

PART II

EXTRACTS FROM HIS MINUTES AND  
STATE PAPERS

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AS already intimated, the Minutes have been arranged by themselves so as to illustrate Grant's official career. It seemed advisable to deal with them in this way instead of relegating them to an Appendix in small print, according to the practice of some other biographers. They could not well have been inserted in the biographical portion of the work without breaking the continuity of the narrative, and, probably, distracting the reader's attention. The range of subjects discussed, it will be seen, is very wide. Lord Dalhousie, after some five years' experience, recorded his opinion that the Governor-General was the ultimate referee in every disputed or doubtful point "from a sea-wall at Tumluk to a plunge bath at Peshawar." And Grant's Minutes, in the same way, cover a wide official area. Irrigation in Behar, Land Revenue in Madras, railways in Upper India, vernacular

education in Lower and Central Bengal, the introduction of young Hindus to our English language and literature, Martial law in times of disturbances—all attest the variety and importance of the subjects with which the English Administrator must deal. It would have been easy to multiply such extracts to a far greater extent. But there is always some risk in the treatment of Oriental and unfamiliar topics. Some are technical and departmental, while others have given finality to old-standing controversies, or have incorporated useful reforms in the regular administrative and executive Code.

The annexation of Oudh, on the other hand, is a grave event in Indian History, and the arguments about the Bible in Government schools and the Sunday traffic on railways, its pros and cons, are applicable to analogous questions elsewhere, whether raised by the School Board in London, or by the establishment of a college in the Soudan. Practically, the biography of a man in Grant's position, to be properly understood, must be illustrated by Minutes and official papers, just as we can only realise the arduous toils and the political difficulties encountered by Peel or Palmerston, from their utterances in Parliament and their despatches from the Home or Foreign Office. In any case, it

is not possible to put aside questions affecting the welfare of millions over Provinces as large as European Kingdoms and the credit of Imperial Britain, by terming them "parochial and petty."

To each Minute is prefixed a short note by the writer of this memoir, explaining the origin of the discussion and how it was proposed that the Government of Bengal or the Supreme Council should deal with the reference. The Minutes are given, as far as possible, in chronological order, as it was not practicable to arrange them in order of importance. They must be taken *per capita*, to borrow a legal phrase.

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### THE KHONDS AND MERIAH SACRIFICES

*Extracts from Grant's final Report as Commissioner in the Hill Tracts.*

*July 1848.*

"IN the cold season of 1835-6, when, in the course of the last Goomsoor Rebellion, our troops first ascended the Ghats, lying at the back of the district of Ganjam, we made our first acquaintance with the Khonds and their country. It was then discovered that these people had been in the immemorial habit of performing annual sacrifices of human victims, the victims being usually purchased or stolen from the plains below, and sold to the Khonds

by persons who made a trade of such dealings. The Zamindari of Goomsoor was resumed, and peace was restored in 1836-7. The Zamindaris at the foot of the line of the hills each have Khond hill districts belonging to them, and the Khond districts belonging to the Zamindari of Goomsoor thus fell directly into our hands. The sudden discovery of the horrible fact that human sacrifices were systematically and extensively celebrated before thousands of spectators, over a large tract of country, which, being included in the Zamindari, had been nominally under our dominion for nearly seventy years, attracted much attention. The practice was found to extend northward into the Mahals under Bengal, but its limits to the southward were not and, I believe, are not distinctly known. The Hill people who occupy the same range of hills to the southward, or rather to the south-westward of the Khonds, are called Sowrahs, who, I understand, are quite a distinct race of men from the Khonds, but they, too, or some of them, unquestionably performed human sacrifices like their neighbours. Mr Russell, the officer so much distinguished by the settlement of two distinct insurrections in these parts, one in Goomsoor, and another in the similar Zamindari in Purla Kinedi, was much averse to any endeavours to abolish the rite; believing that, even if limited to the Goomsoor tracts, such endeavours would be ineffectual, and would produce very dangerous consequences. From time to time a few victims were snatched from death by different officers, both on the Bengal and on the Madras sides, but no real good was done by such unconnected and fitful operations. To rescue this or that Meriah is but to take away so many rupees, so many head of cattle, and so much turmeric.

What has to be done is to stop the practice of sacrificing anybody as a Meriah." \*

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### PUBLIC WORKS

THE following extracts from a Minute on the public works of the Madras Presidency, dated 5th July 1854, contrasts the riches and prosperity of the Province of Bengal with other provinces, and notes some of the peculiarities of the Land Revenue system of Madras. The Minute in some parts is highly controversial. But the following arguments seem unanswerable :

"It is so far from being true, as the Madras Commissioners imagine, that distant Provinces are at a disadvantage with the Government of India, as compared with Bengal, in which Province Government happens to sit, that even a slight enquiry into the facts will prove that the very reverse is true. Of all parts of India, Bengal, which supplies two-fifths of the whole revenue of India, and costs, perhaps, a tenth part of the whole charges of India, has had the least money spent upon it in Public Works. The disproportion will be found, by any one who looks into the public accounts, to be enormous. Yet no

\* The whole subject is fully discussed in a valuable article in the *Calcutta Review* for January 1846. The credit of putting an end to these horrible rites is due to Colonel Campbell, Assistant to the Governor-General's Agent, and also to Dr Cadenhead and to Captain S. C. Macpherson.

part of India has such solid claims for public expenditure upon public works as Bengal has. Certainly no part of India has improved during the last sixty years as Bengal has improved. Land enough to make a small Province has been reclaimed from waste; enormous tracts of country, which many now alive remember as uninhabited forests, have become the abode of a teeming population; but, with immaterial exceptions, all that has been done in Bengal has been done by the people themselves, and whatever the people themselves could not do has been left undone. The one exception of a great work in Bengal is the lower part of the Grand Trunk road, but that work, so far as it lies in Bengal, runs through a wild tract, and it was made, not for the sake of Bengal, but for the sake of the North-West Provinces. Bombay, Scinde, the Punjab, the North-Western Provinces have all enjoyed considerable grants for Public Works. Madras has, for years past, four lacs a year available for its trunk roads, and stupendous works are now in progress upon two of its great rivers. Bengal, where this selfish and near-sighted Government of India sits, and which alone pays the deficit of all those places, has had nothing."

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FROM THE SAME MINUTE OF JULY 1854

*Remarks on Irrigation for Agricultural Purposes, and on forced or compulsory labour on Public Works.*

"I DISSENT wholly from the opinion of Mr —— that when once famine has been sufficiently guarded against, irrigation must be very slowly encouraged, or, rather, must not be promoted at all, until after the vast expenditure

(much of which will not be *directly* remunerative) shall have been made in the communications of the country. It is feared that people seized, I suppose, at the sight of running water, by sudden insanity, should labour day and night to grow immense quantities of food which they know they can neither eat or sell. Beyond a doubt, the full benefits neither of irrigation nor of any other agricultural improvements are developed till good communications between one part of a country and another, and between all parts of the country and the sea, are established. Nevertheless, both improvements are good in themselves. If it could be supposed that by some physical cause, it must be for ever impossible to improve the existing communications between the great deserts of Northern India and the rest of the world, and if it could be further supposed that it should be in the power of the Government of India by some operation [which, so far from costing it anything, would be directly profitable in itself] suddenly to convert those deserts into land equal in fertility to the land of Bengal, then would Mr ——, in such a case, seriously maintain that the Government, in whose dominions those deserts are, ought not to perform that operation? Yet this is an extreme case, there being no land in Madras so remote and inaccessible as the deserts I speak of; and it so happens that the very canals which bring the waters of a river to the ryot's field convey his produce to the sea.

“I trust that the Home Government, in whose hands this great question rests, will take a very different view of the subject. I trust that, by them, Irrigation will be treated on its own merits, and upon the principles of common sense. I trust that wherever the people are willing to pay, in one shape or another, for watering their crops as much as will



fully and directly remunerate Government for the cost of bringing the water to the crops, the Government will be authorised and directed to bring the water. If Government keep within the limit, it keeps within the limit of Nature. It will do no more than the people themselves would do if they had the necessary organisation and resources. If Government does not act up to this limit, it fails in a duty which its position towards the people imposes upon it.

“ I earnestly hope, also, that attention may be effectively attracted to the general principle of land assessment which is at the bottom of all the Madras objections to Irrigation on a grand scale. I have no doubt that these objections to Irrigation will have no weight with the mass of intelligent people. But it is not at first sight obvious that the general principle of the Revenue system which the objectors administer, fully supports them in their objection. Yet, I believe that no one who has not been educated under that system, if he will only look into the thing carefully, will hesitate to admit this truth. To restrict cultivation in order to raise the price of grain, and thereby to realise high rents from the land allowed to the cultivators, is no better national economy than to prevent irrigation for the same object. Indeed, it seems to me the worse economy of the two. It is as though the Collector, not content with refusing to dig a canal, were to forbid the villagers to use water running through their fields.

“ Mr ——, though I do not perceive that he objects to the system, most truly says that the Land Revenue of Madras is not rent, nor a tax upon rent, but a tax upon production, operating directly as a prohibitory tax restrictive of production. He says, ‘ In this Presidency there are tens of thousands of acres of as good waste soil to be had by

any applicant as there is under the plough, and as near the market too.' He says 'that it requires no more labour or capital to raise additional crops (on these waste acres) when food is wanted, than on land previously under the plough.' The reason why the fund of wealth and strength which the country has in these waste acres is not made use of is, because no one is allowed to cultivate one of them without paying Government, for permission to do so, more than it is worth. The above is a description of the system in force, from the pen of a gentleman thoroughly conversant with it, who, I understand, is an approver of that system. I ask no more than that those responsible for the government of India will ponder well this description.

"Under the whole of the Bengal Presidency, the Land Revenue has never been more than a portion of the natural rent of the cultivated land, and it has ever been a principle of the Bengal system to encourage, as much as possible, the cultivation of waste lands, and the improved cultivation of cultivated lands, by fixing for terms of years (in the Lower Provinces, for ever) the assessment of each village, without regard to the varying cultivation from year to year. Which system has answered best—the Bengal system or Settlements for terms, or the Madras system of annual Jummabundee [Settlement]? In Madras the Revenue of the country has been almost stationary, the Land Revenue having been, until quite lately, for a long course of years together, annually declining. In the Lower Provinces of Bengal, the Land Revenue alone is considerably more than it was at the time of the Permanent Settlement, and so much have the general Revenue's increase of wealth been, that the Land Revenue, far from being there, as it was everywhere else in India, the principal source of the whole

Revenue, now forms less than the third part of it. The result in the North-West Provinces has been similar though less marked, because, until the late grand thirty years' Settlement, the terms were too short. Since that Settlement was made, all accounts agree that improvement has been making rapid strides, yet it is on the ground of the necessity for keeping up the public Revenue that the great part of the soil of Madras is doomed to be uncultivated. As if Revenue could be drawn in any other possible way than from the wealth of the people, or as if the way to make an agricultural people rich was to prohibit them from cultivating their land."

"I have but one other remark to make connected with Irrigation in the Madras Presidency. The point I am about to mention looks like a matter of mere detail, but I believe it involves a very important principle. The practice in Madras is to take no water rent for the water used, but to impose a very much higher assessment on irrigated land than on dry land. On such land, whatever crop was actually grown upon it, as it is land capable of growing rice, the maximum rate of assessment is fixed. Colonel Cotton, of the Madras Engineers, in a book he has lately published, makes some very sensible remarks on this subject. He shows that as by this system the ryot pays by the acre the same amount whether he grows a crop that requires much or little water, he is obliged to grow always rice, which requires the largest supply of water, because, with *an unlimited supply of water*, rice affords a more valuable crop than any other ordinary grain from the same quantity of land. But he shows that where there is an unlimited quantity of land and a limited quantity of water,

this can seldom be the most profitable manner of applying the water to the land. He therefore strongly recommends that payment should be made for the water according to the quantity used, which is the European and the North-Western Provinces' principle, leaving the cultivator free to apply for any quantity he pleases for the cultivation of his land, and so, instead of giving a fictitious encouragement to one sort of crop, ensuring the greatest possible profit being made of the water, and the extension of the benefit of irrigation over the greatest possible area.

“This appears to me so important a point, as to deserve being brought to the special notice of the Madras authorities. I perceive that the fear of “a glut of rice” is one of the objections felt at Madras to a grand system of Irrigation. It is very inconsistent with this fear so to regulate the assessment of wet lands as to do all you can do to cause the ryot to cultivate nothing but rice upon it. The fact is, that the water is much more valuable than the land, and the water is liable to be wasted, which the land is not. Wherefore the natural course would seem to be, while both are charged for according to the quantity used, to charge more in proportion for the water than for the land.

“I may not avoid remarking upon the fact announced by the Commissioners that, in the Madras Presidency, labour upon public works is more or less compulsory. ‘On the whole,’ they say, ‘there appears to be no district in which the labour is not more or less obtained by compulsion.’ The Commissioners assign reasons for this result which all reduce themselves to this one reason, that the labourers on public works are either oppressed or cheated. They are oppressed, inasmuch as they are paid at less than the market rate of wages, even when they are obliged to move

from home to work in distant places, and their payment is long delayed. They are cheated, inasmuch as their work is short measured, and the native officers hold back part of what is allowed to be due to them and is charged to Government. The Commissioners, after fairly stating the facts, propose what appear to me easy and adequate remedies.

“I am so firmly convinced that recourse to compulsory labour is no more necessary in India than in England, that it is never wanted under good superintendence, and that the only effect of at once absolutely prohibiting it in any part of India would be, that good superintendence would become a matter of necessity and justice would be done, perforce, to the work-people, that I am decidedly of opinion that the system ought to be absolutely forbidden forthwith on pain of suspension from office. The Lieutenant-Governor of Agra, the other day, suspended a Magistrate for six months for pressing labourers, and we have not heard of the works of the Ganges Canal being stopped in consequence. I am convinced that nothing is required to rid us of this bad thing but boldness and firmness in a rightful course at the head of affairs, and I think that the Government of Madras should be addressed accordingly.”

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#### EDUCATION—PRESIDENCY COLLEGE, 1854.

THE following extract is taken from a letter addressed by the Council of Education at Calcutta to Lord Dalhousie, in his capacity of Governor of Bengal. The letter is signed by the Secretary to the Council, the late Dr F. Mouat, a warm friend

of native advancement in the best and highest sense. But the draft bears the impress of John Grant in almost every paragraph, and many of the important alterations and additions are in his well-known handwriting. The Council of Education had had for its Presidents, amongst others, Mr, afterwards Lord Macaulay, Mr Charles H. Cameron, and Mr Drinkwater Bethune.

At the date of the letter from which the extract is taken, its President was Sir James Colvile, afterwards Chief Justice of the Supreme Court. To the Council, up to this date, was entrusted the control of Education in the Lower Provinces, but about the year 1854 material changes were introduced, in which Sir C. Wood, then at the Board of Control, took a very prominent part. A new Presidency College took the place of the Hindu College established about 1816. A Director of Public Instruction succeeded to the Council of Education, and the revolution was completed by a University, modelled mainly on the plan of the London University. The Council's letter above alluded to is full of statistics and details, and deals with the lectures, studies, and degrees open to the students at the new college, but the extract given below (paragraph

64 to 69 inclusive) shows the opinion held by Grant and his colleagues as to the failure, in several points, of the educational course which Bengali students had followed up to that date. The remarks are as applicable now as they were forty years ago. And it can be confidently asserted that neither in Lord Macaulay's celebrated Minute on the value of English Literature, nor in any subsequent development of native education in Bengal, can any justification be found for the political theories and claims now advanced by a portion of educated Bengalis. The Government of Bengal had hoped that a sound English education would enable Native Gentlemen to improve their own vernacular literature, to fit themselves for professions other than the service of the Government, and to play their parts in "the practical business of life." It was never anticipated that natives of the Lower Provinces should pose before the public, on platforms or Congresses, as representatives of the Sikhs, Rajputs, and the martial races of the Upper Provinces, or claim to speak in behalf of that ethnological fiction, the "People of India."

PAR. 65.—"The Council look to the Department of Civil Engineering for the proper education of one particular

class of individuals capable of useful employment, private as well as public, in many practical lines; but, in their opinion, it is emphatically our present duty, by working upon the higher classes, to train the native mind to a more just appreciation of the physical sciences, and to give educated natives that practical bent, the mother of real progress, which marks the present epoch in Europe, but which is remarkably absent in all the educated classes of this country, and not less absent amongst those heretofore educated in our English schools and colleges than amongst the ancient Brahmans of Benares.

PAR. 66.—“The exception to our system, the Bengal Medical College, in the opinion of the Council proves the case they would establish. In Medicine and in Surgery only has a practical direction been given to the education we impart to the natives of this country, and the admirable success of that great experiment, short as has been the time that has elapsed since its commencement, has been such as its most sanguine promoter would not have dared to prophesy eighteen years ago.

PAR. 67.—“What has been done in Medicine may be done in every department. But a healthy, spontaneous and general progress in this direction is not to be expected, whilst all the best educated men in the country are kept in practical ignorance of every kind of physical knowledge.

PAR. 68.—“It is on these grounds that the Council has proposed to make attendance on elementary courses of Natural Philosophy and Natural History compulsory in the Presidency College.

“In the department of Physical Sciences, though the application of mathematics to physics in them is carried to a high pitch, in the present system little or nothing is



shown experimentally, and certainly nothing in the shape of a demonstrative or experimental course exists. The branch of Natural History is professed to be taught, and it is well known that no effective progress in Natural Philosophy is possible with paper work alone.

“The want of everything of a practical character in the educational course at present, appears to the Council to be its greatest defect. Everything that strikes the senses, one-half of the whole circle of knowledge, is, as it were, ignored in our present scheme of education. This, the Council incline to think, would be a grave defect in any Country, but they cannot doubt that it is so in India. It is in the more practical business of life, and in the physical departments especially, that education, in Bengal at least, has done nothing. Our Colleges, it must be admitted, have not turned out, for many years past, half a dozen students who have attempted to earn their own livelihood in any other line than as clerks and Government employees. Whilst we have trained scholars in scores who will integrate a difficult problem, no one has ever left our schools whom an officer making a road would employ as an overseer, in preference to an English sergeant who can just read and write.”

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#### OFFICES OF MAGISTRATE AND COLLECTOR

IN 1854-55 there was a very long discussion on a proposal to reunite in Bengal the offices of Collector and Magistrate in the same person. They had been separated soon after 1836. Some of the arguments are as applicable to administrative

changes and reforms at this day as they were forty years ago, but they are occasionally very technical and departmental, and without the whole of the correspondence, they might be misunderstood. A few extracts are given below from a Minute, dated 23rd of November 1854.

“According to my idea, it ought to be our fixed intention, as soon as possible, to dis sever wholly the functions of criminal Judge from those of the thief-catcher and public prosecutor now combined in the office of Magistrate. That seems to me to be indispensable as a step towards any great improvement in our criminal jurisprudence. And any change of system to be made meanwhile should be contrived, I think, with regard to this fundamental reform. But if this reform were effected, it seems clear that, with the proposed rank and salary, the Magistrate and Collector would be lifted very far above his proper degree in the scale of offices. The duties of a Bengal Collector are not of a high order. As Magistrate, after the change I contemplate, this officer will be merely the head of the police of a district, and the prosecutor of criminals before the Judge. It strikes me that to raise such a functionary to a rank equal to that of a Judge, who controls and hears appeals from every judicial officer in his district, who, in the vast mass of cases, is the Court of last resort, and from whom no appeal in any case whatever lies, except to the highest Court in the country, would be a mistake, and would certainly degrade the great office of Judge.

PAR. 21.—“Even with the Magistrate’s functions as they now are, the much greater importance of the office of Judge

in a Bengal district appears to me to demand the greater rank and emoluments at present attached to that office. When, of two judicial authorities, one has five times as much power as the other, and can reverse, with censure if he pleases, any order or judgment of that other, surely the one of these two authorities is set up as being plainly the superior of the other, and it seems to me that the salaries of the two offices should in reason have some correspondence with their relative position.

PAR. 22.—“We ought, in my opinion, to attract the soundest heads we can get to the office of Judge; on which, in Bengal, as in all other wealthy and highly civilised countries, the prosperity of agriculture and commerce depends more than on any other single office. In thinking of the subject, we should think not merely of the fact of the wealth and civilisation of Bengal, but also of the cause of it, the institution of private property in land. The reasons which have induced the wise English people to make their Courts all in all, to convert their exchequer into an ordinary tribunal of justice, and to make their “Collectors” mere tax-gatherers, have already operated to a notable extent in Bengal. I am all for progress in this direction. I protest against going backwards.

PAR. 23.—“I speak after much watching of the course which one Government after another inevitably falls into in the matter of appointments, when I say that I am sure, if the proposed system were enforced for a few years, it would be rare indeed to see a Judge of a capacity not greatly below the average. It would be so difficult to get an officer fit to work a Magistracy and Collectorate, and the inconvenience to Secretaries and Lieutenant-

Governors, of having a bad officer in such a situation would be so pressing, that the refuse of the service only would be made Judges. The Government looks to the Magistrate and Collector, the people look to the Judge."

On the same subject he wrote on 8th May 1855:—

"I find only one argument to answer. It is maintained (see paragraphs 8 and 9 of the Lieutenant-Governor's Minute) that though it were successfully made out, which is not admitted, that the union of fiscal and criminal powers in one man is unsound in theory, it is successful in practice all over India, except in Bengal, and ought therefore at least to be as successful in practice in Bengal where the collectors have less to do than elsewhere.

PAR 9.—"In paragraph 10 of my Minute I anticipated this argument, and as the remarks there made remain unanswered, I need not recur to them. The examples of new provinces, such as the Punjab, Pegu, and Nagpur, are now pressed into the service; and not only these provinces, but such wilds as Assam and the South-West Frontier Agency, are treated as fit to become examples for the administration of the richest parts in Bengal. This is as though the civil administration of Middlesex should be modelled after that of the Isle of Skye. Surely, no one doubts that poor countries and scanty populations must be governed in a manner conformable to their requirements, and to their means of paying for government, and that semi-barbarous people do not require the same expensive and refined system of administration as highly civilised people. And surely there is one method for people

beginning to be broken into civilised government, and another method for people who have been under our laws for several generations. Besides, it is inconsistent to stop here in this argument. Why does not the Lieutenant-Governor carry out his theory, and recommend the Calcutta Police Magistrates all to be appointed also Collectors of Abkarri and house tax? If we are to model the administrative system of a Bengal Zillah with its immense real and personal wealth, its rich Talukdars, its Zamindars, and its English planters, after the system appropriate for our latest acquisitions, we should unite the offices, not only of the Collector and the Magistrate, but also always that of the Judge, and often that of the Military Commandant in the same person."

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#### RIVERS AND EMBANKMENTS

THE bewildering changes and natural action of some of the great rivers in Lower Bengal in flooding the country, and the mistakes made from endeavours to control or modify that action by embankments and artificial means, are treated in a Minute of April 1855.

"The history of the river is unmistakably written in these facts. Originally it fell into the Hooghly, above Calcutta, and after meandering about that part of the country and raising its level, it became a necessity for it to seek an exit for its ordinary main stream through a

lower line of country. Accordingly, without wholly deserting its own bed, it found, or, more probably, made by enlarging one of its old subsidiary channels, a new main channel to the south, leaving its old bed and many subsidiary outlets as safety-valves for its flood waters. We know that Nature's habit is to make these great changes, gradually and safely, for the people. This case of the Damoodah is a mere nothing, either in regard to the extent of the change or to the mass of water, to what the great Ganges has been harmlessly doing in our own times to the eastward, in the midst of a teeming population. And how much better is it for us now, in the case of the Damoodah, that Nature was allowed then to work its own cure! Let any one look at the line of the old Damoodah on the map, and then imagine to himself what our position would have been now if, some two hundred years ago, the Nawab of Bengal had strongly embanked the southern margin of the river, in order to restrain it from injuring the country. If our predecessors had played us such a trick as that, should we not now, in daily fear of our lives from an overwhelming torrent running high above our heads, have been discussing projects by Lieutenant De Bourbel and others for buying up, at an immense price, the land now forming the much-abused channel of the Damoodah, and banking it up at great expense in order to relieve us from the artificial danger created? We are now somewhat in the position of the Nawab of Bengal of that day. The Damoodah, the operations of Nature having been accelerated by misdirected art, has raised its bed and its banks, and requires for much of its water a new direction. We should not be less wise than our Mogul predecessors. We should not endeavour to work directly against Nature."

LAND AND WATER COMMUNICATION  
BETWEEN CALCUTTA AND THE EASTERN  
DISTRICTS

THERE is now (1898), after forty years, not only a road but a railroad to Jessore and to Kulna. The Minute is valuable as showing the past history of our neglect of the means of communication in Lower Bengal.

*“July 1855.*

“It has always been alleged as a great opprobrium to the Indian Government that there is no road to Dacca and the eastern parts of Bengal. Lieutenant Greathed's survey has at length set a great part of this question at rest, by showing that a road passable at all seasons for so much of the line as lies between Dacca and Jessore, being somewhat less than a hundred miles, would be expensive out of all proportion to its worth. The whole country is inundated to a great depth during the rains, and the line crosses a great number of large rivers, requiring great bridges, exclusive of three rivers to be crossed only by ferries. Leaving unbridged seven rivers that can be bridged, the road would cost  $23\frac{1}{2}$  lacs of rupees, being at the rate of about 14,000 rupees a mile; or, bridging these rivers, it would cost 59 lacs of rupees, being at the rate of nearly 36,000 rupees a mile. Although a bridged road formerly existed for about a third part of this line, it appears to me clear that it would be waste of money to renew any part of it, and that from the Jessore river (the

Bhairab) to Dacca, water-communication exclusively must be looked for.

“So far, therefore, I agree with all the authorities who have discussed this subject.

“But it is equally clear that between Calcutta and Jessore, a distance of 73 miles, being three-sevenths of the whole distance to Dacca, there is no good reason whatever for not having a metalled and bridged road passable at all seasons of the year. I don't see why the project of a road to Jessore should be dropped because the project of a road to Dacca is impracticable at any reasonable cost.

“There is now a raised road to Jessore with drain bridges complete. The line crosses four rivers; of these two are already bridged, and a bridge across a third is now about to be erected with money given or bequeathed by a public-spirited native gentleman for that express purpose, which has been allowed to lie idly in deposit for too many years. The fourth river only, remains to be bridged, which can be done at no immoderate cost. The first 7 miles of this road, up to the Artillery Station of Dum Dum, are thoroughly metalled, and the next 7 miles, up to Baraset, are metalled less perfectly, therefore only 59 miles are wholly unmetalled, by which defect the road to Jessore is useless for half the year, and but a bad road for the rest of the year. The estimate for improving the road so as to make it a first-class road, repairing all the drains, bridges, and making additional drain bridges to the number of one for each mile, and metalling the roads and bridging the Ishamatti River, is 417,204 rupees. About half of this sum, or 200,000 rupees, is for bridging the Ishamatti River. I think this shall certainly be done, but if we are content with a ferry at the river, the whole cost of the road



will be absolutely trifling compared with its worth. We should give a good road from Calcutta to Jessore for 3000 rupees a mile.

“Here we have the capital of British India and the District town of the greatest Indigo District in India only 73 miles apart, without what can be called a road between them. There is no more physical reason against our having a first-class road between these two places than there is against a road of equal length in any other part of India ; and I venture to say that there is no instance in any other part of our possessions in India where a station and town of such importance as Jessore exists at a distance of not more than 73 miles from even a second or third class provincial city, without a good road between them, passable at all seasons of the year. But it is quite certain that if the want now complained of had existed in Madras, Bombay, the North-Western Provinces, or the Punjab, it would have been supplied long ago.

“I have often felt it my duty to protest against the injustice which, from the beginning, has been done to Bengal in the matter of public works. Bengal pays about two-fifths of the whole revenue of India, and it costs but a trifle compared with the other divisions of the Empire. Its population is almost in proportion to the revenue it yields. It embraces more European enterprise than all the rest of India put together, yet I am sure I make a moderate estimate when I say that its share of the imperial expenditure upon public works of general use has not been one-twentieth part of the whole. If I were writing an argument upon this general theme, I could not give a stronger instance than this want of a road between Calcutta and Jessore.

"It cannot be said, in this case, that the water communication supplies the want of a road. There is water communication between Calcutta and Jessore, but it is extremely circuitous and tedious. All the bad part of the water communication between Calcutta and Dacca is on the Calcutta side of the Jessore River.

"On these grounds I propose to the Government strongly to recommend to the Honourable Court, the immediate constitution of the Jessore road into a first-class road, bridged and metalled throughout.

"There is a district road from Jessore to Kulna, a station where, I believe, all the steamers, passing through the Soonderbuns Channel, touch. The distance, I believe, is about 40 miles. It may hereafter be worthy of enquiry whether that road should not be made into a second-class metal road. It crosses no drainage, whilst it connects Jessore with our whole system of water communication."

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SANTAL REBELLION—TRIAL BY MARTIAL  
LAW OR BY THE ORDINARY CRIMINAL  
COURTS

"18th August 1855.

"I AM still of opinion that the trial of rebels by Civil Courts acting deliberately, is preferable to their trial by Courts Martial acting in heat, and as the work *there* to be done by the troops was to defend peaceful villages from plunder, and peaceful subjects from assault and murder, and to disperse by force armed bodies of men assembled for the purpose of committing murderous

outrage [which work could be done as effectively without as with Martial Law, a position fully demonstrated by our honourable colleague, Mr Peacock], I am still of opinion that Martial Law was at that time unnecessary for any purpose. It is obviously proper not to make more of a disturbance of this sort than the practical necessity of the case demands. Martial Law is not found necessary in Canara against a murderous insurrection of Moplas, in order to facilitate its suppression by military execution, and so long as the Santal insurrection requires nothing more than the same sort of military execution on a larger scale, I am still of opinion that Martial Law against it remains unnecessary.

“But it does not follow that the sort of military operations requisite in the middle of July must be the sort of military operations requisite in the middle of August ; and therefore it does not follow that because Martial Law was not requisite in July it cannot be requisite in August. In my minute of the 28th of July, I wrote as follows :—

“As to the question of Martial Law, I have no doubt that we were right in resolving against it at present ; but I should have seen no objection to our informing the Lieutenant-Governor that, after the appointment of an officer in general command, and when the present defensive measures shall have successively driven the insurgents into their hills, aggressive measures of any extent within the hills should have become necessary, it may then be very proper to consider the question of Martial Law in the country of the insurgents as a question for discussion.’

“I adhere to this opinion. I understand that such

military measures as Major-General Lloyd now proposes to take against the Santals are aggressive measures, such as I had in view when I recorded the above opinion. I understand them to be measures which could not legally be executed by the troops unless Martial Law were proclaimed. The question, I think, is this: Is it proper, as affairs now are, to enter upon operations which are neither more nor less than making war upon this tribe? If it be proper to enter upon such operations, as the tribe are our subjects, and the scene of operations is our territory, I think, certainly, Martial Law ought to be proclaimed.

“I am not in possession of sufficient local knowledge positively to judge the question—I think the local Government is the only authority which can be expected to have all the requisite local knowledge—but for the reasons assigned by my honourable colleague, General Low, and looking to the vast numbers engaged in the insurrection, the extent of country inhabited by them, the enormous plunder they carried home, the widespread and most bloody character of their incursions, the political origin now assigned to their rising, and, above all, the length of time to which the insurrection has now lasted, I am strongly inclined to the affirmative opinion; that is to say, I am most strongly inclined to believe that nothing short of the warlike measures proposed by Major-General Lloyd will give future security to the peaceful inhabitants of Western Bengal.”

## SANTAL REBELLION OF 1855

*Grant's View of the Duties and Qualifications of a Commissioner in Quiet and in Troublous Times.*

*"7th September.*

"I BELIEVE that, besides other high qualities, a Commissioner and Superintendent of Police, who is at the head of the whole local administration of several large districts, ought to be a vigorous and active officer, and a cool and sensible man of action in an emergency. For such men the office is designed, and such men are to be got. In ordinary times such men are the best for the ordinary business of the office, and as we never know in any part of India what unlooked events a day may produce, I really do not think it safe to retain, in this particular office, any man who has proved himself to be deficient in a very extreme degree in all these indispensable qualifications. Mr ———, I daresay, may be well qualified for the sedentary and quiet, but respectable and important office of Zillah Judge, but I haven't a doubt of his incompetence for the office of a Commissioner."

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CANALS AND IRRIGATION IN BEHAR

*"4th October 1855.*

"I THINK that every public consideration is in favour of such an undertaking. There is no room for doubt that the project will be remunerative, viewed merely in the light of

a commercial transaction ; that is to say, it is quite certain, judging from experience in all parts of India, that the direct returns from these works will suffice to keep them in permanent repair, and will afford, besides, a permanent income largely exceeding the interest of the outlay reckoned at the highest rate of interest paid by the Indian Government.

“The indirect benefit which the Government will derive from these works by reason of the increased wealth of the Province, is very great, even viewing the case as if the Government and the people were two separate interests. But this is not the view which the British Indian Government takes of its relation to the people. It is unnecessary, at this time of day, to discuss at length the inestimable benefit to the people, in nearly every part of India, of a copious supply of water for irrigation. In the present case the quantity of produce from canal irrigation is estimated at about double the produce of the same land, irrigated at a great expense of labour partly from wells, and at about three times the produce of the same land unirrigated. The great extent to which more valuable crops are substituted for less valuable crops on land capable of being copiously irrigated, is probably of more economic importance than the increased productiveness of the land in respect of quantity alone. The immense importance of securing as many districts as possible, in as many different parts of India as possible, from famine, by reason of the occasional droughts to which the country is liable, has been recognised in all quarters ; and this can only be done by means of canals of irrigation.

“Captain Dickens’ plan provides for one or more navigable canals between the Soane, at a point above

Rhotasgurrh and considerably above where the Grand Trunk Road crosses that river, and the Ganges above Patna. There can be no doubt that, at least, one Grand Trunk Channel, supplied by the Soane, can be made navigable throughout the year, without interfering with the irrigation; and I presume that there can be no doubt that the two other channels which are to reach the Ganges, can at least be made navigable in the same way for five months of the year, if it is thought advisable to do so. I am convinced that the main canal would be a work worthy of construction, as a means of water communication alone, even if not a drop were taken from it for irrigation. It will act as a feeder to the Grand Trunk Road, to the railroad, and to the Ganges navigation, running in its whole course through a populous and well-cultivated country. It will open up the value of the productions of the hilly country. It will supply the North-Western Provinces and all the Upper Ganges navigation with coal from their nearest and most natural source of supply, thus materially cheapening the steam navigation of the Ganges, and, we may hope, the locomotive expenses of the railway. It will bring firewood to some of the largest towns in India; and firewood, it should be remembered, is as great a public question in India as in France, although it is a question which has been too much neglected here. It will bring to market a very valuable limestone and good building stone. There is great reason to hope that by bringing coal, lime, and iron ore together, it will lead to the opening of iron works in the country, where unquestionably such works were once before extensively carried on, though not, says native tradition, since the days of the giants.

“If ever there was a strong case for the investment of the comparatively small sum of 61 lacs of rupees, I think this is such a case. What strength have the Ganges Canal and the Godavery and Kistna irrigation systems not given us? What moral is not the mere making of the Baree Doab Canal giving us even now in the Punjab? What Authority regrets any support or sanction it may ever have given to any one of those great works? The project before us is as promising for its extent, as was any one of the works I have named.

“This consideration brings me to the last point on which I think it necessary to remark. We have heard a good deal lately of an unusually strong feeling of disaffection in the Province of Behar. That province is known to have been for a great many years in a suspicious, discontented, and somewhat dangerous state. The Local Government believes that this general disaffection has lately been unusually excited; and however that may be, we can all remember more than one occasion when this feeling has been a matter of serious concern, even to cool heads. Now, there is perhaps only one way in which you can do real good to the native of India, so that he shall thoroughly appreciate the good that you do him, and shall feel as grateful to his benefactor as he ought to feel. That way is to bring water to his door and to his field. I am satisfied that the execution of the present project, with the resolution to extend it as it may be extended, over the greater part of Southern Behar, will do more to restore us to the confidence and affections of the people of that Province in one year than mere ordinary good Government will do in half a century.



## THE ANNEXATION OF OUDH

THE affairs of Oudh had frequently occupied the attention of the Government of India, since the time of Lord Cornwallis and of Lord Wellesley, at intervals, down to the year 1854. Towards the close of Lord Dalhousie's administration the aspect was so alarming that a vital change could no longer be delayed. In a masterly and comprehensive Minute, dated 18th June 1855, the Governor-General reviewed the history of the Province under the native ruler, and described at length a system of misgovernment which was unparalleled even in the darkest Oriental History. Lord Dalhousie showed conclusively that, although the Ruler of Oudh had been repeatedly warned of the consequences of continued misrule by Lord Wellesley, by Lord William Bentinck, and by Lord Hardinge, nothing whatever had been done in the way of the least reform. The worst abuses flourished unchecked; the grossest crimes and outrages remained unpunished; the revenue was collected at the point of the bayonet, and by the employment of artillery; industry was unemployed; commerce was at an end; agriculture was perishing;

and whatever sum found its way into the Treasury through a seething mass of oppression, fraud, and peculation, was wasted on buffoons and fiddlers, on eunuchs and singers, on dancing-girls and parasites. In fact, the Government of Oudh had contrived to combine in one odious system all the elements of feebleness and of ferocity, and to supply the debaucheries of Nero from the rapine of Verres.

Grant followed Lord Dalhousie, and showed that the British Government, for the sake of its own credit, as well as on behalf of a down-trodden population, was bound to interfere and could no longer be put off with vague promises of amendment. He wrote two Minutes on the subject. The first is given at length. From the second the most striking passages have been selected. There was some difference of opinion between Lord Dalhousie and the Members of Council as to the exact remedy. On the necessity for putting an end to an intolerable scandal, there was absolute unanimity and concurrence. Grant's Minutes were highly commended at the time by Lord Beaconsfield. The annexation of Oudh had the approval of the Ministry of that day.

THE MISGOVERNMENT OF OUDH AND ITS  
ANNEXATIONS.

*Grant's First Minute of November 22nd 1854.*

"I SUPPORT the Governor-General's proposal with sincere satisfaction. I have always thought our long neglect of our obligations towards the people of Oudh a great moral error, and I have always openly avowed this opinion.

"In the case of Oudh, a State wholly supported by the British Government and bound to be wholly guided by that Government, I have never been able to understand how the policy of even temporary non-interference could be justifiable on any other ground than that, for the time being, non-interference was better for the people of Oudh than interference. How many years ago it is since any Statesman has maintained that ground we need not stop to count. No one, I believe, maintains that a policy of permanent non-interference would be justifiable. If a man brings his elephant into a crowd, and having the power to prevent him, does not interfere to prevent him from trampling the people to death, the Judge will hang that man exactly as if he had put the people to death with his own hand; and nothing that can be said in favour of a policy of non-interference will suspend execution of the sentence.

"Many years ago, all other measures having failed of effect, the Government of India received the authorisation of the Home Government to take the extreme measures indicated by the crying necessity of the case. One more chance, however, was allowed to the Government of this unhappy country; one more warning was given, with the solemn

assurance that it should be the last. The time for acting upon that assurance arrived five years ago, and of the long respite that has since been granted to this irreclaimable Government, not a day has been allowed because of any belief in its improvement.

“For a considerable part of this last term, the condition of Oudh has come under my eyes weekly, in the diaries of Colonel Sleeman, the Resident. It is the habit of the office to note in pencil on the outside of those diaries the more remarkable occurrences reported. A paper embodying these notes for a few months would show a continuous stream of outrages; many perpetrated by officers of the Government, many more perpetrated with their connivance. Yet these officers and their Government have no strength but what is derived from the armed support of the British Government.

“A few months ago a banker, being a British subject, was travelling, with a party of friends and servants and some property, a short way within the Oudh Frontier, when he was surrounded by a large body of the troops of the King of Oudh, the officer at their head being a civil officer such as we should designate the Commissioner or Deputy-Commissioner of the division; his property was plundered, and he and some of his servants were murdered. The Court of Oudh did all it could to bear the offenders harmless; they were (in my opinion) at last very inadequately punished, and the King gave the chief culprit a dress of honour.

“More lately still, two assassins, hired beyond doubt by some great man about the Court, attempted to murder the Resident in his bed at night, and the King virtually refused to make even the least endeavour to discover the criminals.

“On either of these occasions, and on any occasion for the last five years, if I had then been a member of the Government, I should have voted for such orders as the Most Noble the Governor-General now proposes to issue. There has been no improvement since, and therefore I cordially support the proposal now made. In so doing I feel relieved from a sense of an unfulfilled duty.”

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On 7th August 1855, Grant penned another and a longer Minute on Oudh. After reviewing the history of fifty years, the policy of the British Government, and what he termed “the long-pending cause between the King and the people of Oudh,” Grant went on to say :—

PAR. 22.—“General Outram’s report of the result of his enquiry is before us, and we have now to pass our judgment in the cause.

“The result of the enquiry is that there has been no improvement ; that there is no prospect—no chance—of improvement ; that, under the present system, the vice of the Oudh Government is inherent in its constitution. Half a century and more has proved that Oudh misgovernment, under its race of native rulers, is as bad and as incorrigible when those rulers are relieved from all necessary military charges, which form the chief burden of an ordinary State, as it was before that relief was afforded them. It has proved, too, that, practically, the British Government, acting under the treaty of 1801, is powerless to operate through

the native ruler for the amelioration of the administration in any degree. Advice and neglect, entreaty and threat, interference and non-interference, change of Prince and change of Resident, affect not the result.

PAR. 23.—“ May we not conclude that this is the sure consequence of an unnatural system? What have the ministers and courtiers at this Court to care for but to gratify at the moment every caprice of their master? What has the master to fear from the neglect of his own duty? What has he to excite and nurse any germs of good there may be in him? His mind is incapable of receiving the belief that any degree of neglect or misconduct will shake him in his position, and this is the last belief which his singers and dancers, male or female, will endeavour to instil into him. It seems to me as hopeful a task to rear heart of oak in a dark cellar, as to bring up, under a foreign protectorate, a capable ruler in the palace of such a dependency as Oudh.

PAR. 24.—“ After the complete and masterly array of the evidence contained in the Governor-General's Minute, it is unnecessary for me to touch this part of the case. No fair enquirer will pronounce against the view of the facts taken by his Lordship, without going through the original evidence itself; and I would ask no more of any one. Twenty pages of the Diary of Colonel Sleeman's tour through Oudh will satisfy most minds. For my own part, although our earlier connection with Oudh affairs in the unreformed times of Warren Hastings affords more than one salient point for an Englishman to grieve over, I believe that our later Protectorate has been still more culpable.

PAR. 25.—“ Most heartily, therefore, do I record my con-

currence in the conclusion of the Governor-General that our existing relations with Oudh cannot be maintained, and that our policy in respect to that province must undergo a total and fundamental change."

PAR. 31.—"I perfectly understand those who, on all occasions, show a generous anxiety to uphold a tolerable native Government where such a Government exists, and I admit the strength of their arguments. I can also understand those who would substitute a British Government for an intolerable native Government, although I cannot admit that their arguments, as applied to an Indian State, have any strength. But I confess myself unable to understand those who are convinced that, in a particular case, the native Government is so extremely bad, and so hopelessly incorrigible that it must be supplanted by a British Government, but contend that this cannot properly be done, unless it be made an essential part of the scheme that, at some future indefinite time, the British Government shall be supplanted, in its turn, by the native Government, now to be set aside for its incorrigible worthlessness.

"I believe that this third opinion is held by persons of very benevolent dispositions, who, being naturally inclined to the second of the opinions I have described, find presented to their senses a case so frightful, that they feel their principle, as a living motive of action, no longer to be tenable, and instead of abandoning the principle—which is the logical necessity of the case—they take what they would call a middle course (but what is, in reality, a course irreconcilable with either view) by way of saving their principle, and saving also their sense of justice, from the shock with which the facts of the case before them afflict

it. They hope in this way to realise the benefits promised by two contradictory principles of action. But I think, if those who take this course will only argue the question out in their own minds, they will perceive that, by this course, they must fail in obtaining the benefits promised by either system of action, and must fall into evils which, by either system, would have been avoided. By a temporary management, for the reasons explained by Lord Wellesley, they fail to realise the practical, material, and direct advantages to the mass of the people which a permanent British Government surely affords; and thus they greatly weaken the case for any interference with the native Government whatsoever. By disgracefully cashiering the Native Prince for the time being, they break to pieces, as effectually by a temporary as by a permanent dethronement, all those notions (which are not of a nature to bear much rough handling) on which their own principle of a sort of right divine in Indian Provincial Viceroys rests.

PAR. 32—"But it is when, passing over the considerations that press upon us at the present moment, we come, as it is our duty to do, to look at those that will press upon the Government of the day, when British rule is to be supplanted by native rule, that the full evils of all temporary arrangements come to sight. The grand distinction between British rule and native rule is, that the former is a Government of law and the latter is not. From the moment that a Province comes under British administration law begins to grow in it; and this is the case, whether we will it or not, by an inevitable necessity. Perhaps a great many years may elapse before anything taking the formal shape of a Legislative Act is passed affecting the province, but the law is not the less certainly growing up there.



Every general order from high authority becomes in fact a law to that province, and every day more and more attention is paid to the general orders, rules of practice, and precedents, which form substantial law. This cannot happen without a gradual but decided change in the habits and feelings of the people, and without bringing daily into life some sort of property which could not exist without law. To supplant the British Government of any province by the best Native Government that ever yet existed, or was imagined to exist, is, in one moment, to abolish law, and to establish arbitrary power in its place. It is a favourite fancy with many who look only at the surface of things, that a good arbitrary Government is better for India than a Government of law. But even those who take this extremely Asiatic view of a lawless Government will admit that it is impolitic and cruel to go out of our way to introduce habits and feelings, and to create property with a premeditated design of making hereafter a change, with which what we shall have introduced and created will be incompatible. This great evil is inherent in every scheme of temporary management by British officers; and the evil has this strange quality, that whereas no good whatever could be done by a very short term of such management and the longer the term the more the good that would be done, this evil begins from nothing, and increases as the term of management increases, until at last—if the term of management were extended to a generation or two—this evil would become so great and so striking, that the re-establishment of Native Government would be impossible.

PAR. 33.—“The Honourable Court, in their despatch of 1834, wherein they yielded their consent to the proposal of

temporary management, made in India, saw that such a project was untenable, unless there were some reasonable prospect of an available Native Government, at some future time, of infinitely better character than any that is now, or ever yet has been available in Oudh. They, therefore, wisely impressed upon the Government of India the necessity of educating the heirs to the Throne of Oudh, so as to fit them to perform the duties of the occupant. The objection I have last advanced would not be met by the most successful result of any educational experiment that could be made with the Royal Family of Oudh. Moreover the truth must be told that our experiments in this line hitherto have not been generally successful and that, as far as we can ascertain the causes of failure, they are beyond our control. I believe that the education that tells on Kings, like the education that tells on all public men, is the education of the world, and this education is impossible for the Native Prince of a protected State like Oudh. I beg to be understood as not intending to say a word against the expediency and the duty of educating, as well as we can, young Princes and all other young men of rank whom we can influence ; I only mean to say that schooling is one thing and statesmanship another.

PAR. 34.—“ For all these reasons, temporary management of every sort appears to me an unjustifiable expedient in the present case. The only doubtful question appears to me to be between the first and the second plans set forth in the Governor-General's Minute.”

PAR. 43.—“ As to the personal stipend to be granted to the ex-King, which ought, in my opinion, to be very liberal, I trust that no arrangement may be made now,

except for the lifetime of the present ruler, leaving a fresh arrangement to be made at his death, and at the death of each of his successors. I think that the Government ought expressly to reserve the right of reducing the stipend, as it may think fit, at the death of every stipendiary. At this moment, when our minds are all full of the immense public benefits that will result from the abdication of the King of Oudh, no sum of money appears too much to pay in order to ensure these benefits. This is a true view of the case for the present day, but it will not be true for sixty years hence. We feel for Oudh exactly what was felt half a century ago, when the present enormous stipends were fixed for the Nawabs of Murshidabad, Tanjore, and Arcot, and for other pensioned princes. But, even already, those interested in the welfare and progress of India are beginning to ask: What has the country got for this vast personal expenditure? The answer is, It has got Palaces filled with idle profligates. Then people begin to calculate what noble public works, what useful institutions, which the country is too poor now to construct or provide, might be constructed and provided, for the benefit of the millions who pay the taxes out of which these stipends are defrayed, with only a part of these vast sums. As time rolls on, and generation succeeds generation, the disproportion between the stipend and the inherent claim of the stipendiary is ever becoming greater to all eyes. The position of these Princes is, as I have said, no more than the position of an hereditary Viceroy; and, by the theory of the Indian constitution, they and their family had no claim to hold it longer than they continued to govern their provinces tolerably well. By the practice of the Indian constitution, they never did hold

it longer ; for, when they misgoverned, if the Emperor was too weak to dethrone them, some ambitious Amir did the Emperor's duty. It is a generous thing and a politic thing, when we take away his power from an incapable Viceroy, to curtail nothing of his personal splendour, but I cannot see the propriety of treating the tenth generation of his family exactly in the same way.

PAR. 52.—“I have stated above that this measure, on a former occasion, met with a decided disapproval from the Honourable Court. I will here give an extract (paragraph 21 to 23 of the despatch of the 16th July, 1834) from the Honourable Court's despatch on this point, for facility of reference.

““The question on which alone any further deliberation could be required was, not whether something effectual should be done, but what should be done. This question, indeed, required much and careful consideration, such consideration as you have given to it, and as it has now received from us.

““The simplest course which presented itself, that of withdrawing our troops and leaving the country to its fate, would be pregnant with such evils to the country itself, and with such dangers to our own neighbouring provinces, as to render all discussion of it superfluous.

““It is necessary to consider what are the modes of interference to which it is possible for you to resort. You will easily perceive that they are but three.

“‘ 1. We may continue to interfere by advice and remonstrance only.

“‘ 2. We may change advice for command.

“‘ 3. We may take the management into our own hands.’

PAR. 53.—“It is impossible to foretell what would be

the result of such an announcement to the King as the proposed measure contemplates.

“The game would no longer be in our hands, and must go as the King should will.

“Perhaps the King, whose character I believe is weak enough, might be terrified at the idea of being left unsupported to his own resources. I willingly anticipate this as the most probable result. But it is not safe to set upon a hope as though it were a certainty. The King, no doubt, is told every day of his life that he is a wonderful monarch. All I know of him is that he is so little aware of his own situation, that he does not perceive it to be a ridiculous thing in him to write to the Resident about the great administrative reforms he has introduced. Such a prince, possibly, may not be prone to think that his life depends on foreign bayonets. Nor, indeed, do I think it probable that, if Oudh were left to itself, the King's life would be taken—at least for a considerable time. It would not be for the interest of the King's disreputable friends and advisers to counsel abdication; it would be for their interest to take all chances of the future, were they ten times worse than they really are, rather than to lose, immediately and for ever, all the advantages of their present position. If there should be in the King's Council but one person of courage and genius, though it should be but a dancing girl (such as Indian annals show many), the King might be led to elect disconnection rather than abdication. Now, what will that election bring upon the people? No man can pretend to prophesy exactly what the ultimate result would be, but we may surely reckon upon a terrible crisis of anarchy as one of the stages that must be gone through. I do not know that we have a

right to expect, as the ultimate result, any happier catastrophe than the rising up of an infinity of petty independent Chiefs all over the country, who may, or may not, be at perpetual war with one another, admitting, perhaps, a nominal sovereignty in a King at Lucknow, who may be the present King, or may be his murderer. I find it difficult to look favourably on a measure which may bring all this about.

PAR 59.—“I will finish this long paper with a recapitulation of the conclusions at which I have arrived.

“I believe that Oudh affords an extreme case of incorrigibly bad administration, which, considering the mutual relations of the two Governments, imposes upon the Government of India the duty of adopting immediately an extreme remedial measure.

“I think that the measure of assuming the temporary management of the country, which this Government has authority to put into execution, would not give a good and effective government to the people of Oudh, and that it is open to such grave objections, that it ought not to be put into execution.

“I think the incorporation of Oudh with the territories immediately administered by the British Indian Government the best measure, upon the whole, that can be adopted for the good government of the people of Oudh ; and I think the East India Company has a clear right to adopt that measure. I therefore agree with Mr Dorin, in humbly recommending that the Government of India be authorised to put that measure into execution, with or without the King's consent, declaring, at the same time, the treaty of 1801 violated and at an end.

“ If this measure be disapproved, I humbly recommend that the Government of India be authorised to put into execution the somewhat different measure preferred by the Governor-General, with or without the King’s consent, making the declaration as to the treaty of 1801.

“ If it be determined that no measure of interference with the King, not warranted by the treaty of 1801, can rightfully be enforced without the King’s consent, I humbly recommend that the said treaty be *not* declared at an end, and that such measures be enforced under it as shall place all real power in the hands of the Resident, or of a minister approved by him, the King being advised absolutely to abstain from all interference with the affairs of his kingdom, and being obliged to act in accordance with that advice.”

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#### MADRAS REVENUE

THE following extract from the Minute on the Madras Revenue Survey and Settlement shows Grant’s ability to master the principles and details of a system which did not come within the range of his previous experience, and which was dissimilar to what prevails in Bengal and the North-West Provinces :—

“ *March 1856.*

“ The question then arises : Is it unavoidable in the nature of things, that a system of collection directly from

the ryots must be afflicted with the two great evils I have above mentioned ?

“ 1. Official interference, oppression, and extortion.

“ 2. The discouragement of the reclaiming of uncultivated land.

“ It is unnecessary to stop to argue that in fact these evils now exist ; reasoning *a priori*, we are led to conclude that under the existing practice both evils must exist, whilst the Madras Torture Enquiry and a glance at the revenue returns of the last half century show that they do exist. In the present Resolution it is stated that three-fourths of the culturable lands are lying waste, and that for the last thirty-four years, ever since the present Ryotwar Settlement was made, though population has largely increased there, there has been scarcely any increase of cultivation or of land revenue. The question, then, whether evils having such effect can be avoided or not under the system of direct collection, which is said to be avoidable, is of extreme importance.

PAR. 12.—“ I cannot help thinking that under a fair and moderate assessment, which the Madras Government, so greatly to their honour, fully intend to introduce, all that is necessary to reduce the first evil to a minimum (beyond that degree of good local administration without which every system is bad) is to allow the villagers *annually* to nominate one or more persons through whom their payments shall be made on certain fixed dates. If the full instalments are paid on those days, the Tehsildar and his people will have no excuse for entering the village which has paid up ; and if otherwise, they will have no excuse for communicating with any ryot, but those whose instalments are in arrear. With some such arrangement as this added to the



other precautions which the Madras Government propose to introduce, in order to restrict the necessity for interference on the part of the Tehsildar with the private affairs of the cultivator, I believe infinite good could be done. But then it must be remembered that however simple this reform may appear, it cannot bear fruit till the officers of the department generally can be got to change the principles on which all existing practice has been formed. Minute daily interference with the ryots is reckoned among native officers the test of fiscal capacity ; and to let people alone to manage their own affairs their own way is what no Madras Tehsildar would own to doing.

PAR. 13.—“ To escape in any material degree the second evil, the existence of which is now the opprobrium of Southern India, is perhaps more difficult. The system in its material points I understand to be this. Every ryot has a right to continue to cultivate his holding at his fixed rates of assessment, field by field, and he cannot be ejected or have his rent raised (if he really pays the true rate) so long as he pays his assessment. His holding is his property subject to the fixed charge of the assessment. Every ryot has also the right to throw up the whole or *any specific portion* of his holding ; and if he does so, any other ryot may take it who will pay this fixed assessment. In practice, owing to the inequality and severity of the rates, ryots have not been allowed to throw up what is called bad land, meaning land of any quality unfairly over-assessed, without also throwing up a proportionate quantity of good land, meaning land of any quality fairly assessed. But this is a monstrous abuse, contrary to common law and feeling, to which most justly and wisely the Madras Government intends to put a stop. Under this system a vast quantity

of land lies uncultivated, as useless to mankind as if it were under the sea, a great proportion of which is owned by individual ryots, who only leave it uncultivated because they are not allowed to cultivate it unless they pay a commission to do so, more than the land is worth. Under any natural order of things the charge for cultivating this waste land would be reduced without reference to any but this one consideration, namely, what will any one be induced to offer for it? The landlord, if there were one, and if he were in possession of his reason, or the Ruler, if there were no landlord, would say, 'If I can't get 2 rupees an acre for this land, I will take 1 rupee rather than go without anything; if I can't get 1 rupee I will take 8 annas or 1 anna; if I can't get anything at all for it now, rather than let it lie waste, I will allow any one to cultivate it who will agree to pay me something for it some years hence.' But, in the artificial and false order of things which exist at Madras at this day, exactly as we found it when we took the country from the semi-barbarians who preceded us (whose whole design was to raise rents to an unnatural height, in order to squeeze the entire population to the utmost), it is obvious that this simple and just line of conduct would not do. The over-assessed ryot would throw up all his old land, and would betake himself to the more lightly assessed or the free waste land. So enormous is the quantity of dry land lying waste in Southern India,\* that it is impossible for a Government which cannot exist without a land revenue, to adopt at

\* I perceive that, in the ryotwar districts, above 40,000,000 of acres of culturable land are estimated to be now lying uncultivated—a quantity about three times greater than the quantity of cultivated land in the same district.

once, and without restrictions, the natural and sound system. Under this oppressive difficulty the Madras Government hitherto has done nothing—certainly nothing general and effectual.

PAR. 14.—“Where the proportion of uncultivated to cultivated land is not excessive, and where you have an *intelligent and acceptable* middleman, who makes himself responsible for the existing assessments, you get over the difficulty with the greatest facility by giving him for the term of years for which he is responsible for the revenue, the rights of Government, *whatever they may happen to be*, in the whole waste land of the village. This is what has been done here from the commencement, and we see how agriculture has been encouraged by the plan. For his own interest the middleman will not allow transfers whereby the aggregate rental of the village would be reduced. All increase of cultivation whereby that aggregate is not reduced, benefits the whole country without loss to the Government. In the southern districts of Madras we are told that this system of middleman must not be adopted in any shape. But are we sure that the same object cannot be gained by any modification of the ryotwar system other than the introduction of the middleman? I believe that it can.”

PAR. 16.—“*Valuation of the Land.*—I entirely agree with those who, on this all-important point, advise constant recourse to Sir Thomas Munro’s system of going to the authorities themselves for the determination of this question in each instance where doubt exists. Though many of those who have written on this point hold this opinion, I do not find that it is required distinctly in the Government Resolution.

PAR. 17.—“*Rate of Assessment.*—I very much doubt the soundness of the principle which would fix the Government assessment at any fixed proportion of the value of the crop, or even with any direct reference to the value of the crop. My notion of a fair and equable assessment is, that every ryot, whatever be the nature and quality of his land, shall be required, as nearly as possible, to pay the same per centage of the annual value thereof; excepting where that annual value has been increased by the expenditure of his own capital. Now, it is well known that the more fertile the land, the greater, as a general rule, is the proportion of the crop that represents its annual value or rent. It constantly happens that for two fields not far from one another one-third of the value of the crop would be a light rent for one, and a tenth of the value of the crop would be an excessive rent for the other. This is well known in British farming; and the two cases of wet land and dry land afford a still more striking example of this recognised theory than anything to be seen in Britain. On the other hand, there are particular crops, as in the case of gardens, where labour, etc., forms so large an item in the expenditure, that the value of the crop is no criterion of the rent whatever.”

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#### STATE PROSECUTIONS

THE following extract lends strength to the recent law for some control over the native Press and for some means of at once repressing sedition and open disloyalty. Only those who have studied the

vernacular papers published in the Urdu and Bengali languages, and realise the extent to which the action of Government and its officers is spitefully and deliberately misrepresented every week, can judge of the absolute necessity for a censorship. An article in *Blackwood's Magazine*, October 1897, proves this incontestably, and shows that some such measure is indispensable, when the same Government is always "in," and the same Opposition is always "out," for years and generations.

*Question of the Prosecution of a Native Paper called "The Durbeen" (Telescope) at the time of the Mutiny.*

"19th July 1857.

PAR. 2.—"I think it a very hazardous step for Government to take, viz. to press a State prosecution against the advice of its Law Officers; more especially so when that officer is a gentleman on whose judgment it has such great general confidence as we all have in Mr Ritchie's judgment. The Advocate-General is daily exercised before the Judges and juries, on whose voices the fate of this case will rest, and the business therefore is one in which he should know best. The case does not seem to me to involve any question of State larger than this principle of policy, namely, that the Government should never undertake a political prosecution, unless there was a strong probability of success, and a moral certainty of coming off without discredit. Mr Ritchie's report gives me no confidence in these respects."

ABSENCE OF THE VICEROY FROM HEAD-  
QUARTERS

AN Extract from a Minute of the 13th July 1858 is valuable, as it shows the administrative difficulties caused by the absence of the Governor-General from his Council and from Headquarters. It is true that these difficulties are no longer felt, inasmuch as for some years it has been the practice of the Viceroy, with his whole Council, his Secretaries, and their various establishments, to reside in the Hills during the hot weather and rainy season, or from April to September inclusive. But the Minute has a legal and historical value, and the mention of Lord Dalhousie, and Grant's hearty recognition of his statesmanship, will interest all who served under that Governor-General, or who dispassionately consider his long, vigorous, and successful administration. Nor can Grant's deliberate opinion of the ill-fated Afghan expedition of 1838 be passed over in silence.

PAR. 3.—“I do not see all the difficulties which my honourable colleague appears to see in the removal, temporarily, of the whole of the Executive Council to some place in the Provinces. I believe that the Legislative Council would

do as much and as good work as it does now, if it sat on the usual plan of periodical Session, leaving its merely legislative members to prepare the work in Committees in the intervals. A daily sitting of a month is as much as six months of sittings once a week. I believe, too, that the financial business of the Executive Council could be done at Allahabad, or elsewhere out of Calcutta, if one secretary were left in Calcutta, without any material inconvenience. But with the exception of this point, on which I differ in degree, I am bound to say that I concur in the general argument of my honourable colleague, and that I feel as strongly on the subject as he does.

PAR. 4.—“If I had a voice in the constitutional question, I would give it in favour of the alteration recommended by Mr Ricketts. And as it is, I see no insurmountable obstacle to the Executive Council going to Allahabad; and I am of opinion that, on the whole, it would be to the public advantage could it do so. I am quite convinced that the work of reconstruction, in both civil and military departments, whenever it may be undertaken, should be done in full Council, presided over by the Head of the Council, in preference to being made the subject of written communications and deliberations separately, which is the alternative.

PAR. 5.—“It is very many years since I first considered this question, but having been in the Central Provinces when Act IV. of 1858 was passed, it has so happened that I have once only had occasion to record my opinion. This occurred in December 1854, when Lord Dalhousie's health failed, after his severe and uninterrupted labours of years, and when he desired to go to the Nilgiri Hills in order to recruit it. That case differed from all others in which the

provisions of the Statute now in question have been resorted to. There could not be a moment's doubt in the mind of any man who had watched Lord Dalhousie's daily work for years as I had, and who appreciated the value of the work as I did, of the propriety, indeed the necessity, of his going away. No member of the Government gave a more sincere or a more unreserved consent to the measure than I did. On that occasion relaxation from all but unavoidable labour was half the object of the measure. Accordingly, in the Resolution then passed for the distribution of business, it was determined that, as a general rule, all despatches should come to the President in Council, and that only questions of general importance should be transmitted to the Governor-General with or without an expression of opinion, to be by him either disposed of or returned for final orders as he should see fit. On that occasion, therefore, the objections felt by Mr Ricketts and myself to great and general questions being decided without a council while an expensive council is maintained, could have no place.

PAR. 6.—“Nevertheless, in the Minute in which I recorded my unqualified assent to Lord Dalhousie's proposal, I thought it my duty to say the following words, indicative of my views on the general subject of a Governor-General's separation from his Council :—

““With advertence to the general topics that have been touched upon in the Minute of the Most Noble the Governor-General, I should be wanting in candour if I did not, on this occasion, state what has been for years past my unreserved opinion (an opinion formed rather from watchful experience than from theory), namely, that



no part of the work of the Government of India is ever so well done, by whichever part of the machine it is done, when the Governor-General and the Council are separate, as when they are together. I may also, I think, without blame, state upon this occasion, my conviction that if the period of the currency of the late Charter Act had been a peaceful period, infinite public good would have been derived from carrying into practical effect that part of the well-conceived design of that Act which freed the mass of the Council of India from being for ever tied to one spot in all the enormous territory committed to the general supervision of the Governor-General in Council.

“Having said so much, however, I am bound to say that, without seeing a practical impossibility in the matter, I so far agree with the Governor-General as to think that the present Charter Act, whether designedly or otherwise, in the magnificent improvement of Legislative machinery which it has introduced, has placed a great practical difficulty in the way of acting upon the locomotive principle, which was, and still is, a constitutional element of the Executive Government of India. (See my Minute, Home Department, of 6th December 1854, No. 238 of Consultation, 19th January 1855).’

PAR. 7.—“In the above extract it is stated that my opinion on this subject had been formed rather from experience than from theory. The system I spoke of commenced in Lord Auckland’s government. My first experience was the unwise and evil expedition to destroy the independence of our natural allies, the Afghans; and since that time (I speak only of affairs which have passed into the calm page of history) no great measure of Indian politics, which has

been condemned after the passionate and factious feelings of the moment have subsided, has ever been taken when the Governor-General and his Council were together. We ought not to refuse to be taught by such a fact."

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### BIBLE-READING CLASSES IN GOVERNMENT SCHOOLS

THE Minute on a proposal to have Bible-Reading classes in Government schools is given *in extenso*. It deals with a difficult controversial question which has been felt, and may be again experienced, in other countries. While the arguments against sanctioning any such proposal seem sound and convincing, the tone of the paper is not calculated to give offence to the most devout and earnest Christian.

"14th November 1860.

PAR. 1.—"The exact point which I consider to be doubtful in the course proposed by Mr M. is, whether any master of a Government school should be allowed to lecture a class *in the school house* upon religious subjects.

"PAR. 2.—The question involves many more difficulties, and much more serious consequences, than at first sight appear. And it does not seem to me that the passages, noticed in Mr Grey's letter, from the two well-known Despatches of 1854 and 1857 therein-mentioned, dispose

of it. There is now no question of explanation and instruction by a teacher in a Government institution. There are no doubts on that point. Nothing prevents any teacher who pleases so giving such explanations and instruction. But there is a great difference between private teaching of that sort by a person who happens to be a professor or master in a Government institution, upon a subject which is not treated in the class-room, and establishing Bible or Theology classes in the class-rooms of Government schools and colleges, which is what is now in question. It seems to me that the despatches noted maintain this distinction broadly.

PAR. 3.—“Mr M. is an irreproachable Christian gentleman, but he is not in Holy Orders, and I do not know precisely of what persuasion of Christians he is, or what may be his doctrinal views or his theological attainments. I do not, however, in the least doubt that, in this instance, the teacher would give such expositions of the Scriptures as would be generally accepted by members of the Reformed Church. The point of doubt is entirely general. For, unless the Government of India undertakes to inculcate as a Government, and to enforce by official action the tenets of a particular Church, exclusively and offensively as against all other tenets (a measure which I believe to be intended by no sober-minded person), then, if Mr M. obtains the permission which he asks for, any other Christian gentleman of whatsoever creed or sect he chooses, must be permitted to do the like. The question then is, at the least, this: Shall the class-rooms of the Indian Government schools and colleges be opened for the teaching, the irresponsible and unregulated teaching of every variety of Christian creed, and every variety of creed which

calls itself Christian, which will, of course, involve the privilege of assailing all creeds?

PAR. 4.—“It does not appear to me that the condition of voluntary attendance at these theological classes has any very substantial bearing on the general question; for, in fact, all attendance by students at Government schools and colleges is voluntary.

PAR. 5.—“It must always be remembered, in considering this question, that as the Bible Readings will be no part of the institutional course, and as the principle of religious equality and freedom is established in India by law [no person being ineligible for any office, from the highest downwards, by reason of his creed], no one will have any power over the lecturer in respect to the class in question. Thus, however these readings may degenerate into sectarian wranglings, even though the lecturer in one room should do nothing but attack and vilify the tenets set forth in the rooms on either side; and whatever extravagancies of doctrine may be inculcated, even though they should be such as to shock the great majority of sincere Christians who may hear of them, there will be no help for it. Our educational institutions, though still professing to be simply secular, may become the arenas of bitter religious controversy; and doctrines may be inculcated in schools established by the British Government which are abominable to the great body of the people of Great Britain. The Government of India surely cannot constitute itself an ecclesiastical authority; and without so doing there is no possibility of drawing a line between religious doctrines anywhere. Not only must our colleges be as free for the use of expositors in the sense of the Church of Rome, as for the use of those in the sense of the Church of Geneva;

they must be open to Unitarian and Trinitarian alike; to an ignorant visionary as well as to the most learned and soundest theologian.

PAR. 6.—“Apart from the political question, it is my conviction that the sincerest Christians of all established creeds are those who would find such a state of things, in practice, the most offensive.

PAR. 7.—“But the question is still more general than this, and involves therefore still more startling consequences. Unless the Government of India abandons the position of a simply temporal Government, and assumes all the responsibilities and incurs all the dangers of authoritative interference with the religious feelings and liberties of the people—unless it ceases to found itself upon the principle of absolute equality in matters connected with the administration of public affairs between its subjects of all religious creeds, and takes up the office of a spiritual director, supported by the secular arm, for the countless millions of Hindus and Muhammadans under it—no line can be drawn between any one religion and another. The liberty of religious teaching in Government institutions accorded to a Christian teacher cannot be refused to a Hindu or Muhammadan teacher. The question is treated at Home in seeming ignorance that the mass of teachers in India are Hindus and Muhammadans, and that the Christian teachers are, and cannot now but be, a very small minority. If, then, our schools and colleges are to become places of religious teaching, and if the Holy Scriptures are to be freely handled within their walls, the result may be unseemly in a manner little anticipated by those who press for allowing lectures on religion within the Government schools. By Act of Parliament, a

Muhammadan, as such, might hold any office in India from the highest downwards. He has as much right to be a master of a school, other things being equal, as a Christian has. Whilst such is the constitution of India, it is impossible to forbid his doing in any place with his Koran what a Christian teacher is allowed to do in the same place with his Bible. And if any teacher, being an unbeliever in Christianity, were to lecture against it, supposing our schools to be opened to religious instruction, he must do so, or Government must give up even the show of non-interference with religion; and we must submit to the taunt that we refuse other religions a fair stage because we have no confidence in the religion we profess.

PAR. 8.—“ I must say that, in either case, in my opinion, the popularity and influence of Government and the respectability and usefulness of the Government schools would be lessened, whilst I am confident that the cause of true religion would suffer material injury.

PAR. 9.—“ Apart from all considerations affecting only the Christian religion, I believe that the sufferance of lecturing on religion in Government institutions would be a fatal error. It is not merely a fanciful objection to say that the controversies of Hindu sects, if allowed to take root in our Government establishments, might make the progress of education in those establishments impossible. In the Jessore school last year, I find that one of the Hindu masters, being of the new Brahma Sabha sect, commenced a system of lecturing, after hours, those of his pupils who chose to stay, in accordance with the religious ideas of his sect. Nothing, as far as I can understand, could be more unobjectionable, and, indeed, in a general view, holy, according to our ideas, than the religious

precepts which he inculcated ; but they were not those of the old and established sects of Hinduism, and the school was likely to suffer. The Hindu members of the Local School Committee warmly took up the matter, exactly as the matter would have been taken up in Ireland if a master in a Government college had begun to inculcate Romanist or Protestant doctrines in his college classroom. The School Committee, in my opinion very wisely, told the master that he might, as an individual, and in his own house, or elsewhere wherever permitted, recommend his own religious opinions as much as he pleased, but that he must abstain from inculcating them in the school, which is neutral ground, to which all heads of families expect to be able to send their children for the purpose of secular education, without running the risk of having them led to adopt the peculiar doctrines of sects obnoxious to them. The result has been that the school has not suffered, and that the reformed doctrines of the Brahma Sabha stand on their own ground, with no adventitious or illegitimate aid, which is exactly what every fair Hindu, confident in the truth of those doctrines, would desire. Had the Committee acted otherwise, some other master would have set up lectures in a contrary sense, which it would have been impossible to prohibit, and the school would have either ceased to exist, or have degenerated into a place of controversy for rival Hindu sects.

PAR. 10.—“If the general permission now sought had been previously accorded, the Jessore School Committee could not possibly have kept their school free from this danger.

PAR. 11.—“There is another point of view from which this question must be regarded. As truly and merely establish-

ments for secular learning, our schools and colleges are good and satisfactory institutions. Secular learning is in them fairly taught, and higher things are left to the qualified teachers of higher things. But whilst the opening of theological classes in these schools and colleges would, in real truth, as well as in all outward appearance, remove them from the category of places of merely secular education, and would make them partly places of religious education, such provision as is projected would be altogether deficient and ineffectual in the latter capacity. The measure would be an undertaking of the highest things, and an undergoing of all the responsibilities involved in such undertaking, with means shamefully unequal to the objects. Many persons who mean well, but who speak unjustly, from failing to see the true position of our Indian Government schools and colleges, and the sound principle, in a religious aspect, on which they are founded, have said hard things of these institutions. But the hardest thing that has ever been said of them would be, in my view, too mild for institutions not purely secular in reality as in profession, which should make no better provision for religious instruction than the present project contemplates.

PAR. 12.—“What, then, is the object in view which is thought so important as to counterbalance such evils as I have above but slightly glanced at? Nothing prevents a teacher in a Government institution holding what theological classes he pleases as a private man in his own house, or anywhere but within the walls of a Government school or college. What is his object in insisting upon holding his class within those walls and nowhere else? It can only be that the particular views he inculcates may derive



some sort of advantage from the connection with Government which their exposition in a Government class-room will give them. Now, is this advantage, whatever it be, a fair and legitimate advantage? I am sure that if the question is asked of any man, in relation to a religious view of which he disapproves, he will answer in the negative. And certainly the essence of the general question is not in the special character of the religious view taken by the lecturer in any instance.

PAR. 13.—“On the whole, I conclude that the wise and just answer to Mr M.’s application is, that he is at perfect liberty to hold such a class as he wishes to hold in his own house, or elsewhere out of college; but, as Government schools and colleges are not intended for any but secular education, and do not undertake and could not regulate theological instruction, his class of theology must not be held in the Berhampore College.

PAR. 14.—“All questions of this nature are so apt to give occasion for misconception of sentiments and objects on points in which right-minded men feel misconceptions most tenderly, that I am glad, before closing this very insufficient paper, to support my view by referring to the authority, as well as to the arguments of a gentleman who must, on all hands, be admitted to be so well qualified to give an opinion upon this very difficult and important subject, as the Rev. Dr Kay, Principal of Bishop’s College. I am permitted to append correspondence between the Director of Public Instruction and the Principal of Bishop’s College on this question, from which it will be seen that, starting from higher ground than the working day and practical level to which I have confined my views, Dr Kay comes to the same conclusion as I do.”

EMPLOYMENT OF ENGLISH CAPITAL  
IN INDIA.

*Extract from a Minute of 17th August 1860, Showing on what Conditions English Capital can be Equitably and Profitably Employed in the Districts of India.*

"I HAVE never formed or expressed but one opinion on Indigo Planting. This opinion is, that so far as it is conducted justly and lawfully, in accordance with the rights of all parties, upon sound commercial principles, and by the free will and to the mutual benefit of all concerned, like the trade in other staples, it is a source of national wealth, deserving of the same high consideration as all the great branches of trade. But so far as it is conducted unjustly or unlawfully, in disregard of the rights of any class, upon the false principles of a forced cultivation, unprofitable or oppressive to the cultivator of the raw material, it is an evil of great magnitude, whether in its political or its commercial aspect, and one which urgently requires correction. This correction whenever actually required, I have always thought, and I continue to think, will be self-acting and complete in the natural course of things, under a legitimate, vigorous, and truly impartial magisterial action, which, leaving disputes in civil cases to be settled by the constituted Civil Tribunals, abstaining from all support of

either party not warranted by the law, will give that equal protection from unlawful violence to both parties, in practice, which the law, in theory, has always intended."

Lord Canning said to the writer of this memoir, that the Minute from which this short extract is taken was one of the ablest State papers he had ever read in his life.

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An account of the Indigo trouble is given in Part I. The Minute on the Report of the Indigo Commission extends to thirty-four pages of print, and long as the following extract may appear, it comprises not more than twenty of its paragraphs. It was thought imperative to give Grant's reasons and arguments at length, seeing that the views and wishes of the Planters obtained a strong support from the Indian Press and from some powerful journals in England. The collapse of an important industry in India or England cannot be contemplated without regret; and it must never be forgotten that the excitement caused by the Sepoy Mutiny, which was only brought to an end about eighteen months before the Indigo crisis, led the community to distrust Natives and to sympathise

with Englishmen. Indeed, it is scarcely possible for any one who was not in India at that period to estimate the extent to which popular feeling tended to warp the judgment of some sober-minded, practical, and sensible men. In making extracts from Grant's Minutes on this head, the earnest endeavour has been to avoid all personalities, to show that the Indigo system was much more in fault than the individual, and to omit anything like a reflection on officials or non-officials who, at that time, differed from Grant as to the necessity for any special legislation or remedy. But all politicians and those who honour his character and memory should have an opportunity of realising the serious difficulties with which he had to contend, and to estimate the force of his reasoning, the equity of his administration, and the integrity of his purpose. No one now, in Press or Parliament, Radical, Unionist, or Conservative, would propose to convert a breach of Civil contract into a Criminal offence, in support of any one industry or trade. But it required much strength of character and tenacity of purpose, in 1860, to resist a proposal to place a law of the above kind permanently on the Statute Book.

## MINUTE.

PAR. 19.—“*Why the Ryots have only now renounced Indigo.*—I have said that there has been of late years a great and marked decrease of the gravest and most striking classes of cases of oppression and open violence. It will be asked, How, then, has it happened that the general renouncement of Indigo ryotty cultivation, which has just occurred in the principal Indigo Districts of Bengal Proper, has only now occurred, when things, in this respect, are better than they were? I believe the answer is found in a combination of various circumstances. The improvement of the police, which has checked affrays, has, as I believe, driven those to whom some means or other of forcing a cultivation unprofitable to the cultivators was a matter of necessity, to other methods of inducement more harassing, on the whole, than an occasional severe example. The stoppage of all competition amongst planters for ryots must, of late years, have very greatly increased the weight bearing down the individual ryot; and the withdrawal from him of such protection as he before obtained from Zamindars, not being indigo planters, must have had a like effect. There have been less friction, fewer stoppages, and less noise of late years, and the pressure of the machine must have been more effective in consequence. There is reason also to infer from the evidence that the demand, in some places at least, has been more severe of late upon the ryot, in the quantity of indigo cultivation required of him, and in the labour required in weeding and tending the crop, than was formerly the case. But the great aggravation of all is due

to the late rise of prices. It is in evidence\* that all agricultural produce has risen in value, within the last three years or so, to double or very nearly double its former price; and that day labour, and the cost of the maintenance of cattle, has increased in price in the same way. As the single root of all that was at any time wrong in the Bengal Indigo system is in the one fact that the manufacturer did not pay the full cost of the plant; and as there has been no increase in the price paid for this one crop since the above-mentioned extraordinary rise in prices generally, here alone is a cause which must have doubled the evil of the cultivation to the ryot. The direct money loss was doubled; and as that was the cause of all the other evils, it seems reasonable to assume that they also were increased in the same ratio. No planter pressed upon ryots without an object; and his only possible object was to obtain indigo plant, which would not be spontaneously grown for him at the price he gave. We may be sure that the pressure which is just enough to induce a ryot to sacrifice 10 rupees must be materially increased to induce him quietly to sacrifice 20.

PAR. 20.—“It is indeed in itself an all-sufficient exposition of the character of the Bengal Indigo system to state, what is denied by none, that whilst within a few years the prices of all agricultural produce have doubled, or nearly doubled, the price paid, or nominally paid, for indigo plant has not been raised by a single anna; and that until the ryots had, as it were, declared open war, it is not shown that a single planter, for several years past, had ever entertained a thought of any increase of price.

\* See the evidence *passim*, and especially Appendix to the Report, Part I. Nos. 3 and 4.

PAR. 21.—“Whilst the pressure had, in this manner, become intolerable, the improved administration which, by an increase of Sub-Divisions, gave the ryots access to magisterial courts, showed them that, practically, the protection of the law was no longer hopeless; and they came to realise the fact that in the matter of contracting to grow indigo, they were, in truth, free agents.

PAR. 22.—“The Indigo Commission, as has been said, report that the crisis which occurred in 1860 might have occurred in any other year. The combined effect of all the foregoing considerations upon my mind is, that no human power exerted in defiance of the law, in support of the system, could have upheld it much longer; and that if the Government had disregarded justice and policy so far as to make the attempt, it would have been speedily punished by a great agrarian rising, the destructive effects of which, upon European and all other capital, no man can calculate.

PAR. 26.—“The first head discussed in the Report is the position of the Indigo Planter, so far as the tenure of land is concerned, and his relations with the native Zamindars. The Commissioners show, conclusively, that in this respect there is nothing to complain of, or to amend. A European is as free to acquire any tenure as any other person is, if he has the money to pay for it, and can find a holder willing to sell. Practically, though native Zamindars will never, till constrained by the prospect of absolute ruin, sell their tenures, there is no difficulty in purchasing from them under-tenures, which are as effectual, and can be made, under an Act \* which I had myself the pleasure of introducing, as secure as the chief tenure. The Zamindari tenure, and all derivative and subordinate

\* Act XI. of 1859.

tenures, confer the right to rents, variable or invariable; subject to the payment therefrom of the Government revenue; and they are valued because of their money profits and the influence over the ryots which they give; but they do not generally convey the dominion of the land, which resides for the most part in the ryot, having the right of occupancy, whose tenure is anterior to, and independent of, that of the Zamindar. As far as the Zamindari tenure goes, it is shown that Planters have, in practice, every reasonable and natural facility for obtaining, permanently or temporarily, all the rights which that tenure gives, and that native Zamindars generally have no hostility to them as a class.\*

PAR. 32.—“The Commissioners pronounce conclusively that the cultivation is unprofitable to the ryot, supporting the conclusion by the consentaneous evidence of the planters themselves.† This is, indeed, the one point upon which the whole Indigo question turns, and it is not disputed. I do not find that the Commissioners have gone so far into this point as to settle to what degree, pecuniarily, the cultivation is unprofitable, though that it is so to a very extreme degree is sufficiently apparent from the strength of the feeling against it amongst those who would profit by it if it were profitable, and who ought to profit by it, and must profit by it, if it is to be carried on at all. There is, however, a great mass of most valuable evidence upon this point in the Appendix of the Report. I have gone into it to satisfy my own mind upon this point, and the result has convinced me that the loss of the ryot in the cultivation of this crop on the high lands of Nuddea and Jessore is, at the present time of agricultural high

\* Report, Pars. 40-55.

† Report, Par. 60.



prices, greatly beyond even the general opinion on the subject. In a separate note appended to this Minute, I have referred to the evidence proving this. Rejecting all extreme cases, and giving indigo the benefit of all doubts, I cannot put the absolute loss to the ryot at a low average [reckoning the net loss on the cultivation of indigo at the highest price now allowed, and the loss on the net profit the ryot would make by any other ordinary crop at the market price], at less than 7 rupees a beegah, equivalent at the least to seven times the rent of the land.

PAR. 33.—“Now if one remembers that these ryots are not Carolina slaves, but the free yeomanry of this country, and indeed, strictly speaking, the virtual owners of the greater part of the land in the old cultivated parts of Bengal, so heavy a loss as this will fully account to us for the strength of the opposition to indigo cultivation which we have just experienced. One-sixteenth of his whole land is a common proportion which, it is insisted, an indigo ryot shall sow in indigo. This is as though a farmer in Great Britain, farming under a long lease 160 acres of land, at a rent of £2 an acre, were, by some sort of pressure, forced to cultivate 10 acres, say in flax, which he was compelled to sell to a certain neighbouring manufacturer at a dead loss of £140 a year. This is precisely a parallel case, in the legal and economical view. In the social and political view, the case of a new English landlord forcing a corresponding loss upon several thousand Irish cotters would perhaps be a fairer illustration.

“On the actual question of fact as to the dislike of ryots to indigo cultivation on the old system, the Report of the Commission is conclusive as to the intensity of the feeling.\*

\* Report, Par. 131.

Indeed, the Report, which in the mildness of its tone is admirable, can give but a faint impression of the intensity of the feeling on the ryots' part, compared to that which a reader will derive from a perusal of the appended evidence of the ryots themselves, and of the Missionaries\* who, living in unconstrained private intercourse with the ryots around them, know the feelings of the whole class of ryots better than any other Europeans do.

"This is the great point of political bearing in the whole question, and it cannot be too attentively considered by all who have any responsibility for the tranquillity of the country, and the strength of the British Government within it. I would ask especially a perusal of the answers just noted in the margin. If any one thinks that such a demonstration of strong feeling by hundreds of thousands of people as we have just witnessed in Bengal, has no meaning of greater importance than an ordinary commercial question concerning a particular blue dye, such a person, in my opinion, fatally mistakes the signs of the times.

"On the whole, my conclusion on this point is that, setting aside individual cases, having no connection, or, at least no necessary connection with the Indigo system, that system is fairly chargeable with a notable portion of those classes of offences, the peculiar prevalence of which in Bengal has been, from the first, a blot in our administration. In my opinion, it is rather the system than the Planters individually who are to be blamed. It is to the unprofitableness of the cultivation of indigo, at the extremely inadequate price given for it under the system, necessitating either a forced cultivation, or the abandonment of the manufacture

See especially Answers 138, 918, 1249, 1262, 1351, 1165, 1624, 1625, and 3214.

from Bengal ryotty plant, that this and every other evil connected with indigo is attributable. An individual manufacturer could not live upon a fair and free system, surrounded on all sides by competitors who get their raw produce without paying nearly its full value. That a whole class did not spontaneously reform itself from within is not surprising. The chief fault was in the defective, and I fear I must say, the not impartial administration of the law, which allowed such a vicious state of things to exist where our fellow-countrymen were concerned ; a state which very certainly would have been put down with a high hand, if only native gentlemen had been concerned.

“On minor points, the Commissioners find that when the assistance of the police is required in disputes between ryot and planter, their venality must be to the present advantage of the richer party, whilst ordinarily the police have no concern with the bargains of Planter and ryot.\* They find, too, from the admissions of the Planters themselves, and from the whole tenor of the orders usually passed in disputes about indigo, that the charge so often brought against the Civil Officers of Government, of favouring native Zamindars and ryots from dislike to their own countrymen, and from a desire to keep them out of the country, falls completely to the ground, † as I may say so preposterous a charge, whenever examined by sensible men, could not but do. On the contrary, they find that Magistrates have not always been sufficiently alive to the position of the ryots, nor accorded to them a due share of protection and support. They say, ‘It is not too much to say that, had all Magistrates held the scales in equal balance, a cultivation of the character which we have clearly shown

\* Report, Par. 112.

† Report, Par. 115.

indigo to be, would not have gone on for such a length of time.' I am obliged to support the finding of the Commissioners on this point. The Commission entirely exonerate the Missionaries of the charge of having taken upon themselves the character of political agitators; they show that these excellent men, circumstanced as they were, would have been inexcusable had they turned a deaf ear to the well-founded complaints of the people in close and kindly intercourse with whom they were living, and some of whom belong to their own flock; and the Commission find that the assertion that the refusal to sow indigo was owing to the preaching of the missionaries is one which is 'entirely without foundation of truth.' \*

PAR. 48.—“I must not pass this last point without respectfully expressing my admiration of the conduct of the missionary body throughout these trying events.

PAR. 52.—“In the paragraph of their Report, noted on the margin,† the Commission speak of the economical importance of the Bengal Indigo trade, and of the great political advantage of having a large body of European gentlemen scattered over the country. Certainly the Commission do not in the least degree overrate the importance of these things, and no one feels their great importance more strongly than I do.

PAR. 63.—“*Planters' complaints.*—There is nothing in the evidence to prove that, before this year, Planters experienced any material difficulty in getting ryots to sow in indigo the quantity of land required of them, for which cash advances were actually taken, whether such requisition was supported by a contract, as the Planter would generally

\* Report, Par. 120.

† General importance of Indigo Trade, Report, Par. 72.

hold, or was the mere command of the Planter, as the ryot would often hold. There are no longer now complaints that ryots take advances for indigo from one Planter and sell the produce to another; nor is it the staple of the complaints made before this year that the ryots took advances for indigo, and cultivated on their own accord something else instead. There are general charges that ryots are of a fraudulent and evasive disposition, but I have seen, in the whole evidence, no specific charge of the above nature, in a single instance, before this year.

PAR. 64.—“There are, however, on the part of the Planters, loud complaints of the carelessness of the ryot, after taking advances, in regard to his indigo crop; of his inattention to it; and of his indifference to whether it is eaten down by cattle, or choked up by weeds, or goes into the Planter's vat, notwithstanding the daily urging of the Planter's servants. I cannot doubt that this is a true complaint.

PAR. 70.—“*Complaints in this year exceptional.*—Complaints relating to the events of this year being quite exceptional, and having been exceptionally met by temporary legislation, need not be now regarded. The ryots in certain districts, after the season of advances had passed, and after the mass had taken advances, showed a disposition to refuse in mass to cultivate. But now their refusal to contract new engagements, or to take advances on the old terms, or on any terms now offered, cannot be made, in form, matter of reasonable complaint by any one; although, doubtless, it is this legitimate refusal on the ryot's part that constitutes the present difficulty of the Planter. It is quite natural that those who are under the pressure of this difficulty should decry any course which will not get them over it. But as the ryot is not a slave, and cannot be

made a slave, and as his right in his own land is indefeasible, however much every one must sympathise with the Planter suddenly involved in this difficulty, every disinterested person must see that the ryot must be left in practice, as he is left now by law, free to do what he thinks best with his own land.

PAR. 71.—“ *Special legislation not required to meet those evils.*—Now, looking at all these complaints, I do not see one that requires special legislation, in favour of one side or of the other. The law is now perfectly equal and fair for both ; and that is what it ought to be. I see nothing wrong that would not be remedied by adequate executive action, whereby the protection of the law should, in matter of fact, be properly and equitably extended to both parties, which practically, until now, it has not been. It is not the law, neither is it the administration of the law, that is responsible for the complaint of the Planters above-mentioned. When a man is hopelessly in debt to a factory, when such a price is given for the produce of his land as does not at the most pay him more than the rent of it, and often not so much, and when, generally speaking, the whole of the trifle of cash he ever touches at all is given him in the form of an advance, with what degree of reason can it be expected that he will bestow his labour upon that produce with the same interest as he bestows it upon the real profit and loss which is his own ?

PAR. 72.—“ If this subject of complaint can be removed at all, it can only be removed by the adoption by the Planter of a sound system of traffic for the plant ; that is to say, by paying for it a price which will afford the ryot as good a return as another crop would afford him, and by not paying the whole of that price in the way of advance.

This would engage the ryot, by his own self-interest, to bestow as much care upon the crop as he now bestows on his rice and other crops, the profit of which is his. If, at the present price of the dye, the manufacturer cannot afford to give such a price for the plant, there is really nothing for it but to abandon the attempt to force indigo upon the land of the quality in question. To continue the attempt in that case is to waste the resources of the country and to fight against nature; a battle, the issue of which, notwithstanding any number of special and one-sided laws, in the end is never doubtful.

PAR. 73.—“ I perceive that the British Indian Association have come to the conclusion from the evidence taken by the Commission that Indigo cannot be profitably cultivated in the neighbouring districts, because it is shown that the value of the manufactured dye, made from the average produce of a beegah, does not exceed 10 rupees, while the value of the raw produce in other crops would be about as much. This is a practical question. Early rice is the crop with which Indigo can be most favourably compared. The average value of a beegah of early rice in Nuddea is stated to be 8 rupees 10 annas. In Jessore the average is taken much higher, but having reference to the oral evidence on the same subject, I take the average above given for Nuddea, to be a fair average at present prices. I believe the mere manufacturing charges for 2 seers or 10 rupees' worth of indigo are taken at 1 rupee 8 annas, so that this calculation would leave less than nothing for all the general charges of the factory. But I do not think it follows that the present average produce, which is less than ten bundles of indigo, would not be materially increased if the crop were grown by a cultivator who had some real interest in

the out-turn. This question, however, if it is to be solved, must be left to nature and to the skill of the person interested. Laws can do nothing in such a matter but leave the trade free.

“Two members of the Commission, in a separate Minute, recommend the enactment of the law rendering breach of an indigo contract on the part of a ryot a criminal act punishable by the Magistrate. The majority of the Commission strongly object to any such law, and I fully concur in their objections for the reasons they assign. No one-sided legislation is ever justifiable, and I believe such legislation in the end generally injures the interests it is meant to favour. An indigo contract differs in no respect from any other sort of contract for the delivery of goods. To subject either one of the two parties in such a contract to be treated as a criminal for what is acknowledged by the general law not to be a crime, seems to me quite indefensible. All the arguments above urged against any special legislation for indigo business at all apply with peculiar force against special penal legislation, in a sense contrary to all received principles of distinction between Civil and Criminal law.

PAR. 85.—“In 1810, in 1832, and in 1835, in India and at Home, the highest authorities have concurred in rejecting such a law. Indeed a proposition for such a law seems to me to follow strangely upon the result of the Commission's enquiry. The whole Bengal Indigo system has been upon its trial; and though only four out of the five Commissioners signed the Report, I do not understand that the fifth Commissioner who represented the Planters, differs from his colleagues substantially in regard to the findings on matters of fact; and he has signed, with



another member, a separate paper, which, in my judgment is as conclusive against the system as the body of the Report itself is. The result is that the ryot is found guilty of nothing ; and that his complaints are, in the main, fully established. It would be natural upon such a finding, to discuss some projects of special law protection in his favour ; but to follow up a verdict in favour of a successful complainant by a sentence of subjection to a penal law, making him criminally liable to what no other person is criminally liable, does seem to me to be somewhat hard upon him.

PAR. 86.—“ I agree with the majority in thinking that in the interest of the Planter, such one-sided legislation would be unwise. The Planter's present difficulty is to get ryots to agree to cultivate indigo, and he must succeed in that before he talks of punishing them for not cultivating. If the object were to make indigo cultivation still more unpopular than it is, to stigmatise it by making those who undertake it liable to be treated as criminals, might be a wise measure ; but as the object is the contrary, I cannot think it would be a wise measure.

“ The same two Members recommend the appointment of one or more special officers in each of the principal Indigo districts, to exercise civil and criminal judicial powers and fiscal powers, in indigo matters exclusively, subordinate to the regular Civil, Criminal, and Fiscal officers of the district. I do not see how such a scheme is practicable ; and if practicable, it would be a very great change for the worse. There are no fiscal duties connected with indigo, and in many criminal cases it will be doubtful, and in others it will not be ascertainable till the case is concluded, whether indigo was or was not at the bottom

of it. Then I do not see how one man can have the management of the ' police at any one place, in matters connected with indigo, and another man have the management of the same police, at the same place, in other matters. When there is a breach of the peace, the first thing to do is to put an end to the disturbance ; but on this system, it would have to be ascertained what the first cause of the disturbance was, before it could be known which of the two men should take the affair in hand. Again, the inconveniences to the public would be extreme. There are now eight Moonsiffs (native Civil Judges) in the Nuddea district, and five magisterial courts ; and in Jessore there are now ten Moonsiffs, and six magisterial courts. In all indigo cases, this scheme would substitute for those thirteen or sixteen authorities, scattered equally over the district, one or two authorities in each district who would be 50 miles away from the majority of suitors. The harassment to suitors and witnesses would be intolerable. And, to set against so much that is disadvantageous, I can see absolutely nothing in the shape of an advantage ; for the one or two Special Indigo officers would in no way be better than one or two of the regular District Officers. Moreover, all Special Courts for particular classes of cases, from English Star-Chambers to Indian Resumption Courts, become always hateful, and generally deservedly so.

PAR. 88.—“ Surely the object is, with a limited number of officers available in a district of nearly a million of inhabitants, to make the most of them by spreading them equally over the whole surface. The supporters of the scheme most justly say, that ‘ The necessity of a reference on the spot is one of the few points on which both parties agree.’ But this is the very reason why I object to passing over the Sub-

divisional officer and Moonsiff on the spot, or at most,  $12\frac{1}{2}$  miles off, in order to go to a special officer 50 miles off. If I am to be allowed one, two, or more additional officers in a district, I hope that they may be so used, by multiplying Sub-divisions, as to bring justice and protection nearer home to the people; and not so used, by neutralising even existing Sub-divisions, as to send justice and protection, in one of the most important classes of cases, very much further away from home than they now are.

PAR. 89.—“The same two Commissioners also recommend the appointment of a Special Indigo Commissioner to travel about, to allay excitement, and to mediate between Planter and ryot. I am quite of opinion that good is to be done in this way; but I do not think that any officer is in so good a position to do what good can be done, as the regular Commissioners of Divisions, who must know more about the affairs of their Divisions than any new officer could know for a long time. The attention of the Divisional Commissioners being given to the people of their divisions, in all their relations with business of every sort, and not being narrowed to one peculiar relation, seems to me an advantage. They are all picked men, of the class from which any Special Commissioner would be taken. After all, any extra official action, as I may call it, must stop at a certain point. No Government officer could take it upon himself to dictate to a Planter the price which he can afford to offer for plant; or to dictate to a ryot the price at which it will be for his pecuniary interest to grow the plant. The two parties interested must be left to settle that themselves. All that a disinterested person, official or unofficial, could do, is to

allay irritation, and to endeavour to make both act reasonably, temperately, and fairly. The Commissioner of the Division, who has all the District Executive Officers under him, and who has not judicial functions, civil or criminal, seems to me the official person most likely to meet with success in this work of mediation. I have already issued such instructions to the Divisional Commissioners as will have the required effect, as far as these officers are capable of producing it. The Commissioners of Nuddea and Rajshahye are now on tour, with this special object, amongst others, in view. Nothing, however, can be done unless the Planter will recognise the legal and actual position of the ryot, and unless, even where the law is on his side, he will act upon the advice of the Planter's most able and judicious representative in the Commission, by making such reasonable and equitable concessions as will avoid a contest 'that will seriously damage the interests of the Planters.' It should be seen that to attempt to conduct commercial transactions properly in the midst of a hostile and intensely exasperated population is mere foolishness when the law is also against one, and is a very hopeless adventure even when it is on one's side. I trust, therefore, that the Committee of the Indigo Planters' Association will support this good advice with all their influence.

"The majority of the Commission are opposed to both the recommendations last discussed, and I agree with their arguments.

"The separate Minute, signed by Mr Temple and Mr Fergusson, treats of some points not noticed in the Report. These two gentlemen remark that District Magistrates have ample power to investigate and prosecute British subjects in the Mofussil, and that they ought to exercise that

power. This is true, though the trial [except in cases of simple assault punishable by a fine of 500 rupees under the present law] can only be at the Presidency. In grave cases I trust that this duty is never neglected. But the expense, both to public and to private persons, of prosecution at the Presidency, for an offence committed at a distance, is very heavy ; and the inconvenience and loss to prosecutors are so great that such prosecutions are a misfortune to the neighbourhood in which the person injured is the most certain to suffer. It is not in the nature of things that these considerations should not operate to a certain extent, as an exemption from amenability to all criminal law in minor matters. These two same members recommend the general disarming of all natives in Bengal, but without taking away clubs. The long, heavy, iron-bound club in use is a formidable lethal weapon ; and a disarming in Bengal, which should not touch the most common lethal weapon used in their frays, would be operative, I fear, only for harm. It would disarm the peaceable man, and allow the professional bravo of the country to carry his own peculiar arms. I would rather reverse the operation. I do not see any evidence, anything to show that the mass of the people in Bengal, a quiet and well-behaved race, should be disarmed. I should like to see them much more ready and more stout in self-defence than they are. But I would disarm and punish the higher club men, and I would punish all who employ them, without exception of classes. I trust that a provision in the Penal Code, introduced by a Bengal member in the Legislative Council, in consequence of a suggestion from me, will have the effect of enabling the Magistrate to cut off the root of affrays by imposing some

responsibility on those in whose interest they are committed, as recommended by those two Members of the Commission.

PAR. 93.—“The body of the Report is signed by four members, the fifth, Mr Fergusson, the able representative of the planting interest in the Commission, has not signed it, and has put in a separate Minute, explaining his reasons. I understand that his dissent in the main is to the tone of the Report, which, in his opinion, leads to the inference that Planters as a body are lawless. The inference I myself draw from the Report is that the Planters, as a body and naturally, are like any other class of our fellow countrymen ; but that, being within the meshes of a false system, they cannot but act as the system constrains them. Like all such bodies, they comprise men of all temperaments, but it is, and has ever been, my conviction that there are in this body many as good men as there are in India, and I see nothing in the Report to the contrary. Mr Fergusson objects to certain views in the Report, as tending to disturb the acknowledged principles of the Permanent Settlement, and to give ryots notions of their rights incompatible with that contract between the Government and the Zamindar. I conceive that there is here some of that misapprehension of the nature of the Permanent Settlement which is very common. That measure in no respect differs from any other Indian Revenue Settlement, except in being permanent instead of for a term of years. It is only a Settlement of the Government demand of revenue ; it in no way touches any rights, interests, or tenure of land, all of which it leaves as it found them. It is truly described as a contract between Government and the Zamindar ; and therefore necessarily it could not affect

third parties, whose rights, titles, and interests, indeed, it acknowledges specially, and excepts in terms. Mr Fergusson freely admits that the recent crisis must sooner or later have occurred, because Planters did not raise their prices as other prices rose. He comes thus, I think, in effect to the same practical conclusion that the majority of the Commission and myself come to, namely, that the root of the whole question is the struggle to make ryots grow indigo plant without paying the price for it.

PAR 94.—“My high opinion of the manner in which the Commission have conducted their enquiry, and reported to Government their conclusions upon this extensive and long controverted subject, has been expressed to the gentlemen who composed it in a separate letter. At a moment of passionate excitement, the careful impartiality with which they conducted their enquiry was admitted on all sides. And though every one will form his own judgment as to their conclusions and recommendations, the cautious, temperate, and kindly manner in which they framed their Report will, I am sure, be cordially acknowledged by every one.”

*17th December 1860.*

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#### VERNACULAR SCHOOLS

WHILE the education of native gentlemen in the higher branches of English literature, and the maintenance of collegiate institutions for the classical languages of India, Sanscrit, Arabic, and Persian,

had received full and adequate support, vernacular education and village schools for the children of agriculturists had not always met with the same degree of attention. It is true that, in 1838, Mr Adam made no less than three full and exhaustive reports on the Indigenous Schools in the Lower Provinces, containing a vast mass of valuable and trustworthy information on the character of those primitive institutions, the capacity and knowledge of the *gurus*, or teachers, the subjects taught, and the mode of instruction; and from time to time, from the above date down to the year 1859, praiseworthy attempts had been made by the Bengal Government to establish vernacular schools of a higher type, which should serve as models and should bring vernacular education within the reach of some portion of the rustic community. It is unnecessary to specify the nature of these early reforms, or to explain why they only met with a partial success. In Lord Hardinge's time, a hundred and one of these schools were established in Lower Bengal, at the rate of about three to a large district, placed under the Collector, and duly visited by Inspectors. Gradually, from one cause or another, school after school was closed. Similar schools placed under the Council of Education did not much advance



matters, but the Government never lost sight of the subject, and about the years 1853 to 1859, those mainly interested in the education policy began, in the words of a very accomplished Oriental scholar, the late Colonel Nassau Lees, to feel that while we had neglected those classes which are "the muscles and sinews of a nation, we had lavished public money in giving, almost gratuitously, a high education in English literature" to dwellers at the Presidency and in large towns, and to candidates for public employment everywhere.

In 1859 Grant took up the whole subject, referred, according to his wont, to previous attempts in the same direction, and invited the opinion of experienced officials, native gentlemen of high-standing, and Missionaries and others, who, all according to their opportunities and abilities, had anxiously considered vernacular education with a view to practical results. These gentlemen, while proposing that the experiment should be tried in more ways than one—over one district, or half-a-dozen districts, or all over Bengal—were, on the whole, agreed that it would not do to disregard the indigenous system, though correctly described by one authority as places "where the teacher had no knowledge and the scholars had no books." So,

out of information supplied by twenty-five gentlemen,\* the Lieutenant-Governor, in October 1860, expressed his view as to the proper remedy, in a letter to the Home Department of the Government of India.

*"19th October 1860.*

"The Lieutenant-Governor has referred to Lord Stanley's despatch on the subject of education generally, which was received after the first of your letters under acknowledgment had been forwarded, and in which various important points connected with education are discussed, but the present communication will be confined to an exposition of his views regarding vernacular education for the lower classes, and to the question of the funds from which such education must be supplied. The Lieutenant-Governor, in pursuance of the instructions contained in your letter of the 17th of May 1859, has consulted on this important subject not only the officials of the Educational Department, but several other gentlemen, Europeans and natives, who have either had practical experience in dealing with village schools, or have always shown an interest in the elevation and well-being of the ryots. The information

\* W. S. Seton-Karr, Esq., Dr F. J. Mouat, G. Smith, Esq., N. P. Pogose, Esq., R. Horne, Esq., Rev. W. Kay, Rev. J. Long, Rev. T. Sandys, Rev. J. Ogilvie, Rev. B. Geidt, Rev. K. M. Banerji, Raja Radha Kant Deb Bahadur, Prasanno Nath Rai Bahadur, Satya Charan Ghosal, Satis Chandra Rai, Rai Prasanno Narayan Deb, Babu Ishwar Chandra Sharma, Babu Ramanath Thakur, Babu Prasanno Kumar Ghose, Babu Piyari Chand Mittra, Sama Charan Sirkar, Debendranath Thakur, Ishwar Chandra Ghosal, Sib Chandra Deb, Munshi Amir Ali.

given by the above gentlemen, whose names are entered in the margin, is herewith forwarded, and aided by their opinions, as well as by a consideration of the means hitherto employed for this object, the Lieutenant-Governor is now enabled to explain the plan which he recommends for the attainment of the object in view.

PAR. 3.—“The Lieutenant-Governor clearly understands the intention of the Government of India and of the Home Government to be, that Grants-in-aid are not to be supplied to the extension or support of purely indigenous or vernacular schools, but are to be reserved for English schools, for Anglo-vernacular schools, and for vernacular schools of a comparatively high order. The present object, then, is to devise some scheme for the instruction of the lower agricultural classes which may be tried at once experimentally, but shall be capable of easy extension; and be not ill adapted to any existing system; suitable to the wants of the people; not calculated to offend their prejudices; and, above all, which shall not be attended with inordinate expense—not only at first, but when developed to its fullest extent.

PAR. 4.—“Bearing this in mind, the Lieutenant-Governor has come to the conclusion that our best chance of success lies in basing a new scheme on the indigenous schools already existing throughout the districts of Bengal, and indeed to be found, more or less, in every part of India. He has fully considered everything that can be said, and that has been said, to the disparagement of these primitive institutions. The poor appearance of the sheds used as school-houses, the ignorance, obstinacy, and prejudice of the *gurus* who preside over them, the almost total want of school books, the very humble character of the instruction

generally imparted, and the poverty of the scholars, have not been overlooked. But if we are to convey instruction of any kind to the lower orders, we must not, the Lieutenant-Governor thinks, affect to disregard the kind of instruction that the people have hitherto sought and approved. All attempts made to reach the mere agriculturists, however praiseworthy, and by whatever amount of talent and energy supported, must fail wherever they are not in unison with the habits and feelings of the people. The kind of instruction which the people naturally desire must not be forgotten. The aid of the village schoolmasters must be invoked. The possibility of elevating and improving both the schools and the race of schoolmasters should not be hastily disregarded. Any scheme involving the abolition of all existing village schools, and the deprivation of all the schoolmasters, must create for itself obstacles that may be insurmountable.

PAR. 5.—“The ground-work of the plan which the Lieutenant-Governor contemplates must therefore be the present indigenous schools. That they exist in numbers, in Lower Bengal especially, is unquestionable. Mr Long estimates that in Bengal alone there are thirty thousand village *gurus*, and indeed all persons who have been consulted at any time when the question of vernacular education has been under consideration, from Mr Adam downwards, however they might differ as to the possibility of improvements, have had no doubt as to their existence or as to their number. The Lieutenant-Governor, approving only of a scheme which shall openly recognise the existence and utility of these institutions, would set about this recognition in the following manner.

PAR. 6.—“Lists of every village school in each Zillah

that may be included in the scene of operations, should be prepared by the Education Department in communication with the District Officers. The Inspector, aided by Deputy Inspectors, should then proceed to make his selection of those schools which he may think most important and most capable of improvement. In doing this he would naturally be guided partly by personal and partly by local consideration. In this selection much will depend on the judgment and tact of the inspecting officer.

PAR. 7.—“When the requisite number of schools shall have been selected, the Inspector must endeavour to induce the *gurus* or the proprietors and supporters of the school, who are often Talukdars and middlemen, to submit to periodical inspection. To this end the Lieutenant-Governor would not propose that any pledge should be demanded from either schoolmasters or proprietors as to the repairs of the school-house or the number of scholars, or that any weekly or monthly returns or statements of any kind should be forwarded to the Inspectors. This officer, before admitting the school on his list, must take care to satisfy himself that there is a school-house in existence, and that it has a fair daily attendance of scholars; also that the master is willing to receive the support of the Government. The erection and repairs of the school-house being left to the inhabitants, the teacher would be chiefly remunerated, as he is now, by the fees of the scholar. In this way, the cost of the institution of the school, and the greater part of the expense of its maintenance, being still defrayed by the people of the neighbourhood, the scheme, even when fully developed, need not be impracticable from its costliness. But in order to enlist the sympathies of the teacher, and to overcome his

prejudices as well as to raise the character of the institution, the following means are suggested. Books should be supplied to the school at a very low price; these books should contain, in a compact form, all that has hitherto been taught at such places by dictation; namely, arithmetic, agricultural and commercial accounts, forms of agreement, quittances of rent, bonds, etc., and even models of complimentary or formal letters which inferiors constantly address to their superiors. The Lieutenant-Governor does not feel warranted in despising this last kind of instruction, because it is not conveyed to the son of an English peasant. It is sufficient, for our purposes, that such instruction has been imparted in India for generations. The above course will enable any lad of ordinary intelligence to read and write correctly, and to see that he is not cheated in his accounts by the Mahajan or the agent of the Zamindar. A book of this kind has been in use in some schools near Calcutta, and, as being in every way suited for the purpose, should be largely supplied to other similar schools.

PAR. 8.—“On this rude and primitive foundation the Lieutenant-Governor would build a structure of a better kind, taking great care, however, that the higher and better instruction offered should not be too much in advance of the requirements of the people. He would rigidly exclude all attempts at English instruction, or at imparting to Bengal village boys information which can, in their case, serve no purpose but to puzzle their heads with strange names and foreign ideas. He would restrict the improved course to the measurement of land; to some short Bengali grammar of the simplest kind; to the first elements of geography and of Indian history. If the sons of ryots, in addition to the present course of village instruction, can

be induced to read books of instruction and amusement (which must be for the most part written for the purpose); to write with neatness on paper; to measure their own lands correctly; and to know a little about the histories of other countries and the history and condition of their own, with the prospect of a better education for their sons, a great step will have been made.

PAR. 9.—“When this selection of certain schools has been made, and when it has been formally announced that the course of instruction shall not be hastily changed, and shall be supplied with the mechanical aids of which it has hitherto been destitute, it will still be necessary to secure the co-operation of the *guru*. But for this end the Lieutenant-Governor thinks that any compulsory examination, which some gentlemen have recommended should be forced on such persons, would defeat the object which we have in view. It is useless to expect that the ordinary race of village teachers would submit to any ordeal of the kind. All that can be done is by conference, by judicious advice, and by holding out hopes of reward, to stimulate the best men of the class to greater exertion, and to lead them to adopt an improved course of study. This, it must be conceded, is the one difficulty of the scheme. But it does not seem an insurmountable difficulty. When a certain number of *gurus* shall be induced to adopt the improved system, the feeling of the people will be so much in favour of it, as to force it upon the remainder, or to drive them out of employment.

PAR. 10.—“It is here, of course, that the substantial aid of Government must come in, and there can be no inducement so powerful as a payment of a reward in cash. The Lieutenant-Governor would take care that these rewards

should be quite distinct from any system of Grants-in-aid. They would be distributed within a fixed limit by the Inspector, on his being satisfied that the school had been well attended by scholars who had passed a fair examination in the subjects to which it is proposed in this letter to limit the education of the ryot. In this way the Minute returns, the lengthy statements, and the constant supervision necessary in the system of Grants-in-aid, and noticed as prejudicial by Dr Mouat in his letter of the 20th of August 1859, would be quite unnecessary; while, on the other hand, care must be taken that rewards are not given for mere musters of boys collected together to make a good show. Visits should take place only as often as is necessary for a fair knowledge of what is going on. We know that when the inhabitants want a school they will maintain one; if the son of an agriculturist wishes to learn anything at all he will attend such a school, and if the *guru* is capable of teaching anything at all, he will find scholars. It is to the improvement of such schools, when brought into existence by the voluntary act of the inhabitants, that the State must look. The reward given to the *guru* need in no case exceed half the fees which he receives from the scholars, or, say, a sum of 30 rupees or 36 rupees, a year, and often it need not amount to so much. Taking the average of a teacher's earnings at 5 rupees a month, a sum spent in rewards to each schoolmaster would not on an average exceed 30 rupees a year, and the Lieutenant-Governor believes that the prospect of such a sum would stimulate all but the most apathetic and bigoted teachers. If any *guru* proves impervious to advice, encouragement, or the hope of reward, or having promised largely, fails to fulfil his promises, he will at once be



struck off the Government lists ; but if, by advice, conciliatory treatment, books, and substantial reward, even a dozen schools were led to adopt a better kind of instruction in any one Zillah, the latent energies of neighbouring schoolmasters would in time be excited, and if a scheme so based should once gain a secure footing, there might eventually, the Lieutenant-Governor thinks, be no limit to the extension of vernacular education except the wants of the people.

PAR. II.—“The Lieutenant-Governor has no objection to see a few vernacular schools established by Government, to serve as models to the indigenous schools. He thinks that about half a dozen of these should be established in each district on a scale to be explained hereafter ; but he would avoid the error of establishing them at the Sudder Stations, or even necessarily at the Stations of Sub-divisions. These places have been sometimes selected under the idea that supervision should there be most exercised. This is true, but the tendency of the native servants of Government, whose sons mostly frequent schools at such places, is to wish for English education, and vernacular schools so situated might not attract the class of scholars for whose benefit the present scheme is intended. The places selected for the model schools to be established by Government should be, not bazars, but the thickly populated rural villages, inhabited partly by artizans, but mainly by agriculturists. The things taught in the Government institutions should be absolutely identical with those taught in the indigenous institutions. The house will be better built, and the teachers better paid and educated, and books and writing materials will, from the first, take the place of dictation and scribbling on sand.

Of course such schools cannot be established at the cost of 50 rupees a year, which sum, by the plan now under discussion, it is proposed shall be the limit of expense for all purposes in each purely village school. The Government will have to build the school-house and to keep it in repair, and the salary of the head teacher, who might be available for the occasional inspection and examination of other schools, could not be fixed at less than 50 rupees a month; this sum to be paid exclusive of the fees which should be demanded from the scholars at the monthly rate of 1 anna or 2 annas a head. Books must be supplied at a trifling cost, as to the other schools previously in existence.

PAR. 12.—“The arrangements being approved for the supervision of indigenous, and for the establishment of Government schools to serve as models, there remains for consideration the staff by which the schools are to be selected, supervised, and in some degree controlled. For this it would be necessary to have a staff of Deputy-Inspectors, but as repeated visits and constant supervision by sub-Inspectors do not form a part of the present proposal, it would be possible, the Lieutenant-Governor thinks, to have the work performed by a moderate number of such officers. Taking the scale of indigenous schools to be visited at one hundred per Zillah at first, and each school to require visits not more than once a quarter, there would be four hundred visits to be performed annually. To do justice to this number, not less than four Deputy-Inspectors would be required, who would have each twenty-five schools to look after in his own circle. The Deputy-Inspectors might reside near the model schools, and bestow a close attention to their improvements at such times as they were not going the round of the villages. Institutions wholly supported by

Government, obviously demand, and can endure, a more strict superintendence than independent Institutions, presided over by *gurus* self-elected, or chosen and paid by the Talukdars and ryots; and one main object of the plan which the Lieutenant is now proposing is, that the retention of the indigenous schools on the Government list should depend not on minute control, but on the results shown at each examination.

PAR. 13.—“The expense of this scheme would be as follows:—The Lieutenant-Governor would take the number of one hundred schools, with six model schools and their necessary staffs, as one suitable for an experiment, and capable of being enlarged by doubling, or trebling, or quadrupling the scale of the whole expenditure; thus, one hundred indigenous schools in each district, costing 50 rupees a year in all, would amount to 5000 rupees a year. The model schools could not be supported at a less cost than 30 rupees a month, including the salary of the head teacher fixed at 20 rupees, or 360 rupees a year. The salaries of the Deputy-Inspectors must be liberal to secure the services of men of independence, honesty, and energy; and the Lieutenant-Governor does not think that qualified persons could be secured at less than 100 rupees a month, including travelling allowances. Thus the whole expense for one district would be as follows:—

	MONTH	YEAR
100 Indigenous Schools . . . . .	.	5,000
6 Model Schools, each at 30 rupees a month . . . . .	. 180	2,160
4 Sub-Inspectors, each at 100 rupees a month . . . . .	. 400	4,800
		<u>11,960</u>
TOTAL in round numbers, rupees		<u>12,300</u>

PAR. 14.—“It is by no means the intention of the Lieutenant-Governor to recommend that the support of the State should be limited to one hundred schools in a district with half a dozen model schools and the corresponding staff of inspecting officers. The above is taken as a fair proportion to start with, on a reasonable scale of expenditure, worthy of being tested; and should the plan succeed, it would be a mere question of money whether the numbers as before stated should not be doubled, trebled, quadrupled, or still more largely multiplied. If the time should ever arrive when we could show \* one thousand village schools to a district, aided by Government and affording the agriculturists a simple and practical education commensurate with their wants, the State, in such a case, might be said to have fairly done its duty by the neglected portion of its subjects.

PAR. 15.—“The above plan has already been tried in some of the districts of Bengal to a very limited extent, and is now under trial in Assam.

PAR. 16.—“Another plan of dealing with indigenous schools has been tried by Mr Woodrow, the Inspector for East Bengal. Its basis of operations is partly the same as that of the plan above recommended. The village schools, with their primitive instruction, are taken as they are found. The difference is in the treatment of the schools and of the masters.

PAR. 17.—“Mr Woodrow selects three village schools within a circle of 2 or 3 miles of each other. To these three schools one pundit is attached by Government, who receives a salary of 15 rupees a month, and who visits

\* The number of villages in a large district is about five thousand; this would give one school to every five villages.

each of the three schools once a week, spending two days at each school. It is the business of the pundit to prevail on the village *guru* to adopt an improved course of instruction, and to show him practically the details of this course. For this end money is freely spent in rewards to such *gurus* as consent to enter on the new system, and these rewards are of course exclusive of the salaries of the pundits. It often happens that of the three schools one assumes a marked superiority over the other two, and when this result takes place, and the inhabitants exhibit an anxiety for a permanent teacher to supplant the *guru*, the pundit is then appointed to be their teacher, on a salary, not of 15 rupees, but of 10, the difference being made up to him by the fees of the scholars; and the school thus becomes in every respect a vernacular school wholly maintained by Government. This experiment, as tried by Mr Woodrow, already embraces in round numbers two hundred schools, in an aggregate of three or four districts. The cost of each of the three schools, to which the pundit's salary is chargeable, has been *hitherto* 6 rupees, *i.e.* 5 rupees salary, and 1 rupee for reward, and the cost of any one school, when fairly converted into a Government school, could not be taken at less than 15 rupees, *i.e.* 10 rupees salary and 5 rupees incidental expenses.

PAR. 18.—“The expense of this plan, when fully developed, seems to the Lieutenant-Governor to be excessive, for the cost of each school when perfect would be 180 rupees a year. A district of ordinary size contains about 5000 villages, and one school to five villages is a fair allowance. The ultimate expense, then, in such a district, would be 180,000 rupees a year; besides the cost of model

schools and Inspectors. By the plan recommended, the amount for the village schools *only* would not exceed 50,000 rupees.

PAR. 19.—“It is not the intention of the Lieutenant-Governor to recommend normal schools for teachers as part of this scheme, because he thinks that no normal school other than a provincial one for each district would ever supply, to the fullest extent, requisite teachers for the lowest class of schools. It would be unreasonable to expect any teacher brought up in a normal school at Calcutta or Hooghly to proceed to teach scholars in the Province of Cuttack, or the division of Dacca, on such a moderate salary as must be assigned to teachers of schools in those localities. The teachers for each district must be furnished in and by the district; and in this view the Lieutenant thinks it unnecessary to make a district normal school for teachers in village schools a part of his scheme. For the purely vernacular schools contemplated by this project, we ought to look to the model vernacular schools proposed to be established. If the support extended to the native village schools should result in success, that success will immediately raise the character of the schools and of the indigenous teachers, and will call for fresh teachers as a natural consequence, and thus we shall obtain our object.

PAR. 20.—“The experiment may be tried at any time in some of the populous districts of Lower Bengal when the money is available. The Lieutenant-Governor thinks it would be wise to commence, not with the most civilised parts of the 24-Pergunnahs, Baraset, or Hooghly, where the cry of the inhabitants is for an English education as tending to employment and preferment, or, at any rate, not with the portion of those districts in the vicinity of

Calcutta, but rather with more distant Zillahs, almost equal in population, but not so constantly brought into contact with the advantages of civilisation.

PAR. 21.—“Considering the new schemes of taxation now being everywhere introduced, the Lieutenant-Governor is opposed to any attempt to impose any special cess for any educational purpose. By the present scheme, the people pay the chief cost of vernacular schools. The aid to be given by Government may fairly come from the general revenue.

PAR. 22.—“The main features of the scheme now recommended seem to have the merits of simplicity, cheapness, and facility for indefinite extension. Several of them are recommended by the united judgment of experienced gentlemen of different professions, European and native. There are difficulties in all plans, but whatever difficulties there are in this plan, it is believed that they are not more than can be surmounted by the known tact, ability, and earnestness of those to whose hands its execution would be entrusted.”\*

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### SUNDAY TRAVELLING

THE arguments for and against Sunday trains seem as applicable to other countries and towns besides India. They were recorded on the occasion of a petition presented against the practice.

\* The establishment of these necessary and primitive schools was at first somewhat hampered by want of funds and other causes. But it was taken up and extended by the able men who succeeded Grant in the Government of Bengal, and his plan has formed the basis of most improvements in the same line.

## MINUTE.

“ My own opinion is as follows :—

“ I think that in the estimation of the many estimable persons who have signed this petition, and the excellence of their motives, the recommendation made is deserving of the most respectful attention of Government. But, after giving the question such attention, I am convinced that it would be very wrong to issue to the railway officers the prohibition which the petitioners ask for.

“ In the first place, I am of opinion that the Government has no right to interfere with the Railway Company in their arrangements for working the line, where such interference is not justified by the peculiar relation in which the Government and the Railway Company stand towards each other. In the case of an independent Transport Company, no one would pretend that the Government could prohibit it from working on Sundays. The usual River Steam Companies, for example, keep their steamers running on Sundays, and no one has ever even thought of petitioning Government to interfere with their so doing; nor has Government the power to interfere. The same is true of the several Road Transit Companies, and of all the companies and the innumerable individuals who are concerned in the transport of goods and passengers in the country. In what, then, does the case of the railway differ from that of any other Transit Company? There are two objects for which the powers of Government over the Railway Company have been made by agreement, so large as they are: one, the security of the State, which has guaranteed the capital expended, and which, therefore, for its own pecuniary interest, must see that no railway money



is wasted, and that the railway business, in general, is well conducted; the other, the interest of commerce, and the safety and convenience of the people, especially of the poorer classes forming the mass of the people, which, probably, all Governments ought to watch; whereas, in the case of a railway, a monopoly of the high road is virtually conceded to a particular Company. In this view, the great special advantages granted by the State to Indian Railway Companies warrant it, as a special case, in watching with peculiar jealousy. But it is manifest that neither of these objects is in the least degree injuriously affected by the practice of which the petitioners disapprove.

“There is, therefore, no ground, general or special, to justify the proposed interference.

“Possibly, there may have been occasionally, heretofore, some slight tendency to more detailed interference with the railway officers in the working of the railway than can be strictly justified on these principles. But such interference has never been intentionally exercised, in Bengal, to the injury of the pecuniary interests of the Railway Company; and before the question arose, the attention of the President in Council had been given to the question of interference in working details, and he had resolved in future to act in strict accordance with the principles mentioned. In the Madras Presidency the practice of unwarranted interference in working details was at one time carried to a greater extent; but the Honourable Court, on several occasions lately, have decisively disapproved of it, and it must be assumed that the sounder principles, in accordance with the practice now in force here, and the injunction of the Honourable Court, are there also now in operation.

“The question of Sunday trains at Madras is one in which the Honourable Court have expressed an opinion in consonance with the view above taken. Copies of all the papers connected with that question should be sent to his Lordship, from which he will see that the Government of India has acted in this matter in entire accordance with the principle of the avoidance of unwarranted interference in the details of the working of the trains.

“In the second place, although it were granted that the Government are justified in this interference with the railway officers in the matter of the running of Sunday trains, I do not think it would be right to exercise its power in this matter.

“The Government, whatever may be the particular views of its members, as individuals, on such propositions as that on which the argument of the petitioners is wholly founded, would not be justified in acting, as a Government, on such views, unless where such views are universally assented to, or at least are supported by the law and practice of England. There are obvious arguments in justification of the non-enforcement in a country where the Christian inhabitants are to the rest of the people but as one to thousands, of restriction approved upon religious grounds in England ; but there is not one argument to be found that can justify a Government professing toleration, in imposing, upon religious grounds, restrictions upon millions of Hindus and Muhammadans, which are not imposed on its own Christian subjects in England. In England, there is no prohibition of Sunday trains, though no inconsiderable portion of the people there hold the same views with the petitioners in regard to the disputed question of Sunday travelling ; and though with the people

there, universally, Sunday is a day specially and reverentially regarded. Yet the English Government of India is asked to prohibit Sunday trains here, where not one traveller in several hundred belongs to a class which holds Sunday in any special reverence whatever.

“As to Lord Hardinge’s order, that certainly does not bear on this case. There is a manifest distinction between a rule relating to the construction of works by Government, and one relating to the use of them by the people, when constructed. It might be right to rest on Sundays from blasting rocks in a navigable channel; and yet wrong afterwards to prohibit native boats from passing on Sundays through the channel, when opened. Besides, the effect of the cessation of ordinary work on any day ceases with the day, but the effect of the stoppage of inter-communication on any day deranges the work of a whole week.

“It is always to be remembered that a Railway practically, to a very great extent, supersedes the other and older means of transport in its line of country. Wholly to stop travelling by rail on any day is therefore nearly equivalent to stopping wholly all travelling on an old high road on that day. I cannot think that if Jews happened to be the rulers of millions of other races, it would be right in them to stop all travelling by persons, not Jews, on Saturdays. And on the same grounds, I cannot think that we, Christian rulers as we are, should do right in acting in the same spirit; especially, I cannot think that we should do honour to our religion by imposing in India, on millions who are not Christians, restrictions which, as a people generally, we hold not to be binding on ourselves at Home.”

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## TWO MINUTES OF 13th AUGUST 1858.

THE Sepoy Mutiny had naturally modified the views of statesmen and administrators on divers fundamental questions. What line should be taken by first-class railways in Upper India; what strategic points should be strengthened; whether forts should be constructed so as to command the passage of rivers; what site should be chosen for the Headquarters of the Government of the North-West Provinces; how the Imperial City of Delhi should be treated after its recapture—all these points were fully considered by the Government of India in its Civil and Military departments. Grant, in almost every point, supported the Viceroy, Lord Canning.

It was decided that the East Indian Railway should not cross the Jumna at Agra as originally proposed, following the right bank of the Jumna to Delhi, but should continue a course through the Doab, so as to place the line under cover of the Jumna the whole way to Delhi, the river being crossed at Delhi instead of at Agra. An interesting discussion also took place regarding the fort of Allahabad and its command

of the bridge across the Jumna. The question as to the future treatment of Delhi, whether as a political rallying point or as a commercial capital, is remarkable, and he would be a daring prophet who would affirm, confidently, that other contingencies contemplated by experts at that period, would never occur again.

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#### RAILWAY BRIDGE AT ALLAHABAD.

PAR. 1.—“The Government of India has recently had before it the project of the Chief Engineer, North-Western Provinces, of the East Indian Railway Company, for the passage of the railway over the river Jumna by a girder bridge. The estimated cost of this work is 5,663,240 rupees. The Government determined to permit the project to be submitted to the London Board of Directors for their approval, and it is now under the consideration of that Board and of the Honourable Court.

PAR. 2.—“But it was pointed out at the time by Major Strachey, the Officiating Secretary in this Department, that the question of the position of this bridge was very important in a military point of view; and our attention was called to a report that he had submitted not long ago to the Right Hon. the Governor-General on the general subject of the Station of Allahabad, in which this matter was specially alluded to. The Government considered that the general designs of the girders would not be likely to be

affected by a mere change of site in the bridge; and consequently decided not to delay the despatch of the plans of the Railway Company's engineer till this point should be settled.

PAR. 3.—“The railway bridge, as now projected, is designed to cross the Jumna about 2000 yards above the Fort of Allahabad. Altogether, setting aside military considerations, the site is well selected. The rail passes with little inconvenience and small expense between the town of Allahabad and the suburb of Kydgunj. A viaduct will probably be necessary to connect the bridge with the main railway station at Kuchpoorwa, but it will not be one of very great length.

“In such a matter, however, in my judgment, military consideration on no account should be set aside. His Excellency the Commander-in-Chief, in his memorandum dated from Futtehgurh, 25th April 1858, observes: ‘The passage of the Jumna must be guarded at whatever place the line of communication may intersect it;’ this, Sir Colin Campbell says, having special reference to the passage of the Jumna, near Delhi, the question then before him. But if this precaution is proper in the Upper Doab, how much more necessary will it be to consider the question when we are dealing with the principal passage of the river at Allahabad?

PAR. 5.—“Having recorded my opinions on the importance of Allahabad at some length in my Minute of today's date, on the change of line of the railway in the North-West Provinces, it is not necessary that I should do more here than recall the chief claims of this Station to attention with reference to the present question. These are that it is destined to be the Civil Capital of the North-

Western Provinces ; that its admirable position as a great centre of military power cannot be doubted ; that it will form the Gangetic terminus of the great line of railway from Bombay through Jubbulpore.

PAR. 6.—“ I do not propose at present to do more than to direct attention to what I consider a most important consideration, before overlooked, in the determination of the exact position of this bridge, my object being that this question, which will call for careful examination, should be dealt with in its military bearing by those whose professional knowledge qualifies them for the task. The paragraphs of Major Strachey's Report that refer to this question, give a general view of the principal points to be considered. For convenience of reference I shall here transcribe them :—

“ And here I come to the consideration of a point of no little difficulty. I mean the way to deal with the railway bridge. As now designed, the bridge is intended to be put up at a distance of about 2000 yards above the Fort. Now, at such a distance, it could not be held by the garrison of the Fort. With a work such as I have proposed at Daragunje, it would, I think, be quite impracticable to hope to be able to occupy the head of the Jumna bridge too, if at such a distance from the Fort as 2000 yards. If the bridge therefore is left as now designed, it will not be within the protection given by the Fort, and would at once fall into the hands of an enemy who was strong enough to drive us out of the lines. But I am strongly inclined to think that the bridge should be moved up to the Fort, and that its approach should be incorporated into the masonry defensive work of the rampart. In this way the railway would be held so long as we kept a footing in the Doab, and a permanent

and perfectly secure communication with the right bank of the Jumna would be provided, which would be a most important military advantage. Under any circumstances a redoubt of some sort is necessary at Arail to occupy the high bank of the Jumna opposite the Fort. Such a work might readily be constructed in conjunction with the railway bridge abutment. The roadway passage, which it is proposed to have below the rails of the Jumna bridge, would give a most convenient access to this redoubt, with which otherwise a floating bridge of some sort would be necessary. Under such an arrangement the Fort Railway Station would be on the main line at the head of the bridge, and the branch now contemplated would not be required. It would be for consideration whether a small station should not be made at Arail also; in some points of view it might be useful. The exact system to be followed in bringing the railway bridge within the ramparts of the Fort is a matter of detail, which I am not in a position to discuss, but I think it probably would be found expedient to add an outwork specially devoted to contain the Fort station and bridge abutment. That there would be a heavy expense attending this arrangement, and that it would be a little difficult to manage satisfactorily, owing to the great height at which the rails have to be taken to allow of a proper headway in the bridge to keep quite clear of the Jumna floods, I am quite aware. But the advantages, in a military point of view, appear to me to be so great, that I think the necessary preliminary investigations should be made to decide whether the thing involves any practical impossibility. On this it is not possible to offer an opinion without an exact knowledge of the levels. The chief expense would be in the additional length of viaduct across the low ground from the town to the Fort. In the construction of the bridge itself,



so far as I can learn, one place is as good as another. Some diversion of the line would also be necessary on the right bank of the Jumna, but this would not be important. In a military point of view, a high viaduct leading up to the works would in some measure be objectionable, but as it would be directed straight towards the Fort, it would afford no dangerous cover to an enemy, and it might be so designed as to be easily pulled down in case of necessity !'

"Now, whether the proposed plans of Major Strachey for cutting off the end of the Doab with a line of redoubts to the west of the present town be approved or not, it seems certain that our last hold of Allahabad will always be at the existing Fort. If in the course of any contest we were driven from the station of Allahabad, off the high ground, our troops would naturally fall back to the Fort. Or if the claims of this place to be the quarters of a reserve force being set aside, a mere garrison were provided for this station, the Fort would be their stronghold from the first. In either case it would clearly be of the greatest importance to maintain our communications open to the last with Calcutta and Bombay, and this would involve the retention of the Jumna railway bridge. In case that bridge were lost, the garrison of the Fort would be cut off from communication on every side.

PAR. 8.—"If it were found possible to bring the railway bridge under the guns of the Fort, the communication with the south would be maintained as long as we could keep any footing at all in the Doab. Thus, holding the Jumna bridge, and commanding the head of the line of railway on the right bank of the Jumna as a dependency of the Fort, our position at Allahabad would certainly be very much

strengthened ; not only would the security of the place itself be increased, but our power of defending the lines of railway communication to Calcutta and Bombay would also be much greater. If we once lost possession of the heads of these lines we could no longer act with rapidity from Allahabad against distant points in defence of the rail, nor again could we receive help by rail from the south. Under circumstances such as those of which I speak, who shall say that our supremacy in Upper India might not hinge on the critical arrival of a single train? Eighteen months ago who would have foretold what was to depend upon the presence of seventy European invalids at this very spot?

PAR. 9.—“ The removal of the railway bridge to the Fort, as I understand, would not cause any additional difficulty or expense in the bridge itself. I learn that probably the arrangement of the masonry work of the abutments of the bridge would have to be modified. A station would naturally be provided at the Fort, and probably another on a small scale would be found convenient at Arail. The earthwork on the right bank of the Jumna would require to be reconstructed for some short distance. An extension of the viaduct across the low land on the bank of the Jumna to the high ground on which the principal station of Kuchpoorwa is situated, would also be requisite. But I do not suppose that there would be any considerable difficulty in any of these works, though the cost of the viaduct might be heavy.

PAR. 10.—“ As a set-off against this extra expense, the branch line, which otherwise must be made to the Fort, would be saved, as the Fort would now be on the main line.

PAR. 11.—“ On the whole, the removal of the bridge to

the Fort and the incorporation of its abutments with the masonry defences of the Fort on one side of the Jumna, and of an outwork of Arail on the other, seem to me to be worthy of careful consideration, before commencing on the work of the bridge on the spot now designed.

PAR. 12.—“I submit the question to my honourable colleagues as one on which an early decision is to be desired. Should they concur with me, I would recommend that the Right Hon. the Governor-General be addressed on the subject, with a view to the necessary steps being taken for the professional consideration of all the questions involved, in order that any modifications of the design for the bridge may be determined upon as quickly as possible, and that no needless delay may occur, should the sanction of the Honourable Court and of the Railway Board to the general project that has been sent home for their approval be received at an early date.”

*“13th August 1858.”*

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#### LINE OF THE EAST INDIAN RAILWAY.

It might be thought that the view taken by Grant in 1858 was inapplicable to the state of things and to the nature of our communications at the present day. In one sense, of course, this is true. But a retrospect is often very useful, and the present generation of officials, Civil and Military, may like to know how such questions

were regarded by their predecessors just after the Mutiny.

The Jumna is now crossed by a bridge at Agra, as well as at Delhi; and there are also bridges at Cawnpore and at Saharunpore.

A railway on the right bank of the Jumna above Agra is contemplated. It will follow the lines originally intended for the East Indian Railway in 1858, but given up at that date. What is often discussed contemptuously as "Ancient History" deserves different treatment.

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#### LINE OF RAILROAD ABOVE CAWNPORE

PAR. I.—"The Right Hon. the Governor-General has transmitted for our consideration a Minute on the proposed change of the East India Railway in the North-Western Provinces from the south to the north bank of the Jumna above Agra. His Lordship's conclusions are in favour of the adoption of the line running wholly through the Doab, instead of the original line which crossed the Jumna at Agra, and then ran through Agra up the south bank of the river. The precise direction of the main line in the Upper Doab, whether it should be taken through Meerut, or through Delhi, his Lordship leaves an open question, to be decided when the future status of Delhi shall be decided. But he is of opinion that as the main line would, in either case, go to Bulundshahr, and as a

branch would be necessary from Bulundshahr to Meerut in the event of the prolongation of the main line being taken to Delhi, a decision may at once be come to in favour of a line to Meerut, leaving it open for future considerations whether the main line shall be carried on from Meerut so as to cross the Jumna near Paniput, or shall be taken from Bulundshahr to Delhi so as to cross the Jumna at that city.

PAR. 2.—“I have given this important question my best consideration, and have been led to a conclusion, on the main point at issue, in accordance with that of the Right Hon. the Governor-General; that is to say, I entirely concur with his Lordship in his opinion of the expediency of the change of line from the south bank of the Jumna to the Doab, though I am of opinion that the main line should go through Delhi, and that the connection with Meerut should be made by a branch from the main line near Ghaziudeen Nagar, and not from Bulundshahr. The reasons that have led me to these conclusions are as follows :—

PAR. 3.—“The question of the change of line has been opened on considerations of State policy; the events of the last year have very materially altered our position in Upper India. The necessity for looking more carefully to our military hold of the country has led to an enquiry whether the seat of Government of the North-Western Provinces should be maintained at Agra, and the Governor-General in Council has recorded his intention of transferring it to Allahabad. It has also been a question whether it would not be politic to destroy the city of Delhi, or, at any rate, to discourage, as much as possible, its rehabilitation as a place of importance.

PAR. 4.—“ The superiority of Allahabad over Agra as a capital for the North-Western Provinces is very strongly marked. Allahabad is, in almost every respect, well placed as the Capital of those provinces. Readily accessible by water for steamers of considerable size for many months of the year, it might easily be brought into permanent and regular water communication with Calcutta by the introduction of a proper class of vessels, suited to the peculiarities of the navigation, for there are no obstacles of a serious nature in the Ganges between Calcutta and Allahabad. The railway to Calcutta and the North-Western Frontier on the one hand, and to Bombay *via* Jubbulpore on the other, will have their junction at Allahabad. This will enable that Station, situated as it is just half-way between the eastern and western coast, to receive support from either quarter with equal ease. Nearly intermediate between Calcutta and Lahore, Allahabad will also afford the most convenient point for the concentration of the chief military and civil authorities of the Provinces of the Upper Ganges. As the quarters of a strong military reserve, it is admirably placed, for from it troops can move with equal facility in every direction — to Bundelkund, the Doab, Oudh, the Nepal Frontier, Behar, and Central Hindostan. To add to these advantages, its local peculiarities will enable us to convert it, at relatively small expense, into a place of great military strength, at which our Civil Capital and the extensive establishments and records attached to the north-western administration may be located, with almost perfect security, against such a disaster as befell us at Agra. It is better situated than Agra for a great central arsenal and a great central treasury, and, like Agra, it has a fort for their protection.

“ I shall therefore assume that Agra shall no longer be the seat of Government in the North-Western Provinces.

“ As to the next important preliminary point, the future condition of Delhi, there seem to be three possible events. First, the permanent desolation of the city ; second, its restoration in natural course, leaving it, however, without troops ; third, its natural return to its former condition with a strong garrison.

“ As it is not yet formally determined, so far as I am aware, what is to be the fate of Delhi, I will advert, in discussing the change of line, to each of these possible events.

“ I cannot think that such a measure as the permanent desolation of Delhi would now find favour. Had it been carried into effect immediately on the fall of the place, the lesson that would have been conveyed by such prompt vengeance on the rebellious city would have furnished an argument in support of such a policy, but now that almost a year has passed, the time for that penalty, if there was a time for it, seems to me to have passed. Indeed, I do not know that the measures taken since the capture of Delhi have left this an open question.

“ Between enforced desolation and the natural return of the city to its former state, I can see, practically, no middle course, and if so, the memorandum of his Excellency, the Commander-in-Chief is, in my judgment, conclusive against the probability of the second event. If Delhi is inhabited, a garrison or a body of troops cantoned in its immediate neighbourhood seems inevitable. At least, if this be not so, our system in India has been heretofore universally a mistake.

“ The third event, then, is the one with a view to which,

in my opinion, a line of railway should be laid down. It is the one which not only accords best with my own feelings of what is right and expedient, but also presents itself to my judgment as by far the most possible.

"There are, doubtless, other points which deserve attention in the consideration of this question, looking at it in its military aspect. Of these I understand the most important is the necessity of covering the great crossings of the principal rivers, which constitute strategic features in the country, by suitable defensive works. In the memorandum of his Excellency the Commander-in-Chief, it is laid down as an axiom that the passage of the Jumna must be guarded at whatever place the line of communication may intersect it.

"I may here remark that I have requested attention to the position of the railway bridge at Allahabad, in view to this necessity in a separate Minute.

"Having disposed of these preliminary points, we first have to consider whether we should still maintain the line of railway crossing the Jumna at Agra as originally decided, which I shall call No. 1, or adopt a line up the Doab.

"The Minute of the Right Hon. the Governor-General, contains a clear review of the arguments on which the original decision of the Government of India was based, and a concise and, to me, convincing statement of how it has happened that the altered circumstances of the present time have undermined the main arguments on which that earlier decision rested. The removal of the seat of Government from Agra, and the probable reduction of the arsenal at that place to the position of a second-class magazine, quite changed the state of the case, and the line



up the right bank of the Jumna, in favour of which the decision was at first pronounced after some hesitation, and contrary to some opinions of great weight, must, I think, now give place to the line up the Doab. In arriving at this conclusion I do not feel that I am surrendering the judgment I before formed, but only that the balance of the argument, which then seemed in favour of carrying the main line through Agra, has, from the later condition of that city, now turned in favour of the Doab. That the arguments for taking the line up the Doab were very strong was never contested. The force of those arguments remains whilst the others no longer hold good.

“So far as the mere convenience of the town of Agra is concerned, as there is an excellent boat bridge maintained without difficulty throughout the year, it is really not a matter of great importance whether the railway station be on the right bank of the Jumna, in or near the city, or on the left bank opposite to it. At Calcutta, though the passage of the Hooghly is now a real inconvenience for want of a bridge, the railway station at Howrah answers its purpose, and it is admitted that with a bridge the terminus could not be better placed than where it is. At Agra, for passengers and ordinary merchandise, the river is hardly a greater obstacle than the same number of yards of the roads about the place.

“With respect to the loss of the local traffic between Agra and Delhi on the one hand, we have of course the set-off of the gain from the local traffic on the line up the Doab on the other. The relative wealth and importance of the districts through which the line would pass is, on the whole, in favour of the Doab. The through traffic to and from Delhi will, of course, be equally provided for in either

case, whether the main line passes through both places, or whether a branch only goes to Agra.

“There can be no doubt that, supposing only a single railway bridge for the passage of the Jumna, a bridge at or above Delhi would be more useful than one at Agra, as observed by the Right Hon. the Governor-General. The convenience of a Rohilkhand and Oudh line of railway would be completely met by a Jumna bridge at Delhi or above it, while in this point of view the Agra bridge would serve no useful purpose. The branch line from here to Delhi would serve well for the head of a line intended to be continued into Rohilkhand.

“Nor is it to be lost sight of that the trade of Delhi naturally does not follow a line along the river Jumna, but crosses it. The intercourse with the rich districts of the Doab and of Rohilkhand beyond is great. Of the distant trade from the north-west some will be real through-trade, which would be as well provided for by a rail down the right bank of the Jumna as by the line to cross at Delhi. But the portion of the trade that seeks its market at the Upper Doab and Rohilkhand, which is very considerable, will be far better suited by the latter line.

“It seems to me probable that a military authority would pronounce, in a strategic point of view, a line crossing the Jumna from the westward high up, and thence down the Doab, a more satisfactory line than one following the right bank of the Jumna and crossing at Agra. The former line would be covered by the Jumna from an enemy advancing from the west for a much longer distance than the other, and would afford a secure communication through a rich country, the resources of which would all become available in any contest on or beyond the Jumna. The other line

would not have such advantages. This, if my supposition be correct, is perhaps worth something.

“When this question was before discussed, the facilities for traffic given to the Doab by the Ganges Canal appeared to me a reason of some weight against preferring that country also for a railway, which should run almost alongside of the canal. But this argument, however worthy of consideration when the advantages of the rival lines were nearly evenly balanced, can hardly be allowed to tell against the preponderance of less remote arguments now in the opposite scale.

“These are the grounds on which I fully concur with the Right Hon. the Governor-General as the question now stands, in the conclusion against the line No. 1, and in favour of a line up the Doab. It remains to consider what precise course a line up the Doab should follow.

“And first, we have to select the point at which we should leave the original Agra line, in consideration of the progress which the works on the original line have now made. It seems to me quite right, as proposed by the chief engineer of the railway, to follow that line as far as Etimadpur, which is about 11 miles east of Agra. Thence the new line up the Doab would commence, while the Agra branch would commence from the same place, running along what is part of the original line No. 1. Had it been at first determined to take the rail up the Doab, leaving Agra to be supplied by a branch, the line would probably have been carried straight from Cawnpore up to Allyghur, and a branch would have been taken from Sikandra Rao in a direct line to Agra. But this, of course, would involve a change which cannot now be thought of, as the works through the Etawah district are

so far advanced, nor would any sufficient advantage now be gained by turning the main line up the Doab from any point south of Etimadpur, as, for instance, from Shekoabad.

“If the Agra branch follows the old line of rail from Etimadpur, it will not cause any seriously objectionable detour for the traffic to and from the north-west, while it will serve well, if need be, at any future time, for the head of a cross line joining Agra and Futtehghur. I have always looked to cross lines in the Doab from river to river following the course of existing trade as an ultimate object never to be lost sight of.

“Above Etimadpur the first obligatory point is Allyghur. Beyond that place the direction of the line will mainly depend on the decision arrived at on the question whether the main line shall run direct to Delhi or not. In considering this important question I will take in order the three possibilities to which I have before alluded.

“And first, to show the full force of the argument in favour of Delhi, I will advert to the extreme supposition that Delhi is to be destroyed. In this case there will be a *tabula rasa* on which to work. The line might as well go over the site of the destroyed city as not, other things being the same. Now, as we learn from the Commander-in-Chief's memorandum, the first consideration which applies to all possible crossings of the Jumna, whether at Delhi or elsewhere, is that the bridge must be defended. This implies military works as well as a garrison. The old palace at Delhi supplies a military position of the sort required, almost ready made, whereas the formation of a new cantonment or garrison near Paniput would involve an entirely new set of works; and on other grounds, as pointed out by his Excellency the Commander-in-Chief, would be

an experiment which it would be better to avoid, if possible. Further, the ruins of the city would afford an ample supply of materials for the heavy works of the bridge and viaduct.

PAR. 26.—“In the event of the City of Delhi being allowed to restore itself in a natural course, the commercial advantage from taking the railway through it, whether it is garrisoned or not, would, in my mind, far outweigh anything that would be now gained in a political point of view, by refusing to allow the railway to touch it. It seems to me unnecessary to enter into long argument on this contingency. The necessity for the provision of proper military works at the bridge, and the obvious advantage of utilising the magnificent royal castle that now exists at Delhi, which would command the bridge, would equally exist on this supposition as on the one discussed above; while the profits to be derived from the local traffic would be a further reason for carrying the line through Delhi, rather than through a place where there was no such local traffic.

“And, as I have before said, I cannot but think that the question in relation to Delhi has in fact been already settled, and that this city will again, in due course, take up the position to which it seems naturally entitled. The great City which has existed at or near this spot, from the remotest ages of which history gives us records, in disregard of all changes of dynasty, and of all royal caprices, seems placed here by no mere accidental circumstance. It must be, in a great degree, the result of a natural tendency of population and trade to fix itself in a great centre in that place; and it might be doubted whether the permanent depopulation of this spot is in truth a thing more practicable than the arbitrary creation of such a city would

be at some other spot which Nature has not designed for a great metropolis.

“I believe the native Indian policy of encouraging a new town, in a new acquisition, at the expense of the old capital, very good policy where practicable; and in such a case as Lucknow, I believe it would be practicable. But Delhi is not in this position, and in its case I doubt the practicability of the policy.

“The only station in the Upper Doab which has any claim for consideration in preference to Delhi, in determining the position of the main line, is Meerut. The present inclination of the Right Hon. the Governor-General, I infer to be in favour of a main line from Etimadpur to Meerut, omitting Delhi altogether; or, at most, providing for it a branch and crossing the Jumna at Paniput. This line I will call No. 2. But, after all, Meerut is but a standing camp. It is nothing by nature. It is a place of no commercial importance, excepting to, and on account of, army followers. The population of the Meerut bazars will probably rather diminish than increase, in consequence of the reduction of the large native force that was formerly cantoned there.

“Of course, under any circumstances, whilst Meerut is a great military station, a branch would be made to it, but there seems to be no valid reason for taking the main line to it, to the exclusion of any place of greater general importance. The requirements of the military service, including those of any district magazine that may be placed at Meerut, will be quite as well met by means of a branch line as by the main line.

PAR. 29.—“For these reasons my conclusion is against the line No. 2, and in favour of a main line from Etimad-

pur, to Delhi, where it would cross the Jumna. This line I will call No. 3. It should provide for Meerut by a branch, which, as I would have it, would be a very short one, namely, the shortest possible connection between Meerut and the main line. This, I believe, will take the Meerut branch to Ghaziudeen Nagar, which will not exceed by more than 1 mile the shortest possible line from Meerut to the bridge at Delhi."

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THE REBELLION IN JAMAICA, AND THE  
TRIALS AND SENTENCES OF THE  
REBELS.

*Reply to a Despatch from Lord Carnarvon on the Grounds  
for Remitting any Portions of the Sentences.*

9th October 1866.

"IT appears to me that, as far as it goes, the judicial evidence is of even greater value than any evidence that can be obtained by the Royal Commissioners in their admirably conducted enquiry. Where evidence is given under the solemnities of a great criminal trial, with the certain consciousness that every word may affect all but the life of the person it implicates, in the presence of those implicated, subject to their cross-examination, closely restricted to the issue in hand, and to the matters of fact within the personal knowledge of the witness, and is necessarily carried through till everything material is brought out on both sides, it has properly an effect on the mind that evidence wanting, whether wholly or partially, in these qualities, cannot have. Now the evidence in this

trial goes to the bottom of the outrage at Morant Bay on the 17th of October, and it goes sufficiently into previous proceedings, especially those at Stoney Gut, on the 10th of October, to show how far that outrage was or was not pre-arranged or pre-determined, and what it was that those concerned imagined they had commenced, when they committed it. It must be better, therefore, as affording in itself, not only the best foundation there is for a judgment of what was by far the greatest atrocity committed during the few days of actual disturbance, but also to a considerable extent a good foundation for a judgment upon the design of the leaders concerned.

“Moreover, this trial, which was held according to all the rules of English law, and was presided over by a legal Judge, was necessarily deliberate, regular, fair, and full, giving the accused every reasonable facility of defence; and was, therefore, necessarily, such as to afford every ground of reasonable conviction as to the truth of the verdict. But, with the exception of the two murder cases above-mentioned, this was, most unfortunately, the only important trial of the same sound character held from first to last. If, therefore, there is unhappily reason to fear that in some other cases, terminated without trial or after summary or hasty trial, mistakes in point of substantial justice may have been committed, this consideration should have no weight in reversing the results of the trial now in question, which ought to stand on its own merits, like any ordinary great criminal trial for a string of serious offences.

“I should not fully submit to your Lordship my full opinion upon this case, if I did not say that, in view merely to the future quiet of this Island, it is with me a matter of deep regret that, from the moment when those measures of



military execution which were necessary to the immediate restoration of the peace had had their desired effect, every prisoner whom it was resolved to proceed against at all was not tried by the method adopted in the trial now under revision.

“It appears to me that as soon as the immediate and paramount object was attained, such considerations as guide-justice at all times, came into force; and it further appears to me (which is my present point) that such considerations remain in force down to the present time. It would be a great misfortune were any class of people here to fall into the delusion that, because certain measures of severity have been unavoidably disapproved, the acts which called forth those measures, so far as they were highly criminal and dangerous, are such as are thought lightly of by the highest authorities. The re-action after martial law must involve some risk of this sort; and it would be an unfortunate necessity, were the Government obliged, on supreme considerations of a merciful justice, to do anything that might tend to confound a grave sentence of the law, regularly and solemnly pronounced, with some hasty proceedings which cannot be too greatly deplored. Having given the case of every one of these prisoners my best attention, it is my opinion that considerations of justice will not admit of any remission of the punishment in some of the cases; and that in others of them, though the mercy of the Crown may be extended to them at some future time, it would not be advisable, for the reasons to which I have above ventured to point, to announce any remission of punishment for a long time to come, and only after the state of feeling in the colony recovers its tone.”