaite completely guilty.

We again ask Lord Lansdowne to promptly provide a remedy for this evil. The Local Government is completely indifferent in the matter, and the Viceroy is now the only hope of the people. Can he know nothing of all this from the heights of Simla?

4. The *Sulabh Dainik* of the 7th September has the following:—

The authorities in the riots.

We have been so long pointing out that the Azamgarh riots were due to the fault of the officials. But Government seems to have paid little heed to us, for it has not yet ordered any enquiry into the conduct of the officials. The cry for an Opium Commission is rending the skies in England and India, but it is hardly considered worth Government's while to attend to a matter which involves the question of internal dissensions, slaughter of the people by themselves, and the peace and tranquillity in the country. Do the authorities really desire to see both the Hindus and the Mussalmans weakened by mutual quarrels and hostilities?

5. The *Sulabh Dainik* of the 12th September accounts as follows for Treatment of the Hindus in the North-Western Provinces.

There is no limit now to the oppression by Mussalman police officers in the North-Western Provinces. The North-Western Provinces police have had Brahmananda Swami convicted on a false charge of having made a speech about cow-slaughter, which was calculated to lead to a breach of the peace, although there was nothing in his speech that could justly offend the Mussalmans. And is this *administration*! Does it not much better deserve the name of *grinding oppression*? This is in fact nothing more or less than maladministration—maladministration whose immediate effect is discontent, and whose ultimate effect will be riot and disturbance.

This police oppression would not have been half so galling if people had been able to obtain redress on appeal to the authorities. But, as a matter of fact, no such redress can be hoped for by the great majority of people, for the lower Courts accept the statements of the police as gospel truths, and there are few who can go to the High Court or the Lieutenant-Governor or the Viceroy for redress. Ninety-five per cent. of the oppressed persons have to bear this oppression in silence, albeit with hearts seething with discontent. The ring-leaders of all the disturbances that are now taking place in the country are to be found among these oppressed people.

Even if the authorities ever show any inclination to remedy this state of things, certain mean-minded papers, whose sole occupation is to make truth appear as falsehood and falsehood as truth, present things in so distorted a shape as to completely mislead the authorities. The result of all this is that there is grinding oppression in the name of administration, and the indiscriminate punishment of the guilty and the innocent in the name of justice.

All that the Hindus say about these riots is rejected as false, while every word uttered by the Mussalmans is accepted as gospel truth. A respectable Hindu of Balia has been sentenced to six months' imprisonment on a charge of having intimidated an oilman not to sell oil to Mussalmans, and on no other evidence than that of certain Mussalman witnesses.

The Lieutenant-Governor of the North-Western Provinces having now declared the Gorakshini Sabhas to be the cause of the present disturbances, the police is now greatly harassing those Sabhas.

Azamgarh is not more than 10 hours' journey from the residence of the Lieutenant-Governor, and yet old men and boys, aye, even lame and blind persons, were sent to jail, on a charge of riot, so to speak, under his very eyes without one word of protest from him.

At Gorakhpur a Hindu had a platform on which the Mussalmans used to rest their *tazias*. The Hindu having now demolished his platform, he has been

sent up for trial on a charge of riot. This is the first time people hear that a man has not the right to deal with his own property as he likes.

Again, in certain districts of the North-Western Provinces, licenses for keeping arms have been withdrawn from the Hindus, the Mussalmans being permitted to use them freely. Do the officials then wish to see the disarmed Hindus perish like moths in the flame of Moslem arms? And is this, too, to be called justice and impartiality?

In conclusion, we request the Government to remove the present ill-feeling between the Hindus and Mussalmans by treating both these peoples alike.

6. The *Dainik-o-Samachar Chandrika* of the 17th August has the following:—

Government and the quarrels between Hindus and Muhammadans.

When the Education Commission recommended that more favour should be shown to the Muhammadans in the matter of education, the Hindu members of that Commission, as well as one of the English members, who was no other than the present Finance Minister, Sir David Barbour, objected to that recommendation.

We, too, for our part, have protested whenever an attempt has been made to favour the Muhammadans at the expense of the Hindus. For the last 22 years we have been protesting in the newspapers against this policy. By affording greater facilities to the Muhammadans in the matter of admission to the public service, Government has deviated from the path of sound policy and paved the way for future troubles.

After the Sepoy Mutiny, the Government changed its policy in many directions. Just and far-sighted Viceroys, like Lord Ripon have from time to time tried to steer the vessel of the State along the right course, but on the whole that vessel has been steered the wrong way. From the time of the Sepoy Mutiny it has appeared as if the Government has been of set purpose favouring the Muhammadans and thwarting the Hindus to some extent. But why say "as if?" In the opinion of many, this showing of favour to the Muhammadans is a fact and no imagination.

On the occasion of the Sepoy Mutiny the Hindus and Muhammadans rose in concert against the English Government. This union of the two races alarmed the Government, and after the danger was over, the Anglo-Indians adopted the policy of setting the two races against each other. And the officials have been since making every possible effort to prevent a hearty union of the two races.

Whenever there is a quarrel between the Hindus and Muhammadans, the officials seem to take the side of the latter. For a long time we have been warning the officials about the evil effects of this policy. But good advice is never liked till bitter experience shows its value.

Governors of the type of Sir Auckland Colvin have made bad worse. Before Sir Auckland, no Governor in any province of India acted as he acted. Many Governors had, indeed, displayed their partiality for the Muhammadans in reports and resolutions, but no one ever attempted, like Sir Auckland, to actually set the two races against each other.

The policy that Sir Auckland Colvin adopted in the North-Western Provinces has been more or less adopted in all the other Indian provinces. Under Sir Charles Elliott that policy has been pursued in Bengal.

The officials have paved the way for troubles by their crooked policy. Differences between Hindus and Muhammadans in connection with cow-slaughter have always existed. And it is by following the path that leads to strict justice that the English Government had so long been able to maintain the peace. And it is since the officials have deviated from the path of strict justice that breaches of the peace have become frequent. The danger has, in fact, deepened since the day the Muhammadan has begun to feel, from the conduct of the Government, that he is in greater favour with it than the Hindu.

We have been warning the English Government from the very day it adopted the policy of setting the Hindus and Muhammadans against each other. It is not prudent to set two bulls fighting, for bulls in their fury attack even those that set them fighting.

Has not the present ill-feeling between the Hindus and Muhammadans proved a fruitful source of trouble to the English officials and the police? Have not there been riots at Rangoon as well as at Bombay? The Anglo-Indian Press says that, furious as they were, the Musalman rioters of Bombay attacked only two Europeans. But that Press should know that rioters will not certainly always show such consideration for Europeans. Furious mobs make no distinction of friend and foe.

Steps should now be taken to make all officers act according to the strictest principles of justice. The Muhammadans should not covet more than what is justly due to them, and should know that it is not difficult to comply with the injunctions of one's own religion without wounding the religious feelings of the followers of other religions.

7. The *Dainik-o-Samachar Chandrika* of the 21st August says that in the authorities in the cow-slaughter quarrels. The authorities showed themselves biased in favour of the Muhammadans. And warrants have since been issued against two respectable Bengalis on the charge that they were the instigators of the quarrels, though the authorities themselves were the real instigators. The real facts at the bottom of the Azamgarh riots are being suppressed by the authorities, while they are laying the whole blame of these riots on the Hindus. It is said that warrants have been issued against the entire Hindu population of thirty-five villages. But the writer has heard from many people that the Azamgarh riots were due to the granting of licenses to Muhammadans for slaughtering cows in Mau and the adjoining places, where cow-slaughter was not allowed since the time of Akbar. Did not the authorities act in a short-sighted manner in allowing cow-slaughter in places where it was prohibited even by a Muhammadan Emperor? And yet the authorities are pouring the vials of their wrath on the heads of the Hindus, and the Lieutenant-Governor of the North-Western Provinces is for making only the Hindus responsible for the riots.

8. The *Dainik-o-Samachar Chandrika* of the 22nd August has the following:—
Sir Charles Crosthwaite in the cow-killing affair. Sir Charles Crosthwaite, the Lieutenant-Governor of the North-Western Provinces, is for suppressing the *Gorakshani Sabhas* and, as for his subordinates, they resolved to suppress those *Sabhas* even before he himself thought of doing so. Sir Charles thinks that these *Sabhas* have been established with the sole object of exciting rebellion.

Was it for this, then, that his subordinate officials encouraged the Musalmans to cow-slaughter, and bade them to oppose every effort of the Hindus to protect cows? Was it for this, then, that the officials fomented ill-feeling between the Hindus and Musalmans?

Did the officials, then, say to themselves:—"The Hindus are combining and establishing *Gorakshani Sabhas* on the pretence of protecting cows, but really with the object of producing rebellion. Let us then bring about a quarrel between the Hindus and Musalmans by inciting the latter to indiscriminate cow-slaughter. That will suppress the movement and prevent a rebellion?"

If the officials had really the impression in their minds that the Hindus intended to make a rebellion, then it is clear that they deliberately incited the Musalmans to cow-slaughter and opposed the efforts of the Hindus to protect cows. Whoever talks of rebellion in this connection must be set down as an opposer of the efforts of the Hindus to protect cows and as an abettor of cow-slaughter by the Musalmans.

The Hindus, it is true, have established the *Gorakshani Sabhas* with the object of protecting cows, but they have never so much as thought of making a rebellion. It is the officials who are dreaming of rebellion, and are, under the influence of that dream, opposing the efforts for the protection of cows and encouraging cow-slaughter. The offence of the Hindus is only an imaginary one, while that of the officials is a real and palpable one. It is the officials who ought to be punished. How is it, then, that the Hindus are being punished instead of the officials?

The Hindus want to protect cows, for the worship and protection of cows has been with them a religious duty from time immemorial. The Hindu, on

doubt, considers himself exceptionally blessed if he can protect cows, but he also knows full well that he will never be able, under the rule of beef-eating Christians, to prevent the slaughter of cows by the beef-eating Musalmans. Indeed, none but a mad man can think of achieving such an impossibility.

The efforts of the Hindus for the protection of cows did not bring about the disturbances, nor would the slaughter of cows by the Musalmans have brought them about. It was the undue encouragement given by the officials to the slaughter of cows by the Musalmans that brought about the disturbances. There would have been no disturbance if the officials had not permitted the Musalmans to slaughter cows anywhere and everywhere.

When the officials say that it is wrong to make any attempts to protect cows or to establish *Gorakshani Sabhas*, they only recriminate in the usual fashion of offenders. They have brought about the disturbances by their own conduct, and they now want to clear themselves by laying the blame at the door of others. It is the officials of the North-Western Provinces who are really guilty in this matter, for they are the men who have unduly encouraged cow-slaughter by the Musalmans. Sir Charles Crosthwaite, too, is guilty, in that he did not prevent his subordinate officials from doing that wrong.

But the Lieutenant-Governor is now abusing the Hindus and attributing to them seditious motives. He is thus still encouraging the Musalmans, and thus making the anti-Hindu Musalmans more anti-Hindu. Sir Charles Crosthwaite's offence is an unpardonable one.

The present is a golden opportunity for the *Pioneer* and people of the *Pioneer's* type. Our Allahabad contemporary has availed himself of this opportunity to screw up his animosity against the Hindus to the highest pitch, and is doing his best to set the Musalmans on the Hindus. He thinks that the military should be brought out in order to make the Hindus feel the British prowess, and he is also trying his best to make the Hindus feel that the Musalmans are in greater favour with the Government than they.

British prowess is not unknown to the Hindus, nor are the Hindus unaware that the Musalmans are more favoured by the Government than they. The Hindus are also aware that it is newspapers of the type of the *Pioneer* that are the chief enemies of the State. It is not we, but Lord Canning who said that it was the *Friend of India* of Serampore which brought about the mutiny, and that the *Hurkaru* added fuel to the fire. If Lord Lansdowne had been Lord Canning, the *Pioneer* would have been punished and the *Englishman* would have been compelled to become more careful.

Protection of cows cannot and will not subvert the British Empire in India. There will be no reason to apprehend that danger, even if the country is dotted with *Gorakshani Sabhas* from one extremity to the other. But the subversion of the Empire will become possible if the *Pioneer* and the papers of its type are suffered to use their foul tongues unchecked, and if their views and proposals are accepted by the officials. They are the greatest enemies of the State who propose to weaken the Hindus and Musalmans one after another by setting them against each other.

History bears clear testimony to the fact that it is the faults of the officials that lead to great catastrophes in States. There was a civil war in England simply because the officials under Charles I committed injustice and oppression. It was also owing to the faults of the officials that James II was deposed and William of Orange invited to fill the throne of England.

Was it not, again, the fault of the officials that Louis XVI came to grief and the French Revolution was brought about? Italy could become independent only because the Italian people were driven mad by the oppression of the Austrian officials. If the Turkish officials had not been oppressive, Greece would have remained to this day subject to the Turkish yoke.

It was the oppression of the English officials that converted America into a republic, and it was the oppression of the Spanish officials that led to the separation of Mexico and South America from the Spanish dominions. The officials are the representatives of the sovereign, and it is owing to their faults that Governments are subverted. Hence the popular Hindu saying—"The fault of the sovereign destroys the State."

has yet escaped or will ever escape their lips. They know that Sir Charles Crosthwaite and his officials are not the arbiters of their fate, and that the Viceroy has not the prejudices of the civilian body, and will yet do them justice. And the question now is if through the machinations of Russia and the foolishness of the European officials of Government the Hindus lose their confidence in the Viceroy and the British people, would that be for the good or the evil of the Empire?

13. The *Dacca Gazette* of the 17th July has the following:—

The Hindus and Musalmans have been living together in this country for a long time, but why have riots between these two peoples become so frequent of late? It is not unfrequently seen that the Hindu joins in the Musalman's religious and social rites and festivities, and the Musalman reciprocates the Hindu's civilities. Why then are riots and disturbances between them so often heard of now? It is necessary that the cause of such disturbances should be soon ascertained, otherwise the matter will gradually assume a more serious aspect, and great harm will come to both sections of the people.

The evil can be, no doubt, remedied in a great measure by the authorities acting carefully in the matter. The principal causes of the quarrel between Hindus and Musalmans is the slaughter of cows by the latter. The cow being looked upon by the Hindus as a goddess, his religious feelings are naturally wounded to see it slaughtered before his eyes. On the other hand, the slaughter of cows being permitted by the Muhammadan religion at certain festivals, no one has the right to prevent the Musalman from practising the rite. Under these circumstances, the quarrel between the two peoples cannot be easily made up. Indeed, these quarrels will not cease if each does not pay due regard to the religious feelings of the other. A mediator is therefore needed. But who is to be the mediator? One naturally looks to Government to be such a mediator. These quarrels can never happen if Government acts with justice and firmness. But unfortunately the authorities themselves, by their unjust and inconsiderate action, often provide occasion for such quarrels. What the authorities seem very often to forget is that no unjust claims or demands made by any section of the people in the name of religion ought to be conceded or granted. No objection made by the Hindus to the slaughtering of cows by Musalmans should be heeded; and Musalmans should not, on the other hand, be allowed to slaughter cows in public places or before the eyes of the Hindus. It is a matter of regret, however, that most of the officials seem to like these breaches between the Hindus and Musalmans, and want to estrange their feelings from each other. These officials seem scarcely to take note who will be the greatest loser under these circumstances. They do not see that it is the Government which will have to sustain the greatest loss if these quarrels are allowed to go on increasing. The British Empire in India is based on the loyalty of its people, both Hindu and Musalman. No brute force can save the Empire from falling into a state of the most horrible anarchy if either the Hindus or the Musalmans become discontented with British rule. The handful of English soldiers in this country will in that case be washed away in the torrents of blood which will be set aflowing by the indiscriminate slaughter of Hindus and Musalmans by each other's hands. It is therefore clear that quarrels between Hindus and Musalmans are not conducive to the permanence of British rule. But that Empire will be based on a solid foundation if the Hindus and Musalmans are united in bonds of love and friendship; and both these peoples will enjoy peace and happiness under such a rule. It is, no doubt, unfortunate for India that her rulers do not see this.

14. The *Banganivasi* of the 11th August has the following:—

We cannot say when the Hindus and Musalmans will cease quarrelling over cow-slaughter. The Hindus and Musalmans are the only people who will suffer harm in consequence of these quarrels, for those who set them against each other will only enjoy the scene from a distance. The mean and short-sighted officials cannot see that the weakening of the people by internal dissensions means the weakening of the State. And because they fail to see this, they make every possible

effort to set Hindustanis against Bengalis, Rajputs against Sikhs, Sunnis against Shiahis, and Musalmans against Hindus. Restless and short-sighted officers cannot prevent impending disturbances of the peace easily, and without bloodshed, as sober, staid, and high-minded officers can do.

It is found on enquiry that the late disturbances at Azamgarh were mainly due to the carelessness of the officials. Several serious charges have been made against the officials in this connection, and it is to be hoped that the Local Government will not fail to make a proper enquiry into the truth of those charges. The people hope that even if Sir Charles Crosthwaite is unable to punish his subordinate officers, the Government of India will enquire into the matter.

Messrs. Brunyate and Dupernex have committed an offence whose enormity nothing can exceed, if, being Government officers, they have really incited the Musalmans to cow-slaughter. The Musalmans had, it is said, intended not to slaughter cows at certain places. But these officers, it is said, dissuaded them from that intention. Mr. Dupernex granted permission for cow-slaughter even at places where no cows had been sacrificed even during the Musalman rule. He summoned the Hindus, and told them to give an agreement to the effect that they had no objection to cow-slaughter. It was also proclaimed throughout the town by beat of drum that cow-slaughter would be permitted between 9 A.M. and 12 noon. This proclamation was not at all necessary, and it was certainly a very short-sighted act. Its only effect was to wound the feelings of the Hindus. Every one can see the object of the officer in provoking the Hindus in this way. But the English officer did not stop here. It is said that he compelled a Hindu tahsildar, a Hindu Deputy Collector, a Hindu Police Inspector, and even several Hindu *raïses* to witness cow-slaughter. On what principle of justice or policy can this act be justified?

Even under the Musalman rule such occurrences did not take place everywhere. And how is it that far more oppression is now committed in the name of the liberal, noble, impartial and enlightened English Government than was ever committed under the Musalman rule? One is at a loss to explain this to oneself.

The Hindus are charged with having been the aggressors; but an examination of the facts will show that this is a false charge.

Even if it is granted that the Hindus became frantic, it becomes necessary to consider who were the persons that drove them mad. Who on earth can hear his religion traduced, and see it insulted and interfered with, and not get excited? The meanest worm when trampled upon turns round upon its oppressor. It is, therefore, unreasonable to expect the Hindus to look calmly on while their religion is interfered with again and again.

Again the Kshatriyas have been told that they will be whipped publicly if they make any attempt to save cows from slaughter. The Maharaja of Dumraon, and the late Member of the North-Western Provinces' Legislative Council, Rai Durga Prasad Bahadur, both of whom have landed property at Azamgarh, have also been insulted by being served with a notice requiring them to show cause why they should not be prosecuted for complicity in the disturbances, although they never went to that place. A born blind, who could not possibly have taken part in the disturbances, was sent to Hajut. In short, all Hindus have been oppressed.

Nothing on earth will produce disturbances if not such things as these. A public enquiry into the matter is necessary, for without such an enquiry it will be difficult to maintain the peace. It is not possible to maintain the peace for ever by brute force.

15. Referring to the precautions which were taken at Agra to prevent a collision between Hindus and Musalmans on the occasion of the Chilum festival, the same paper says that it will be difficult to live in this country if, at every festival, a quarrel between Hindus and Musalmans has to be apprehended. Indeed, it is high time that the leaders of the two communities took steps to prevent these quarrels. Sir Charles Crosthwaite has widened the breach

side and did not care for the religious feelings of the Hindus and serious consequences ensued. Government ought to take notice of the blameworthy conduct of these officers and show that they had no hand in the matter.

19. The *Kalpataru* in its issue of 20th August, states:—The general belief in Bombay is that from 300 to 500 persons must have been killed in the riots, though the English and vernacular newspapers fix the number at only 100, for a number of corpses were seen by people while they were being taken away loaded in carts like firewood. Now, there being strict military and police surveillance nobody dare commit a riot openly, but some Muhammadans, it is said, get their beards shaved, apply to their foreheads sandalwood-powder marks and dress like Hindus, and mixing among Hindus commit attacks on them by stabbing them with knives which they carry about them under their clothes. Some Hindus died from having used milk and sweets poisoned with arsenic by Muhammadan sellers, and since these deaths it is said the police have ordered that nobody should buy milk offered for sale by Muhammadans. Amongst the men arrested by the police and sent to jail was one innocent gentleman who had gone to see a demolished Masjid. He states that on the first day of his imprisonment he was given raw rice to eat, on the second day some split gram and on the third some parched rice, and that if he had not been released on bail he would have died after two days. It is said that Mr. Vincent, Police Commissioner, suspected a high police officer, a Muhammadan, to have incited the Muhammadan rioters. There is similar talk about two other high Muhammadan police officers. If this report be true, it remains to be seen what notice is taken of these officers. We have received a heart-rending account from an eye-witness of the state of destitution in which some of the Hindu families left their lodgings and took shelter in the Mádhav Bág and of the outrages committed by Muhammadan rioters on Hindu women.

20. The *Máhratta* in its issue of the 27th August, writes:—Sir Charles Crosthwaite, the Lieutenant-Governor of the North-West Provinces, held two important Darbárs at Ballia and Azimgarh on the 11th and 15th instant, respectively, which were attended by the local nobility and gentry. The immediate cause of this "sudden and unexpected visit" on His Honour's part to the two districts was the serious riots between Hindus and Muhammadans in that part of the United Provinces in June last on the occasion of the Muhammadan festival of Bakri Id. The bad blood and passions stirred up between the two communities required to be appeased, and it would have been better if His Honour had during his addresses at both the Darbárs followed in the footsteps of Sir A. P. MacDonnell and confined himself to restoring peace and goodwill between the two communities, the more especially so since the evidence which would enable an impartial observer to fix the responsibility for the unfortunate riots on the leaders of one or the other community is not available. Under these circumstances we are grieved to find that the responsible head of the local Government should have undertaken upon himself the responsibility of charging the Hindu landed aristocracy of four districts in the United Provinces with having instigated the lower classes of the Hindus to commence the riots, and this too at a time when, according to his own admission, His Honour knew that there was not sufficient evidence before him. It would appear from the painfully interesting narrative of Mr. Dhar, Barrister-at-Law of Lucknow, who visited the scenes of the riots and made minute enquires on the spot, that it was not the Hindus alone, but the Muhammadans also, who had assembled together at the places of disturbance throughout the four districts. Such being the case, it is difficult to see why Sir Charles Crosthwaite should have singled out the members of the Hindu landed aristocracy of the four districts for this denunciation and censure. Could not His Honour have found a really satisfactory explanation of the particularly distinctive feature of this year's disturbances in the facts that the district officers had displayed a wanton disregard for the feelings of the Hindu community in ostentatiously authorizing indiscriminate cowslaughter by Muhammadans on the occasion of their religious festivals in places where no such slaughter had been allowed for years past, and that too against the spirit of his explicit orders on this very subject. We are afraid that Sir Charles Crosthwaite's speeches at Ballia and Azimgarh will have

Sir Charles Crosthwaite's speech on the riots at Ballia and Azimgarh criticised.

Strictly C

the effect of adding fuel to fire; for his sweeping and unwarranted condemnation of the conduct of the Hindu landed aristocracy cannot be looked upon by us in any other light than that of its being an attempt to add insult to injury to the Hindu community. It is to be hoped that the Government of India will intervene in time, and refer the whole question to a commission with authority to enquire into the truth or otherwise of the statements made in Mr. Dhar's narrative.

N.-W. PROVINCES.

21. The *Hindustáni* (Lucknow), of the 12th July, states that though no serious riots occurred at Bareilly as at Azamgarh, there is general dissatisfaction at Bareilly with the proceedings of the local officers. With reference to the riots in Azamgarh, the *Pioneer* lays the blame on the Hindus. But the ill-digested orders issued by inexperienced Civilians are chiefly responsible for such disturbances. Is it true that permission was granted to Musalmáns to kill kine freely, and that far from any endeavours being made to conciliate the Hindus they were ill-treated? Did not Mr. Moule and Mr. Macpherson deal severely with the Hindus of Bareilly on the suspension of traffic by the latter, and did not their undue sympathy with the Musalmáns encourage them to annoy Hindus? Religious quarrels generally break out among the lower classes, such as butchers, weavers, cotton-carders, Ahirs, Lodhas, &c. At the instigation of Lord Salisbury, the inhabitants of Ulster are ready to rebel. Similarly, the Musalmáns of Bareilly, being convinced of the partiality of Mr. Moule and Mr. Macpherson towards them, made it a point to insult and harass the Hindus. District Magistrates sometimes make serious mistakes, and sometimes the orders issued by a Magistrate are reversed by his successor. The editor is not prepared to say that the officers intentionally stir up animosity between Hindus and Musalmáns, though there are some Anglo-Indians who take Sir John Strachey for their leader and who think that the existence of mutual ill-will between the two communities is essential to the maintenance of British rule in this country. Messrs. Moule and Macpherson at Bareilly and Mr. Dupernex at Azamgarh were guilty of reprehensible proceedings. The *Pioneer* states that if the Hindus were dissatisfied, they might have appealed to the Local Government, but should not have taken the law into their own hands. But we know from every-day experience that appeals are worse than useless. In 99 cases out of a hundred the orders of an Assistant Magistrate, even if wrong, are upheld by the District Magistrate, those of the District Magistrate by the Commissioner, and those of Commissioner by the Local Government. The educated natives have learnt the constitutional methods of agitation, but such methods are quite unknown to the ignorant peasants of Azamgarh, who, finding their religion attacked and the Magistrate unfavourably disposed towards them, were naturally induced to take the law into their own hands. The *Pioneer* rejoices at such disturbances and reproaches the English Radicals for advocating the claims of men, who are ready to break each other's heads, to a larger share in the administration of the country. But all religious strife would be avoided if wiser counsels prevailed with the officers. Since the above was written, the editor has received a communication from Azamgarh which shows how a young and inexperienced Civilian can ruin a large district. At the instigation of some Musalmáns, the Magistrate asked for a list of the places within the town where the Musalmáns intended to kill kine on the day of the Id. On receipt of the list he sent for the Hindus living near those places and forced them to declare that they had no objection, without taking the trouble to satisfy himself that kine had always been slaughtered at the identical places. Some Hindus were even arrested and sent to the lock-up. On the day preceding the Id he issued a proclamation permitting Musalmáns to freely kill animals between 9 A.M. and 12 noon, and the result was that hundreds of kine were slaughtered within the town. He was not content with the grant of free permission, but himself attended several places to witness the slaughter. The feelings of the Hindus may be easily imagined. However, the Hindus living in the town did not allow passion to overpower their reason and did not break the peace. But the ignorant Hindu villagers at several places in the interior of the district made efforts to forcibly rescue kine. In the affrays that ensued the Hindus were

20

thinks of the slaughter of the kine that goes on daily in cities and markets—the natural inference drawn is that the crusade is not against kine-killing in general, but against the Muhammadans only or their religion. The *Mouj* therefore requests the Hindus to arrange, in the first instance, stopping the slaughter of cows for consumption of British soldiers, as more than one hundred thousand cows are slaughtered annually on this account. If the Hindus will succeed in effecting this, and Government will accede to their request, there will be no difficulty then whatever in regard to Muhammadans. But if the Muhammadans only are to be forced to abstain from kine-slaughter, particularly when performing their religious ceremony, the Hindus will not be exonerated from the blame of any rioting, as they will be regarded as the source of the quarrel and the ruin of the country.

Strictly Confidential.]

No. 1460



FROM

C. J. LYALL, ESQ., C.S.I., C.I.E.,
Secretary to the Government of India,

TO

THE CHIEF SECRETARY TO THE GOVERNMENT OF MADRAS.

Home Department.
Public.

Simla, the 4th October 1893.

SIR,

IN continuation of my confidential Circular No. ¹/_{1.C.-6.C.} dated the 29th August last, with which I forwarded a copy of a note setting forth the history of the movement against the slaughter of kine which is now active in many parts of India, and asked for further information on the subject, I am now directed to enclose a copy of a letter, No. 105—4, dated the 18th September 1893, from the Government of the North-Western Provinces and Oudh, making certain proposals for amending the law in order to enable the Government to control agitation or local disturbance which may be due to cow-protection societies.

2. It will be seen that Sir Charles Crosthwaite advocates the following amendments of the law:—

I.—In the Penal Code—

- (a) The insertion of two sections dealing with the law of conspiracy;
- (b) The amendment of section 505, which relates to the circulation of false and mischievous reports, so as (1) to cast the onus of proving good faith (*vide* section 52) on the person who circulates or publishes the report; and (2) to make punishable such circulation not only *with intent* to cause fear or alarm to the public, but also when the circulator knows or has reason to believe that fear or alarm is likely to be caused.

II.—In the Criminal Procedure Code—

Additions to section 45—

- (i) "Village accountant" to be added after "village headman."
- (ii) The following clause to be added after clause (d):—
"(e) Any matter regarding which he has been required by the Magistrate of the district to supply information."
- (iii) The addition of an explanation enabling the Magistrate to appoint one or more village headmen where there is none appointed under any other law.

III.—In the Police Act, V of 1861 (this Act is not in force in Madras or Bombay, but similar additions could, if necessary, be made to the Police law of those Presidencies)—

- (a) to amend section 15 so as to throw the cost of additional police not only on the "inhabitants" of the disturbed tracts, but also on the landowners, who may be absentees;

1893

Public Dept

Encl. No. 1

10

C. No. 2225

G. C. Press, Simla.—No. C.-16 H. D.—3-10-93—30.

Para. 7 also calls for orders.
I have asked Mr. Hullaly to
send to Ind. the G. of I. Circular
of the 29th August. he has ~~sent~~
^{it is subm. herewith}
me 20 ~~out~~ & as the present
Hullaly will submit his note on
the calls for immediate attention on
killing in a day or so, he will
circ. alone, when the Circular
arrives it will be sent on.

apirite found in
an anomaly.
fo. thaler are apparently very low of number
as on cattle (see page 6 of note on the
apirite) - fo. thaler note letter 29/1/95

X About five or six weeks ago I have gone over the
road and to the
Press 20.

If Mr. Mullaly in the S. B. has
nothing of importance in his note, I
think we might answer the letter
at once - but I think we should
see it first. If it is satisfactory - there
will be no occasion to defer sending
the letter - till I have seen it - but
I should like to see it anyhow. W.
13 Oct.

[illegible]

...ary as far as ...
...ney.
...group

... him out ...
... his ...
... for ...

DEPARTMENT.

Ind. DEPARTMENT.

Cur^{ri}
or re

ss:-

..., dated

28, No.

gain G.O., dated

18, No.

Current No. 4335 of 1893, dated 7 Oct from the G. of I.

Current No.

of 18

, dated

from

Order: 27th October No. 2236.

The following will be opd to the G. of I.

(From orders)

in the No. 2 14 Oct. 1893

Letter to the G. of I., Home Dept.

Sir,

W
1204

1604

17/10/93

I am directed to reply to your letter of 7 Oct. 1893, No. 1460, P. 111, in which this Govt. has been invited to give its opinion on certain subjects connected with the agitation against the slaughter of cattle. The information called for in your letter of 29 Aug. 1893, No. 1-1C, Police,

~~on the same subject~~

will be furnished at an early date. As your letter is of an urgent character H.E. in C. considers it expedient to reply to it at once in preference to delaying the answer until the information referred to in your other communication is available.

2. The Madras Govt. receives the 92

This earlier letter will be ...
... which has already ...
... the ...