

up together. Sing seized Savarkar by the back of the neck, the second Saloon Head Steward of the " Morea " seized his right wrist and the gendarme his left wrist. Savarkar said to the gendarme " Take me into your custody. Assist me. Take me before a Magistrate ". The gendarme did not understand English and none of the others could speak French. They took him back on board the Morea and went straight to Power's cabin. The door of the cabin was closed. Some one knocked at the door. Mr. Parker opened it and found Savarkar standing outside the cabin door guarded by a gendarme, the two head constables and some of the Ship's Stewards. Savarkar's clothes were quite wet. Head Constable Sing reported what had happened to Power in Hindustani. Mr. Power informed Parker that Savarkar had escaped through the port hole of the W. C. and had been captured on the quay. Parker afterwards was informed by the French Police Officer who accompanied Savarkar on board, that he had seen Savarkar running along the quay and had stopped him and brought him back to the ship. Later in the day Commissaire M. Le Blais came and saw both Mr. Power and Parker, inspected the W. C. from which Savarkar had escaped and said he would have to report the matter to the French authorities. The ship remained at Marseilles until 11 a.m. the next day when she sailed for Port Said. Between the second visit of Mr. M. Le Blais and the departure of the ship nothing transpired. No other French official came to make any enquiries about the matter. After Savarkar was brought on board. Parker telegraphed to Superintendent Quinn, New Scotland Yard as follows : " Prisoner attempted escape. Recaptured. Report follows. "

Savarkar was then securely handcuffed and kept under very strict guard. As all through the period of this episode Mr. Power was sleeping in the Cabin without any knowledge of what had happened, he was called upon by Government to state what measures he took for the security of the prisoner generally and what special measures he prescribed while the " Morea " was in port.

In reply, Power supplied Government all the details of Savarkar's life on board the ship.

#### SHOULD SAVARKAR'S TRIAL BE SUSPENDED ?

Regarding Savarkar's trial *Government of India* sent a telegram to London as under on 3rd August 1910 : —

"Could approximate date decision Savarkar be assigned? Arrangements here much affected. Presume Lammirande Case Canada 1866 strictly analogous but more in our favour has been considered."

*The Secretary of State* sent reply to the above on 4th August 1910 : —

"Your telegram of the 3rd August. We must consult Law Officers, but the particulars asked for below must be communicated to us before this can be done. It is now stated by the French Government that Savarkar's escort, on his attempting to escape at Marseilles, pursued him for about 400 metres on land and helped his capture, the French policeman, to take him back to the ship, although he was not actually arrested by them. A minute discription is urgently required of their action from the time when the attempt became known to them until the completion of the recapture. I shall be glad to receive immediately by telegram a full narrative of events with all possible detail."

*Government of Bombay* sent a detailed telegram on 5th August describing the escape episode. The details in the telegram were similar to facts detailed above. The telegram added :—

" Regarding Magesterial Proceedings, now in abeyance, is there any objection to continuing investigations ? Proceeding can be stopped short of committal pending conclusion negotiations which would not be prejudicial. If Savarkar not surrendered, High Court can proceed with case jointly with that of other accused.. If investigation postponed inconvenience and delay will be serious."

*Secretary of State* sent a reply to the above telegram on 12th August as under : —

" Savarkar. Your telegram of 5th August. Case is about to be submitted to Law Officers. Investigation by Magistrate must, therefore, be suspended for the present."

After a few exchanges of telegrams seeking to find out whether it was the French Gendarme who first caught Savarkar or it was the Indian Constable who did it, the *Secretary of State* telegraphed to Bombay on 31st August 1910, as under : —

"No application by the executive for further adjournment in the case of Savarkar is necessary, as French Government will be told that proceedings in Court cannot be stopped but that, if the conclusion arrived at on the international issue should require it, we shall still be able to restore him to their jurisdiction after judgment has been pronounced."

THE CONSPIRACY CASE  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.  
CRIMINAL JURISDICTION.

*Joint Charges against :—*

1. Shankar Balwant Vaidya.
2. Damodar Mahadeo Chandratre.
3. Purushottam Laxman Dandekar.
4. Vinayak Kashinath Gaidhani.
5. Vishnu Ganesh Kelkar.
6. Narayan Damodar Savarkar.
7. Kashinath Daji Tonpe.
8. Ramchandra Babaji Kathe.
9. Gopal Krishna Patankar.
10. Vinayak Sadashiv Barve.
11. Gopal Govind Dharap.
12. Sakharam Dadaji Gorhe.
13. Vinayak Vasudev Manohar.
14. Govind Sadashiv Bapat.
15. Vishnu Mahadeo Bhatt.
16. Trimbak Gangadhar Marathe.
17. Purashuram Waman Gokhale.
18. Keshav Shripat Chandavadkar.
19. Vinayak Kashinath Phulambrikar.
20. Shridhar Vasudeo Shidhaye.
21. Hari Anant Thatte.
22. Krishnaji Gopal Khare.
23. Trimbak Vinayak Jog.
24. Vinayak Govind Tikhe.
25. Vyankatesh Parsuram Nagpurkar.
26. Gangaram Rupchand.
27. Vaman Kashinath Palande.
28. Damodar Chintaman Paranjape.
29. Raghunath Vidyadhar Bhawe.
30. Shankar Pandurang Mahajan.
31. Anant Vishnu Konkar.
32. Raghunath Chintaman Ambdekar

33. Vishwas Balwant Davr.
34. Mukund Pandurang Moghe.
35. Keshav Ganesh Paranjape.
36. Balvant Ramchandra Barve.
37. Sakharam Rangnath Kashikar.
38. Vinayak Damodar Savarkar.

These persons were charged for attempting to wage war, collect arms etc. and hatching a plot for the conspiracy. Besides the common charges levelled against the 38 persons including V. D. Savarkar. the latter was charged separately under articles 121, 121-A as also that " at London during the year 1909 you aided and abetted the murder of Mr. A. M. T. Jackson which was committed at Nasik on 24th "December 1909 and thereby committed an offence punishable under sections 302 and 109 of the Indian Penal Code and within the cognisance of the High Court of Bombay."

The Magistrate directed on 10th September 1910 that Savarkar be tried by the Special Tribunal of the High Court of Judicature at Bombay.

#### SECOND TRIAL SHOULD NOT BE DEFERRED

Government of India sent the following telegram to Government of Bombay on 6th December 1910 :—

"Your telegram of November 28th. Savarkar. I agree that charge of conspiracy is rightly being tried first, but I cannot admit expediency of deferring separate charge of abetment of murder until decision of Hague Tribunal is known. Delay may be used against us in the course of the arbitration proceedings and may raise troublesome question of political crime which British care seeks to avoid by giving prominence to Savarkar's Complicity in Mr. Jackson's murder. It may also be argued that suspension by the intervention of Government until the decision of Hague Tribunal is known of a charge which was placed before the Court by the order of commitment, is inconsistent with our previous refusal to postpone proceedings before Nasik Magistrate on the ground that executive Government has no power to interfere with the proceedings in Court. I, therefore, am clear that you should proceed in ordinary course with the separate charge of abetment of murder as soon as conspiracy trial is over. The Arbitration tribunal does not meet till February 12th and must give its decision within thirty days from that date."

Government of Bombay replied by telegram, on 9th December 1910 as under : —

" Your telegram December 6th. Savarkar. It should be clearly understood that there is chance of acquittal on charge of abetment of murder whereas in all probability sentence on conspiracy charge will be transportation for life which would be probable maximum on conviction on the other charge. If such a sentence now given effect might naturally be to induce leniency at a second trial. Political effect of second trial would be most unfortunate as virt-dictiveness of Government would be alleged. In any case owing to dislocation and heavy arrears of ordinary work of High Court through three judges having been engaged on conspiracy case continuously for 3 months, it seems most probable that High "Court will refuse to hear charge at once and may fix date coinciding with or subsequent to arbitration. We urge that decision as regards second trial may be postponed till present trial has ended."

Government of India replied to the above on 13th December 1910 as under:—

"Your telegram of the 9th instant. Savarkar. After careful consideration I cannot accept your reasons for postponing trial for abetment of murder and in view of political crimes involved I must ask you to take steps to place the case before the court at the earliest moment and to leave to the court the responsibility of dealing with it judicially. You will no doubt inform Chief Justice importance attached by His Majesty's Government to not prejudicing case before Hague Tribunal and giving ground for importation of bad faith on our part."

Bombay Government replied to the above on 15th December 1910 as under : —

" Your telegram of 13th instant. Savarkar. Your instructions will be carried out. Please instruct Wallinger in England not to leave but await letter reaching 31st December."

## THE SENTENCE PASSED IN THE CONSPIRACY CASE

The Special Bench of the High Court which tried the Nasik Conspiracy Case consisted of—

1. The Hon. The Chief Justice.
2. The Hon. Sir N. G. Chandavarkar.
3. The Hon. Justice Heaton.

The Special Tribunal tried the case and gave the judgment on 24th December 1910. The following sentences were passed on the accused : —

1. Vinayak Kashinath Gaidhani	
2. Ramchandra Babaji Kathe	
3. Govind Sadashiv Bapat	
4. Hari Anant Thatte	
5. Shankar Pandurang Mahajan	Acquitted and discharged.
6. Mukund Pandurang Moghe	
7. Keshav Ganesh Paranjape	
8. Trimbak Vinayak Jog	
9. Vinayak Damodar Savarkar	Transportation for life.
10. Keshav Shripat Chandwakdar	Transportation for 15 years.
11. Gopal Krishna Patankar	R. I. for 10 years.
12. Krishnaji Gopal Khare	R. I. for 10 years.
13. Trimbak Gangadhar Marathe	R. I. for 10 years.
14. Vyankatesh Parshram Nagpurkar.	R. I. for 7 years.
15. Vishnu Mahadeo Bhat	R. I. for 5 years
16. Purushottam Laxman Dandekar	R. I. for 5 years
17. Damodar Mahadeo Chandratre	R. I. for 5 years
18. Sakharam Dadaji Gorhe	R. I. for 5 years
19. Gopal Govind Dharap	R. I. for 5 years.
20. Shidhar Vasudeo Shidhye	R. I. for 4 years.
21. Raghunath Vidyadhar Bhave	R. I. for 4 years.
22. Damodar Chintaman Paranjape	R. I. for 4 years.
23. Vaman Kashinath Palande	R. I. for 4 years.
24. Vishnu Ganesh Kelkar	R. I. for 3 years.
25. Kashinath Daji Tonpe	R. I. for 3 years.

26.	Parashram Vaman Gokhale	R. I. for 3 years
27.	Anant Vishnu Konkar	R. I. for 3 years
28.	Vishwas Balwant Davre	R. I. for 3 years
29.	Vinayak Govind Tikhe	R. I. for 2 years.
30.	Balwant Ramchandra Barve	R. I. for 2 years.
31.	Sakharam Rangnath Kashikar	R. I. for 2 years.
32.	Narayan Damodar Savarkar	R. I. for 6 months
33.	Vinayak Vasudeo Manohar	R. I. for 6 months
34.	Gangaram Rupchand Marwari	R. I. for 6 months
35.	Raghunath Chintaman Ambdekar.	R. I. for 6 months
36.	Shankar Balwant Vaidya	Acquitted.
37.	Vinayak Barve	Acquitted.
38.	Vinayak Kashinath Phulambrikar.	Acquitted.

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#### SENTENCE UNDER CHARGE OF ABETMENT OF MURDER

The second case against V. D. Savarkar was heard by the special bench of the High Court and he was sentenced to another transportation for life. The following is the judgment given by the special bench: —

(EXTRACT FROM SECRET ABSTRACTS, 1911, PAGES 219 TO 223,  
C. I. D., BOMBAY.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

SPECIAL BENCH CASE No. 1 OF 1911.

Emperor *versus* Vinayak Damodar Sawarkar

(Charge of Abetment of Murder)

*Judgment.*—On the 10th of September 1910 Vinayak Damodar Sawarkar was committed for trial before a Special Tribunal upon charges framed by the Magistrate under sections 121 and 121-A of the Indian Penal Code and also on a charge of abetment of murder under sections 109-and 302.

Upon the charges under sections 121 and 121-A the accused was tried by this Tribunal jointly with a number of other persons in a trial which concluded last month and resulted, so far as Sawarkar is concerned, in a conviction under both sections 121 and 121-A. One of the chief matters investigated in that trial was the despatch from London by Sawarkar of parcel of twenty Browning pistols with ammunition for the same and their reception, distribution and use in India, it being incidentally proved that one of the pistols was used in the murder of Mr. Jackson at Nasik on the 21st of December 1908.

As the charge in the present trial is based upon the fact of the despatch of the pistols by Vinayak and their use in the murder of Mr. Jackson, the first point considered by us at the outset of the case was whether the trial on the present charge was not barred by the provisions of section 403 of the Criminal Procedure Code. For the reasons stated in an interlocutory judgment we came to the conclusion which we see no reason to doubt was correct that if the circumstances above referred to brought the case within the scope of any of the sections specially mentioned in section 403 (1) and (2) they fell within section 235 (1) and that therefore section 403 was no bar to the trial.

The charge of abetment of murder framed by the Magistrate has been amended and expanded by the Clerk of the Crown into two charges, putting the case for the prosecution in an alternative form. The first charge is that the accused in London and elsewhere outside British India engaged with certain specified persons and others not specified in a conspiracy for *inter alia* the murder of officials of the Government in India and in pursuance of such conspiracy and in order to the commission of such murders, sent out twenty Browning pistols from London to Bombay about February 1909 in consequence of which Anant Laxman Kanhere murdered an official of the Government in India, namely, Mr. Jackson in December 1909.

The second charge is that the accused conspired with the specified persons and others to overawe by means of criminal force and show of criminal force the Government of India and for that purpose sent out the twenty Browning pistols and that as a probable consequence of the conspiracy and the sending of the pistols, Anant Laxman Kanhere murdered Mr. Jackson.

Either of these charges, if made out, would involve the finding that the accused is guilty of abetment of murder.

The evidence recorded divides itself naturally into two parts : First, that which deals with the early history of Sawarkar in India, his

doings in London and Paris, the despatch of the pistols, their reception in India and the manner in which five of them found their way to Nasik into the hands of Krishna Gopal Karve and his associates, secondly, that which sets forth preparations for and the details of the murder of Mr. Jackson by Anant Laxman Kanhere for the purpose of proving conclusively that one of these pistols was used for committing the murder.

The first branch of the evidence covers much the same ground and leads to the same conclusion in regard to Sawarkar as was arrived at in the conspiracy case above referred to.

The second branch of the evidence covers the same ground as was traversed in the murder case before the Special Tribunal in which Anant Laxman Kanhere and six other persons were tried for the murder of Mr. Jackson with the result that three were condemned to death and three were sentenced to transportation for life.

The evidence shows that prior to 1906 there existed in Nasik under the leadership of Ganesh and Vinayak Sawarkar, an association of young men known first as the Mitra Mela and subsequently as the Abhinav Bharat (or New India) whose objects were revolutionary and aimed at achieving the independence of India and the termination of the British domination. Their chief heroes were Shivaji and Mazzini. For the purpose of spreading their ideas the lives of patriots were read at the meetings of the Society and inflammatory speeches were delivered from time to time by Sawarkar and others. Discussions took place as to how arms could be procured for the purpose of rebellion and certain publications prepared at the expense of the Society were sold, some of which amounted to direct incitement to rebellion.

About the middle of 1906, Vinayak Sawarkar left for England being the recipient of a scholarship given by Shamji Krishna Varma, the founder of the India House at Highgate. Before he left, a party was given in his honour at Nasik at which he made a speech describing his country as steeped in the mire of dependence and stating that his real object in going to a foreign country was to repay the obligations of Hindustan wherein he was born and to be discharged of the debt due to her.

Earlier in the year he had made two violent speeches, one in February at Poona, in which he advised his hearers to follow the dictates of Ramdas and quoted a well known verse of that poet to the effect that they should gather many persons, fill their hearts with one

thought and then together fall on Mlenchas or foreigners. He is reported to have stopped before uttering the last word as he noticed that detectives were present. In the other speech which was delivered at Nasik on the 22nd of April he called attention to a picture of the god Maruti holding a mace in his hand with demon under his feet, whose complexion was white or red (obviously a reference to the colour of the English), and he exhorted his hearers to take up gymnastic exercises of which the god Maruti was the presiding deity.

Shortly after he arrived in England, he completed and despatched to India for publication there a Marathi translation of the life of Mazzini with an introduction in which he pointed out how Mazzini relied upon the youth of the country to obtain independence, and described Mazzini's programme of instruction and war.

In London he took up his residence at the India House and from 1907 to 1909 was a very active member of the group of the Indian revolutionists residing there. He was for a considerable time the manager of the India House.

In May 1908 Sawarkar organised at the India House a meeting in celebration of those who fell on the rebel side in Indian Mutiny. He had mutiny badges prepared and distributed among those present and despatched with the assistance of one Chaturbhuj to India a number of copies of a pamphlet called " Oh Martyrs ", in honour of rebels who fell in the Mutiny. In the same year with the assistance of residents in the India House, he manifolded in type a number of copies of a work describing minutely the manner of preparing explosives and bombs and had them despatched to India by post to various addresses. Early in 1909, he took advantage of the departure of Chaturbhuj Amin for India to conceal in a false bottomed box and despatched with Chaturbhuj a parcel of twenty Browning pistols with ammunition for the same to be delivered to one or other of two addresses in Bombay, one of whom was V. M. Bhat, an original member of the Mitra Mela and a close friend of the Sawarkars. These pistols were of two sizes, the larger size being about the length of a man's hand and the smaller size very much less.

Having regard to the size and nature of these weapons, it is not credible that they were despatched for use in actual warfare. The alternative is that they were despatched for another unlawful purpose, namely murder. This alternative is quite in accordance with the known fact, for before this time Indian revolutionists had resorted to political assassinations; Khudiram Bose and Profula had already committed murder at Muzafferpur in attempting the assassination of

an official and these men were the objects of admiration among members of the Abhinav Bharat Society. This is clear from a composite photograph styled the Rashtrapurush found in the possession of Kashikar, one of the members of the Abhinav Bharat Society, in March 1909, in which Khudiram and Profula and the Chapekar brothers who murdered Messrs. Rand and Ayerst in 1897 are grouped together under the title of Patriots. It is also noteworthy that one of the residents at the India House at this time was Dhingra, who in June 1909 assassinated Sir Curzon Wylie with a Browning pistol. It is proved that Dhingra was a friend of Vinayak Sawarkar at the India House and that subsequent to his execution Sawarkar was pushing the sale of photographs of Dhingra in the form of picture postcards.

Among the collection of English cuttings found in the possession of Sawarkar at the time of his arrest, was one headed, " Ireland honours Madan Lal Dhingra who was proud to lay down his life for the sake of his country " and there were two copies of an article published in the Evening Standard dated the 25th February 1909 containing extracts from a pamphlet in praise of Profula and Khudiram. The accused when asked if he could explain why he had in his possession two copies of this article said that he was concerned with all the calumnies going about him and that one cutting might have come to him from the cutting agency and the other might have been a cutting made by himself. The inference we think is clear that the accused early in 1909 was in warm sympathy with these assassins. Nor is there any reason for thinking that he ever changed his views. For it is proved that early in 1910, he tried to induce Changeri Rao to take with him to India a parcel of 25 Browning pistols and on his refusal persuaded him to take one of these weapons. This parcel was packed in the false bottom of a box brought out to India by Changeri Rao. It also contained a number of copies of the Indian War of Independence which was originally written by Sawarkar in Marathi and translated into English by other residents at the India House. Those copies are mentioned as having been handed to Changeri Rao in a list describing the distribution of this work which was found in Sawarkar's possession at the time of his arrest. Together with this pistol and these copies of the Indian War of Independence, were found several copies of a pamphlet styled " Bande Mataram" in praise of Dhingra in which many passages refer in the clearest language to a conspiracy of Young Indians for the murder of officials. It was apparently written soon after the execution of Dhingra which took place in August 1909 and clearly before the murder of Mr. Jackson to which there is no allusion, although several other political murders in India of recent years are referred to.

One of the earliest passages is, " Young India has once more shown her hand and the world is lost in wonder and admiration. The scene of action is transferred from Bengal to England. Once more the heroism of Young India has struck terror into the heart of Britain".

Among other passages are the following, " Our policy of laying them (the tools of British Government) low with the bomb, the revolver or the dagger ". " Terrorise the Officials English and Indian, and the collapse of the whole machinery of oppression is not far. The initial stage of the revolution is marked by the policy of separate assassination ".

As this pamphlet was found with the other articles proved to have been entrusted by Sawarkar to Changeri Rao for secret conveyance to India we feel no doubt that the copies of the pamphlet came from the same source and represented views with which Sawarkar was in accord. The subsequent history of the pistols so far as it is relevant to this case can be given very shortly. Ganesh Sawarkar at the end of February was aware that the pistols were about to arrive with Chaturbhuj. He communicated this to Patankar, who was one of the associates of Bhat. Chaturbhuj as directed by the accused delivered the letter entrusted to him to Bhat and at a subsequent interview Bhat despatched Patankar with Chaturbhuj to take delivery of the pistols. This was a few days after the arrest of Ganesh Sawarkar, and Patankar, in order to avoid detection, transferred the pistols to Pen where a relation of his took charge of them. Soon afterwards he says that he had a conversation with Kurve, who was a friend with whom he used to talk upon ' national' topics and ' naturally' mentioned to him that a friend had pistols to dispose of. This led to Kurve take over from Patankar first five and afterwards two more of the pistols imported by Chaturbhuj with ammunition for the same. The five pistols first taken over consisted of two large and three small Brownings. They were sent up to Nasik by Kurve and distributed among his associates from time to time and eventually when the murder of Mr. Jackson had been decided upon by his gang principally, it would appear, because he had committed Ganesh Sawarkar for trial, one of the large Brownings was given to Anant Laxman Kanhere, the person selected for doing the deed, and with that pistol Mr. Jackson was murdered by Kanhere in the presence of two of his associates Kurve and Deshpande in a theatre at Nasik on the evening of the 21st of December 1909. All these events from the time of the receipt of the pistols by Kurve are most conclusively proved by the evidence of Ganu Vaidya and the full confession of Kurve and Deshpande corroborated in many details by the evidence of witnesses who are above suspicion.

The view that we take of the action of the accused in sending out the pistols by Chaturbhuj is that he was, to use the words of the *Bande Mataram* pamphlet, taking part " in the initial stage of the revolution " by providing instruments which were suitable for carrying out "the policy of separate assassinations". He sent out the pistols with ammunition with the intention that they should be used for assassination. The result of his action was precisely what he intended and what was naturally to be expected.

In addressing the court at the close of the trial the accused has contended that there was no evidence to establish a conspiracy to murder officials, although he concedes that there is much evidence of a conspiracy to overawe the Government by force, but in the particular circumstances of this case it is established that the conspiracy to overawe included the idea of assassination of officials : as we said in our judgment in the conspiracy case, assassination of officials was a method of attack upon the Government which was rendered possible by Vinayak Sawarkar and the murder of oppressive officers is proved to have been one of the objects of Kurve's gang and of Anant Kanhere, the murderer. We have no doubt that Patankar, who according to his own story, offered some of the Browning pistols to Kurve " naturally" as they used " to talk on national subjects", was fully aware of the purpose for which they had been sent out and the purpose for which they were wanted by Kurve.

The fact that at the time of the despatch of the pistols Mr. Jackson had not committed Ganesh Sawarkar for trial and thus specially incurred the enmity of the assassins or of Vinayak Sawarkar, does not make the accused any the less an abettor of his murder. A man who provided weapons for the murder of any 20 persons answering to a particular description cannot escape punishment for murder, if only one of such persons is murdered with the weapons provided. The action of the accused falls within the provisions of the Penal Code Sections 107 (secondly) and 109. These sections are as follows : —

*Section 107—(Secondly).*—A person abets the doing of a thing who engages with one more other person or persons in any conspiracy for the doing of that thing, if an act or illegal omission takes place in pursuance of such conspiracy and in order to the doing of that thing.

*Section 109.*—Whoever abets any offence shall, if the act abetted is committed in consequence of the abetment, and no express provision is made by this code for the punishment of such abetment, be punished for the punishment provided for the offence.

The accused engaged with various persons in a conspiracy, having murder of officials as one of its objects in pursuance of which various acts took place, notably the despatch of the pistols, and the murder of Mr. Jackson took place in consequence of the abetment. The accused is therefore guilty of abetment of murder and liable to be punished with punishment provided for the offence.

The fact relied upon by the accused that he did not know Anant Kanhere or any of Kurve's gang who engaged in the conspiracy of murder is no defence, for section 108, Explanation 5, provides as follows : —"It is not necessary to the commission of abetment by conspiracy that the abettor should concert the offence with the person who commits it. It is sufficient if he engages in the conspiracy in pursuance of which the offence is committed.

True Copy.

(Signed) M. R. JARDINE,  
Clerk of the Crown,  
High Court, Bombay,  
3rd February 1911.

The third day of February 1911.

E. P. WHITE,  
Acting Personal Assistant  
to the Deputy Inspector-General of Police.  
Criminal Investigation Department.

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#### NO REMISSION OF SENTENCE FOR SAVARKAR BROTHERS

[FROM H. D. SPECIAL VOLUME NO 60-D (a) OF 1919.]

The Government of India wrote a letter dated 28th February 1919 to the Superintendent Port Blair of their desire to extend clemency to prisoners on the day of the Signature of Peace, after the termination of the first world war.

The Chief Commissioner, Andaman and Nicobar Islands and Superintendent Port Blair, sent in reply to the above the following case history of the Savarkar brothers.