ample return for his expenditure?" To this question the principal collector of Coimbatore replied: "If a Ryot makes a well on his 'punjah' land that has always been in his occupancy, in order to convert it into garden land, he receives a cowle or lease, on favorable terms, to give him ample return for his expenditure; this cowle extends to a period of five years; punjah rent is paid for the first two years; half garden rent for the third year; three-quarters rent for the fourth; and in the fifth year he pays a full garden rent, being about quadruple of the original rent of the punjah field, of whatever class it may be." So it would seem from this, that if a man improved his holding so as to convert it from a field into a garden, his rent was quadrupled at the end of five years. This was the practice in Coimbatore. But the principal collector of Salem, in answer to the same question, said: "In the Salem district no increase of assessment follows improvement effected at the expense of the cultivator."* I believe it may be generally stated, that although the cultivator has more interest in the improvement of his lands than he had under the old Ryotwar settlement, it would be far better if he had still more.

In reply to a question, put by Lord William Bentinck, relative to the amount of land not under cultivation, the Salem collector replied that in his district one half of the culturable land was uncultivated.† The reply of the Coimbatore collector was much more favorable. He repeated that there was about 22 per

* *Replies to the Governor-General.—Lord William Bentinck's queries respecting the Ryotwar system of Revenue Administration in the Presidency of Fort St. George, by the principal Collectors of Coimbatore and Salem.*—These papers were printed for official use; but I do not know whether they have ever been published.

† The writer in the *Calcutta Review* already quoted, whose statistics principally relate to the Salem district, says that some of the best lands there are lying waste, on account of over-assessment. No one will venture to take lands the cultivation of which must be unproductive of profit, if not productive of loss.

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cent. of waste land in his district. These local variations may sometimes be accounted for by a reference to the state of the country when it first passed under our rule, but they are commonly regulated by the amount of the assessment. And looking at the general state of the districts under the Ryotwar settlement, it would seem not to have been favorable to the progress of cultivation. In 1821, Munro acknowledged that there was no means of bringing more land under cultivation, and so increasing the revenue, except by reducing the assessment. And twenty years afterwards Lord Elphinstone enunciated the same truth. But although in all parts of the Bengal Presidency under the Zemindarry and Village Settlements cultivation has greatly increased, the most recent authorities on the subject of the Ryotwar settlements admit that we are "still collecting the revenue inherited from the most oppressive of native governments."*

Still, in spite of the over-assessment, the revenue is collected with considerable punctuality. The unrealised amounts are not large, though much larger than they were. "The Ryotwar system," wrote the Salem collector, in 1834, "having now been in operation here for many years, and the Ryots being aware of the exact sum they have each to pay, and of the time in which it must be paid, are in general pretty regular in their instalments." This authority gives a tabular statement of ten years, from which it appears that the net-settlement in the first was 1,690,240 rupees, and in the last 1,410,624 rupees, but that whereas the per-centage of irrecoverable balance in the first year was 7 annas, 6 pie (or less than $\frac{1}{3}$) per cent., in the last it was 2 rupees, 3 annas (or 2 $\frac{3}{16}$) per cent. In Coimbatore we have a similar account of

* *Calcutta Review, June, 1852.*

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diminished receipts and increased balances. The net-revenue had diminished in the last ten years; and the per-centage of the balance has risen from 2 annas, 6 pie (or about $\frac{1}{7}$) per cent., to 2 rupees, 10 annas (or more than $2\frac{1}{2}$) per cent. To what extent this may be attributable to the increased forbearance of the revenue-officers, I do not know; but it would be just to take it into reasonable account. The legitimate means of coercion are principally distraint and attachment. But sometimes the native revenue-officers resorted to illegitimate means of extracting blood from a stone. The heads of the villages, too, are said to have "occasional recourse privately to various unauthorised modes of stimulating the tardy payer; such as confining, placing him in the sun, obliging him to stand on one leg, or to sit with his head confined between his knees, till the constrained position becomes painful." But all such violent modes of coercion are merely the remains of native barbarism—relics of old customs favored by the mild Hindoo under the native governments. The European functionary has ever set his face steadfastly against them, and has not been slow to punish, on conviction, such cruelties as these. Even imprisonment is seldom or never resorted to in these days. "No defaulters have been confined in gaol of late years," said the collector of Coimbatore in 1834; "in cases of mere default this measure is not deemed essential."

Looking impartially at all these things, I think it must be admitted that, although the Ryotwar settlement was undertaken, not hastily or heedlessly, but after due consideration, and with a sincere desire to benefit the people, the results do not indicate the success of the experiment. But unsuccessful experiments are no uncommon things in the history of human administrations. There is nothing more remarkable, as

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there is nothing more mortifying than the fact, that many of the best efforts which have been made for the advancement of the happiness of mankind have resulted only in the extension and perpetuation of human suffering. It would be easy to multiply instances illustrative of this. But I conceive it to be one of those admitted facts which need only to be asserted.*

I turn now to another great revenue experiment, the results of which, as far as they have yet been ascertained, are only cheering evidences of the forethought and wisdom which have designed and fashioned it—I turn to that great experiment known as the settlement of the North-Western Provinces.†

* "It is mortifying to the pride of human wisdom to consider how much evil has resulted from the best and least exceptionable of its boasted institutions—and how those establishments which have been most carefully devised for the repression of guilt or the relief of misery, have become themselves the fruitful and pestilent sources both of guilt and misery in a frightful and disgusting degree. Laws, without which society could not exist, become, by their very multiplication and refinement, a snare and a burden to those they were intended to protect, and let in upon us the hateful and most intolerable plagues of pettifogging chicanery and legal persecution. Institutions for the relief and prevention of poverty have the effect of multiplying it tenfold —hospitals for the cure of diseases become centres of infection. The very police which is necessary to make our cities habitable, give birth to the odious vermin of informers, thief-catchers, and suborners of treachery—and our prisons, which are meant chiefly to reform the guilty and secure the suspected, are converted into schools of the most atrocious corruption, and dens of the most inhuman torture."—[*Lord Jeffery.*]

† I regret very much that in writing this chapter, I had not the assistance of Mr. Dykes' interesting volume, "Salem —an Indian Collectorate," which appeared about the same time as the first edition of this work. It may be studied with very great advantage by all who would make themselves acquainted with the working of the Madras revenue-system.

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CHAPTER IV.

The Settlement of the North-West Provinces—First Acquisition of the Country—Primal Measures of our Revenue-Officers—Their Insufficiency—Injustice to the Old Proprietors—Frauds of Native Officials—Government Measures—Commissioners Appointed—Partial Remedies—Further Enactments—Mr. R. Bird—The New Settlement—Its Agents—Its Character—Its Results.

WHEN the armies of Lake and Wellesley broke the Mahratta power on the banks of the Jumna and the plains of Berar, and the north-western provinces of Hindostan became subject to the white men, who ruled in the Carnatic, the Deccan, and Bengal, and had established themselves in the priestly city of Benares, the settlement of the revenue of the ceded and conquered districts became a matter of primal concernment. Somehow or other the thing was to be done; and it was to be done quickly. The country was conquered, and now it was to be forced to give up its treasures to the conqueror. Those treasures were no longer to be found in a state of glittering condensation, hidden in the bowels of grotesque idols, in gorgeous Pagan fanes, or buried in the palaces of prostrate princes. The wealth of our new possessions was spread over a vast surface. It was to be found only in the soil; and being so found, there arose a question regarding the mode of acquisition and appropriation—a question not quite so easy as that presented for the solution of Mahmoud of Ghuznee, when the treasures of the conquered country dazzled the eyes and stirred the heart of the invader.

The territory first ceded was a portion of the great

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province of Oude. Lord Wellesley was Governor-General of India. His two brothers, Arthur and Henry Wellesley, had followed the fortunes of their vice-regal relative, and were now within reach of his directing hand. The soldier was laying broad and deep the foundation of his military renown. But provision had to be made for the civilian. Mr. Henry Wellesley was in a more equivocal position than the major-general, who was about to lead a division of the British army against the Mahrattas of Berar. He was not a Company's servant. He had not graduated as an Indian administrator. He was simply what in the case of common men would be called an adventurer—a hanger-on. Lord Wellesley now made him lieutenant-governor of the ceded districts in Oude.*

It would be difficult to conceive a more onerous and more delicate duty than that which was entrusted to him. It was his to superintend the entire administration, fiscal and judicial, of a new and extensive tract of country, inhabited by a race of people officially declared to be "unaccustomed to any regular system of order or law, and habituated to commit the utmost excesses of violence and oppression." It demanded a thorough knowledge of the country and the people, but that which was not possessed at all by Mr. Wellesley, was possessed to some small extent by his coadjutors. A board of commissioners was associated with him; and under them were set to work the required array of judges, and magistrates, and collectors, with their Regulations in their hands. The misrule, which preceded our assumption of dominion, and the disorder which we found in every department, were so vast, that it would have been a miracle if any great amount of success had attended

* I do not wish to convey the impression that this was merely a job, for there may have been sound policy, at that time, in placing the brother of the Governor-General at the head of the provisional administration of the new provinces. Such an arrangement may have given something of character and dignity to the new movement not to be derived from any other personal source.

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our initial operations. A triennial settlement was undertaken, mainly with the landholders, on the expiration of the current financial year; and a Permanent Settlement was promised, after two more experiments similar to the first, of three and four years' duration.

But soon to these ceded Oude districts were added those which we had gained, by right of conquest, from the Mahratta chieftains—a large and noble tract of country between the Jumna and the Ganges. The Bengal Regulations, already applied to the Oude districts, were now to be presented to our newly-acquired North-Western Provinces. There was, after the current year, to be a three years' settlement, and then a four years' settlement, and then a settlement in perpetuity. So strongly impressed was Lord Wellesley with a conviction of the advantages of the Permanent System, and so eager was he to promise those advantages to the North-Western Zemindars, that he omitted in the Regulations, which he promulgated to make the permanency of the settlement, conditional on the confirmation of the Court of Directors.* The omission was subsequently repaired by his successor. A new Regulation announced to the landholders that the permanency of the settlement was to depend upon the will of the authorities at home.

The system of land-revenue which obtained at this time was based upon the old establishment of village communities. These institutions existed but in an imperfect, fragmentary state; and when the officers of the British Government began hastily and loosely to establish some intelligible system of revenue collection, or at all events to make out clearly the parties to whom the State were to look for the apportioned amount of revenue, they groped about painfully in the dark. All sorts of claimants arose, with titles good, bad, and in-

* In 1803 and 1805. The provisional Government was dissolved at the beginning of the former year. Mr. Wellesley settled his accounts and returned to England.

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different, and flocked to the Collector's Court at the chief station, urging their proprietary rights. Embarrassed by these conflicting claims, the Collector placed himself in the hands of the "Canoongo," or native Registrar, and decided according to his dictum upon the claims that were laid before him. There was little or no inquiry, and the decision was wrong. The amount of revenue had then to be fixed; and here again the authority of the village functionary was generally followed, and the valuation was generally wrong.

The difficulty of the task was very great, and it would have been strange if our first efforts had been more successful. One thing alone was certain at this time —that the amount of information possessed by the revenue-officers in the Ceded and Conquered Provinces was not sufficient to enable the Government, with any hope of doing justice to its subjects, to introduce a permanent system of assessment in that country. When, therefore, under the government of Lord Minto, who had taken up the revenue opinions with the high office held by Cornwallis and Wellesley, and had notified to the Zemindars and other proprietors (by Regulation X., 1807) that the assessment under the existing settlement would remain fixed for ever, if the arrangement should receive the sanction of the Court of Directors, a Special Commission was deputed to the Ceded and Conquered Country to give effect to this declaration, it is not strange that they should have hesitated to commit the State irrevocably to a measure which its executive officers were not prepared to recommend, and the country was not prepared to receive. A settlement, fixed in perpetuity at that time, could only be based upon error, the results of which would be laden with injury to the State and injustice to the people.

The Commissioners of whom I speak were Mr. H.

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St.George Tucker and Mr. R. W. Cox. Setting out on a tour of inquiry early in the cold season of 1807, they visited all the different collectorates, and diligently sought the opinions of all the different collectors. They had the strongest possible faith in the principles of the Permanent System, but the further they proceeded the more obvious it became, that such a measure as the declaration of a perpetual assessment would then be premature and dangerous.*

The collectors were nearly all of this opinion. They recommended short settlements, further inquiries, and detailed surveys. It was clear to them, and it was clear to the Commissioners, that the Ceded and Conquered Provinces did not at all resemble Bengal. "When we reflect," wrote the latter, "that the miseries of famine have perhaps been averted in Bengal by the lamented patriot who gave the Permanent Settlement to that country, we feel the utmost repugnance at the idea of opposing its extension to our new possessions. But Bengal is different in many particulars. The land is more easily cultivated, and is fertilised by a periodical inundation; water is easily procured; wells, reservoirs, and aqueducts are unnecessary; and a large capital is seldom required for agricultural purposes. The inferior landholders, and even the peasantry, can carry on the cultivation of their lands without those aids which must be furnished to secure

* Mr. Tucker, in after years, often spoke of this Commission; and I am enabled, therefore, clearly to state, on his own authority, the course which he pursued at this time, and the opinions which he entertained. "I was appointed in 1807," he wrote, "to carry into execution a measure which successive administrations had considered to be essential to the prosperity of the country. Although concurring most unreservedly in the opinion that it was wise and salutary, and that it contained a vital principle which must in due season work out all the good anticipated, I ventured to counsel delay, upon the ground that we were not at the moment in a state of preparation to consummate so great an undertaking; but it never occurred to my mind that the principle of the measure was to be abandoned, or that the landholders who had received from us the most solemn pledge given in the most authentic form, were to be denied for ever the promised benefit, and that in the end they were to be cast aside as a mere incumbrance upon the earth. That pledge can never be effaced, although it remains unfulfilled." —[*MS. Records.*]

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the prosperity of the Western Provinces. But, above all, we were in every respect better prepared in Bengal to undertake a measure, which, at a future period, we shall gladly see extended to the rest of our possessions."*

The reluctance of the Commissioners, though not altogether acceptable in Calcutta,† found favor in Leadenhall-street. The Court of Directors approved of these recommendations, and wrote out earnest letters to Bengal, cautioning the local Government against committing them to any system of unalterable assessment. "Before undertaking so arduous a task as that of irrevocably settling in perpetuity the lands of a province, and fixing the demand of Government upon those lands in perpetuity, we have always considered a patient and laborious scrutiny of individual rights, a careful investigation of local peculiarities, together with a minute and detailed survey of the extent, cultivation, and productive powers of the territory, as indispensable. . . . . Supposing that in Bengal our expectations had been realised to their full extent, it would not follow that a plan of settlement which had succeeded in a country, of which we had been from twenty or thirty years in possession, was equally applicable to provinces which have lately devolved under authority."‡ And a few months later they wrote still more decidedly on the subject—"The object of this present despatch is to caution you in the most pointed manner against pledging us to the extension of the Bengal fixed assessment to our newly-acquired territo-

* *Report of Messrs. Cox and Tucker, April 13th, 1808—Revenue Selections.*—This elaborate and very able report was written by Mr. Tucker. It is not only full of valuable information, but it contains the expression of sound statesmanlike views on many questions of general policy.

† Mr. Colebrooke recorded a long minute on the subject, in which he said —"There is room for regret that the gentlemen to whom the execution of the measure was committed should have put into deliberation not the best means for carrying it into effect, but the expediency of the measure itself which they were selected to execute."

‡ *Court's Letter to Bengal, February 1, 1811.*

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ries. We are aware of your resolution not to declare any settlement permanent till it has obtained our sanction and approbation. It is not, however, without anxiety that we have learned from your late despatches that a triennial lease has been concluded in the Upper Provinces, which expires, we believe, in the course of April, 1812, whereby the assessment in the third year of the lease has been declared by you to be permanent, provided that we shall confirm the terms of settlement, because this arrangement may have excited an expectation on the part of the natives which we are not by any means prepared to satisfy."*

Thus was the question of the permanent assessment of the Ceded and Conquered Provinces settled, at all events for a time.† In the mean while short leases were granted, from three to five years, to proprietors, or pseudo-proprietors of different kinds, to Zemindars, to independent Talookdars, and other claimants; but even during those short periods it was often necessary to re-adjust the amount of assessment. All this created much discontent. Many, unjustly deprived of their proprietary rights, clamored for redress, and were told to appeal to the civil courts. This, in effect, was a mockery and a delusion. The perplexity was only increased. The errors of the revenue were often perpetuated by the judicial department; and the suitor involved in new embarrassments more painful than the old. "Decrees," it is said, "were constantly passed so irreconcileable with truth and justice, that it was absolutely impossible to execute them."

The mode of collecting the revenue tended equally to the perpetuation of injustice. The collectors en-

* *Court's Letter, Nov.* 27, 1811.

† The question was from time to time revived at the India House, and some very able members of the Court, including Mr. Edmonstone and Mr. Tucker, advocated the introduction of the Permanent Settlement into the North-West Provinces; but the majority of the Court did not entertain the project.

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deavoured to guard against default by placing watchmen over the standing crops. If, in spite of this precaution, there was a deficiency of revenue, the property of the registered landholder was distrained, and he himself thrown into prison. Then the estate was put up to sale, and perhaps purchased, at a nominal sum, by some astute native official—often a stranger from the lower provinces.* But as these large estates, although standing on the Government records in the name of some one recognised proprietor, were in reality often held in coparcenery among a number of sharers, of whom Government had no knowledge, it happened often that the default of a few caused the punishment of many. All were immersed in one indiscriminate ruin. The hereditary cultivators were deprived, hastily and absolutely, of their rights, and compelled to sue for leases under some fortunate, perhaps fraudulent, purchaser, whom they hated and despised.

The processes by which the old landholders were defrauded of their proprietary rights varied, more or less, according to circumstance and to character, but they all belonged to one common family, and had many features of general resemblance. Many personal sketches might be given in illustration of the trickery practised upon unsuspecting proprietors by astute native officials. One, however, will suffice for the purpose; it is a striking one; and I give it almost in the words in which the story was related to me. During the prevalence of the hot winds of 1818, a zealous and intelligent civil officer in the judicial department was abroad in his district, on duty. He was fixing the position of a line of police-stations for the protection of the highways, when he came upon a sequestered village, near the banks of the

* Nearly one-half of the Cawnpore and Allahabad districts passed into the hands of native officials.

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Jumna, and halting upon one of those artificial mounds which in that part of the country mark the sites of ancient villages, was quietly enjoying the noble sunset and the fine prospect around him. Whilst thus engaged, an old and respectable-looking Hindoo crawled out of a neighbouring hut, and approached him. The European official and the native villager soon fell into conversation. There was something in the language of the latter which fixed the attention and excited the interest of the English gentleman, and after a while he asked the native who he was. "Who I *am*, do you ask?" answered the man. "I *am* the owner of that hut which you have just seen me leave. Who I was, would you know? I *was* the chief of all that your eye can take in from this height."*

The English gentleman asked how this had happened. "Oh!" said the old man, "in the usual manner, by a *neelam*" (auction). And when the sahib pushed his inquiries further, told his story nearly in these words:— "When your rule was first established in these parts, I had never seen an European, and naturally sought for some native authority through whom to make my approaches towards the personage of this new race, who was henceforth to be the ruler of my native province.

"I was advised to apply to a certain Nusser Ali, then the Dewan, and reported to possess great influence with the European collector. To him, accordingly, I repaired. His story was, that the collector was like a tiger, and that I ought, for my own safety, to shun his fearful presence. To enable me to pay my revenue without incurring this risk, he advised me to send every instalment as it became due to him, and promised that he would pay the amount faithfully to the collector.

* Whether the Hindostanee word was *malik*, *zemindar*, or what other, my informant does not remember; but the meaning conveyed was, that he had been the chief landed proprietor in that part of the country.

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"In an evil hour I took his advice, and sent my money regularly to Nusser Ali. And so things went on very well for a year or two, when suddenly I was alarmed by the announcement that a stranger had appeared on my domain, and was enjoining all the cultivators to pay their several dues to him. I sought the stranger out, and asked him how he came to exercise such authority within the limits of my estate. 'Oh!' said he, 'I have bought this estate at auction; and it is mine.' I had never heard the word (*neelam*) before, and I hardly knew what it meant. But I hastened to Cawnpore, and there discovered that the Dewan, to whom I had paid the Government dues, had kept back the amount remitted, so as to throw the estate into arrears; he had then obtained an order for its sale, which, possessed of early information, he had easily managed to prevent, and had finally got it purchased for himself, under a fictitious name.

"The fictitious name stood on the records until the Dewan retired from official life, when his own name was inserted as purchaser by private sale from the man of straw, and thenceforth the estate was openly held as his own."

This is one of many instances which might be cited in illustration of the evils attending our first hasty efforts to "settle" the revenue of the North-Western Provinces. But perhaps the largest amount of injustice inflicted upon the landed proprietors at this time arose out of a confusion of terms. Many a man found that he had lost his old territorial rights simply because the new English rulers had described him by a certain word, the dire import of which he himself by no means clearly understood. The revenue-payers under the first settlement were set down in the Government records, with

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few exceptions, as *Moostajirs*, or Farmers. There was another column, headed with the word *Malik*, signifying Proprietor, which was generally a blank in the original books. The landholder little knew the relative importance of the two words—little dreamt that, in the course of a few years, the ominous title under which he was registered would prove fatal to his claims to the continued occupancy of the land. But when the period for which he had first contracted was at an end, he found how "the letter killeth." The astute native functionaries, who had followed the British revenue-officers from the Lower Provinces, hit the blot in a moment. They saw how they could turn it to account, and devised a scheme whereby a large portion of the land was swept into their own possession. When the original lease granted to the recorded "Moostajirs" was at an end, the native functionaries reported that the first contractors were only farmers —that they had no proprietary rights at all—but that certain other men, whose names they mentioned (principally Mussulman names), were the legitimate proprietors, and ought to be so entered in the Government books. The collectors placed too much confidence in these specious stories, and the names of some men of straw—some relatives or dependents of the native officials—crept into the columns of the register, headed with the word *Malik*. The man of straw made way in due time for the real Jacob. And such was the wholesale work of these supplanters, that one man (a Dewan, or chief native functionary under the collector) contrived to possess himself of ninety large villages, "whilst another had become sole proprietor of the whole pergunnah, or subdivision, which at first constituted his official jurisdiction as *Tuhseeldar*."* No wonder that it was said, with asto-

* *Mr. Robertson's "Remarks."*

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nishment, by the people of the Upper Provinces—"Yours is a strange rule. You flog a man for stealing a brass pot, and reward him for stealing a pergunnah!"*

Thus were all the estates in the country passing away, one by one, from the hands of the ancient proprietors, who stood, bewildered, confused, dismayed, scarcely knowing by what strange juggle they were suddenly, but almost imperceptibly, deprived of their rights. Many, as their descendants related, died of a broken heart. Others, less capable of silent endurance—high-caste and high-spirited Rajpoots—stung by this authoritative injustice, took the law into their own hands, and boldly asserted their rights—the rights of centuries of possession—in the teeth of the upstart claimant who had been yesterday installed by the fall of the Government hammer, or the juggle of a fraudulent Dewan. Acts of open violence—even midnight murders—were committed under a sense of this intolerable wrong. The eyes of Government were then opened. It had become clear that something must be done.

It must not be supposed, however, that the civil servants of the Company were wholly ignorant of, or indifferent to, the wrongs which were thus pressing upon the very existence of the old proprietors. The eyes, at least of some of them, were opened to this monstrous injustice, and strenuous efforts were made to redress the grievances which stared them so obtrusively in the face. Foremost among these may be mentioned the names of Mr. Henry Newnham and Mr. Thomas Campbell Robertson. In 1813, Mr. Newnham took charge of the collectorate of Cawnpore. He examined into many of these

* There were three settlements made during our first ten years' possession of the North-Western Provinces (from 1803 to 1813). In the first book, the column headed *Malik* (Proprietor) was almost entirely a blank. In the second, the name of Mahomed Roostum, or some other equally real newly-discovered proprietor, was inserted; and in the third, that of Nusser Ali, ex-Dewan, or some other of the same class, was registered as purchaser from the said fictitious Mahomed Roostum.

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cases of fraudulent transfer of property, and reported upon them to the Revenue Board at Furruckabad. The Board, however, had no power to interfere, and the sufferers were referred, for their remedy, to the civil courts. Many suits were then instituted, but the *word*, again, was more potential than the fact. Our judges read the unhappy word "Moostajir," and could not possess themselves of the idea that a Moostajir could be anything but a temporary leaseholder, in the English sense of the term, and so either the case was dismissed, or the plaintiff was nonsuited.

Matters were in this state when, in the early part of 1817, Mr. Robertson assumed the office of Judge at Cawnpore. He had heard little or nothing of the peculiar cases of which I am now writing, and took up the first on the file without any idea of its especial importance. He saw at once the hideous injustice of ousting a man in actual possession, solely on the strength of the word under which his name had been entered in the Government books, and he called for proof of the title under which the supplanting Meer Roostum, who had crept in so insidiously as "Malik," held the litigated estate. No proof, of course, was forthcoming; so the English judge ignored his claims, and decided in favor of the original "Moostajir," who was shown at the same time to have been, from time immemorial, the head man of the village, and as such, the legitimate contractor. When this decision was pronounced, an excited buzz ran through the court-house, and the excitement was caught up by the natives outside the walls. The triumph of the village landholders was great; but unfortunately it was short-lived. The case was referred to the Court of Appeal at Bareilly, and the court cancelled the decision. It was held that any man's title was better than that of the unfortunate contractor who had once been registered as a Moostajir.

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Fortunately, Mr. Robertson was not a man to be checked, when on the right path, by such obstructions as this. The court continued to reverse his decisions; but on a special appeal to the Sudder Court of Calcutta, of which Mr. Courtenay Smith was a member, there was some inclination in that highest quarter to side with the Cawnpore judge. The process, however, was too dilatory for Mr. Robertson's eager sense of justice, and he took the irregular course of translating some of the awards of the Court of Appeal, and forwarding them with a letter to Government. This mode of procedure, though unusual, was not unsuccessful. In 1821, a Regulation was passed recognising the injustice which, under cover of the Sale Law, had been done to "poor and ignorant men," and appointing Commissioners to inquire into all the transfers of property which had taken place during the first eight or ten years of our government of the North-Western Provinces, and the general state of the landed tenures.

Little permanent benefit resulted from this. The machinery was not suited to the purpose. It was too stately and formal. An immense quantity of work was thrown upon it; some inquiries were instituted; some unjust decisions were reversed, and many compromises were effected. A partial remedy was applied to individual cases; but the root of the evil was not touched. Indeed, these judicial tribunals were not suited to such a purpose as the adjustment of territorial claims.* They who had thought most on the subject were of opinion that the required settlement was best to be effected by revenue-officers, moving among the people, conversing freely with them, and altogether extricating themselves from the formal incumbrances of official state.

* The first commissioners appointed were Mr. W. W. Bird and Mr. H. G. Christian, and as long as the special powers, so created, were in the hands of such men, the regulation worked advantageously; but when they were conferred on all the commissioners of revenue, without regard to their especial fitness, the consequences were most pernicious.

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Foremost among these was Mr. Holt Mackenzie, a man of large and liberal views, and of a thoughtful nature, who told the collectors to shoulder their guns, to go out among the people, and bring back information with their game. Views of this kind led to the framing of a regulation—very famous in the history of Indian Land-Revenue—known as Regulation VII. of 1822, which was, doubtless, an advance upon anything that had been before promulgated, but which was not without inherent defects. It was stuffed too full of requirements. It imposed upon a limited agency almost unlimited duties. It emanated from one, indeed, who had not graduated in the revenue department, and who had over-estimated the amount of detail work which our revenue-officers could adequately perform. The principle was sound—the proposed system was excellent—but for want of sufficient means to carry it into effect, it was one of difficult accomplishment. So it happened that the work of revision went on so slowly, that when ten years had elapsed from the time of its initiation, it was calculated that it would take sixty more years to render the work complete.

From all that I have written up to this point the reader will gain no very clear conception of what is the nature of the revenue settlement existing in the North-Western Provinces of India. Up to this point, indeed, there is little but confusion and obscurity in my pages, as there was little but confusion and obscurity in the revenue administration of that part of the country. We found that a great variety of tenures had been recognised by the native governments, prior to the cession of the provinces; and we took what we found without considering whether we were adopting indigenous institutions, or merely the corrupt growth of usurpation and abuse. We were not answerable for the fruits of disorganisation and misrule, which

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came ripe to our hands; nor could we obviate the necessary evils of that worst of all transition-states —the transition of a people from one government to another. It would have been strange if, at such a time, there had not been a scramble; it would have been strange if some impostors had not stepped in, if just rights had not been temporarily obscured and fraudulent claims erroneously recognised. Our British administrators, in this epoch, knew just as much as they could reasonably be expected to know. They had a clear conception of a Zemindar, and some idea of a Ryot. All the proclamations and regulations issued at this time, were addressed to "Zemindars, independent Talookdars, and other proprietors." Doubtless, there were such personages in the Ceded and Conquered Countries, but the "other proprietors" included a far more important class. The collectors, who were pushed up damp from Bengal, knew little or nothing of the village communities, which, from remote generations, had flourished in Upper India. But from year to year, as time advanced, knowledge dawned more clearly upon them. The darkness began to disappear. Our revenue-officers saw with greater and greater distinctness facts instead of fictions before them. They had peopled the provinces in the first instance with the latter, carrying their own preconceived notions of landed tenures and agricultural systems to a country which knew little or nothing of the things which their new rulers had stereotyped in their minds. But in time, the ancient institutions which had been shrouded from them, or which they only saw in a glass darkly, they now saw face to face; and with this knowledge came the conviction of the burden of wrong which our ignorance must have brought upon the land.

The settlement of the North-Western Provinces is

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now officially described as a "Putteedaree" Settlement*—that is, a settlement made with the "Putteedars," or sharers of estates. But in our earlier revenue transactions in the Upper India little or no account was taken of such people as "Putteedars."† They were the proprietors of the several allotments of estates held under the old village system—that system which our administrators in the early part of the present century trod down so remorselessly in their chase of Zemindars and Talookdars, and other great individual proprietors or contractors of the same class. We had, indeed, contrived almost to crush these village communities, and had committed the great cardinal error of governing the people after any other fashion than their own. But with a progressive increase of knowledge came a progressive improvement in the administration of our new provinces, and we began more and more to shape our system in accordance with the institutions and usages of the people. It would be easy to trace through the Regulations of the first quarter of the present century growing indications of this expansion of knowledge—of this ever-increasing desire to lessen the gulf between the rulers and the ruled, and to adapt our forms of government to the real requirements of the country. But it was long before so difficult a subject—one so intricate in itself,

* Land-Revenue definitions are no easy things to write, so I gladly borrow a description of the Putteedaree Settlement from the "Statistical Papers relating to India," recently prepared at the India House:—"Under the Putteedaree tenure the same estate is parcelled out into allotments, and thenceforward the shares in the net profits are commuted for equivalent portions of land. Each proprietor or shareholder undertakes the agricultural management of his separate allotment, paying through the representative of the proprietary body (the lumkerdar, or, perhaps, the head man of the village) such instalment of the Government revenue as may have been agreed to among themselves, in distributing the aggregate assessment. In the event of individual default, a joint responsibility attaches to the whole proprietary body; but any proceedings instituted by the Government for the realisation of the deficiency, would be directed, in the first instance, against the defaulting allotment. The characteristic of the Putteedaree tenure is cultivation in severalty with joint responsibility."

† The first Regulation which I can find, manifesting anything like an acquaintance with the Putteedaree system, is Regulation IX. of 1811.

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and to the eye of a foreigner rendered doubly indistinct and mysterious by the social exclusiveness of the people—was fully mastered, in all its bearings. The more we learnt, the more clear it became that we had committed a grievous mistake in overlooking the village communities, and the more eager we became to make atonement for the evil we had done.

The new Regulation, of which I have spoken, was a prodigious advance upon all its predecessors. It indicated a larger knowledge and a purer benevolence. It pledged the Government to ascertain, and when ascertained to recognise, the territorial rights of all classes. It was its object "to introduce a general and scientific survey of the country, to mark carefully and to record the boundaries of every village, to register the separate possessions, rights, privileges, and responsibilities of those communities who hold their lands in severalty, and of the several interests of those who hold land in common."*

The sum payable to Government by every individual shareholder was to be recorded; but every individual shareholder was not to have immediate transactions with Government. The payments of the shareholders were to be made collectively, by the head man of the village, or other representative; and a joint responsibility was recognised. "It was intended," says Mr. Campbell, "to combine the advantages of the Ryotwar system with that of village leases."† It

* *Raikes' "Notes on the North-Western Provinces of India."*—A very interesting work, which all should consult who desire further information regarding the history of this great settlement, and the nature of landed tenures in the North-West. A clearer conception of the village communities is to be derived from it, than from any other work with which I am acquainted.

† *Modern India*, page 323.—"The most common tenure of all in the North-West," says Mr. Campbell, "is that where a village belongs not to a single individual, but to a single family. In this case the great proportion of the land is cultivated by tenants; and the sharers have not their shares separately divided off—the tenants are the tenants of all in common. The proprietors generally live in the village, and their own cultivation is taken into account at lower rates. The whole collections are brought together, the revenue paid, and the surplus divided among the proprietors, according to the fractional share possessed by each. When there are many proprietors, one or two are chosen representatives and managers."

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afforded ample protection to individuals without clogging the wheels of the administrative machinery with a mass of individual contracts.

Such, briefly stated, was the intent of the new system of revenue administration which was to be introduced into the North-Western Provinces of India. But the great reform, as I have said, did not proceed apace, for want of an efficient agency to reduce it to energetic practice. Ten years passed away, and the progress towards a thorough revision of the settlement was painfully small. It was plain, therefore, that the machinery must be improved.

Lord William Bentinck was at this time Governor-General of India, and he was on a tour through the Upper Provinces. He saw at once that it was necessary to do something to give more effective operation to the provision of the famous Regulation VII. of 1822. Halting at Allahabad, where a Board of Revenue for the North-Western Provinces had been recently established, he took counsel with all the best authorities on the spot, and the result was another famous regulation, known as Regulation IX. of 1833, under which the present settlement has been prosecuted, with so much vigor, to its completion. It embraced all the objects of the previous regulation, with other collateral aims, and it greatly improved the machinery of revision, and enlarged the personal agency to be employed. Special settlement officers were to be appointed, not burdened with other duties; civilians, with all their time and all their energies to bestow upon the great work that opened out before them.

The objects which it was now proposed to embrace were these:

1. The revision of the assessment.

2. The better division of the instalments of revenue payable to Government.

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3. The demarcation of the exterior boundaries of estates and villages.

4. The correction of the system of accounts at the Tehsildar's offices, and the arrangement of their records.

5. The formation of a fund for the construction of roads.

6. The establishment of a provision for the support of the village police.

7. The resumption of all hidden rent-free tenures brought to light by the surveys.

8. The recasting or retention of the large tenures.

9. The demarcation of the component portions of every village; the recording of the several rights comprised therein, and providing for their maintenance; and the registering of all rights which may spring up hereafter.

The tract of country subject to these operations equalled in extent the whole of England and of Scotland. It stretched from Goruckpore on the south-east, to Hissar on the north-west, across a line of 700 miles, for the most part along the valleys of the Ganges and the Jumna.* In

* The North-West Provinces contain, by the last and most accurate returns, 71,985 square statute miles, with a population of 23,199,668 souls. The land-revenue, demanded from them in 1846-7, amounted to rupees 4,05,29,921; in addition to which they paid in the same year a nett sum of rupees, 16,60,901 (including collections due for former years), on account of Abkarí, and of rupees 12,33,903 for stamps. The customs duties, levied on the frontier during the same period (by far the greater part of which must be considered a tax upon these provinces), amounted to about rupees 26,00,000; thus making up, with other minor sources of income, a total revenue of more than five crores of rupees. The whole territory is divided into thirty-two districts, which are classed in six divisions. The whole of these have come under survey; but there has, of course, been no general revision of the revenue in those parts of the Benares division, of which the Government demand was permanently fixed in the year 1795. The revenue has there remained unaltered, except in cases where an estate had always been farmed, and the demand had therefore never been determined in perpetuity; or where the permanent demand had broken down, and required reduction. . . . . .

In extent of territory, therefore, the provinces which, with the above partial exceptions, have come under settlement, are about equal to England and Scotland, without Wales. In point of population, they about equal Italy, including Sicily and Sardinia; while the gross revenue, realised from them, exceeds by one-half that of the kingdom of Belgium. Following the line of the Ganges and Jumna, the extreme distance, from Goruckpore on the south-east, to Hissar on the north-

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this country was embraced a large variety of soils and climates, and numerous races of people, differing from each other in language and character and in the institutions which they favored and developed. Between the country to the east of the Ganges, and that which lies westward of the Jumna, the difference is peculiarly striking. On one side noble forests and mango-groves, fields rich with an abundant harvest, sparkling streams and pools of water vary and refresh the landscape, whilst on the other there is little more than a dull uniformity of arid plain. Between these two extremes lies the Doab, the country between the two rivers. Here there are signs of a more advanced civilisation—of a fuller development of industrial energy and skill. Here are the large towns and the more important villages, and here the labor of man has striven to compensate for the deficiencies of nature, and to make the soil yield abundant produce without the aid of the heavenly nourishment, which is seldom wanting in the country to the west. Mainly upon artificial irrigation is the country dependent for the security of the crops. Within the boundaries of the North-West Provinces there are soils of all kinds, from wet clays to light sands, adapted to the growth of various descriptions of produce—of sugar, of wheat, of rice, of cotton—and as many varieties of cultivators as there are soils under cultivation—Rajpoots and Brahmins, Jats and Goojurs, with different manners, different characters, and different descriptions of landed tenures, different methods of measurement and modes of assessment, different distributions of property, different laws of inheritance.

west, is nearly 700 miles. In this wide expanse of country, much diversity of race, language, and character, is naturally met with among the occupants of the soil. The Rajpút of Azimghur, the Brahmin of Cawnpore, the Ahír of the ravines of the Jumna, the Gujur of Meerut, and the Jât of Delhi, have all peculiarities which distinguish them, not only from other tribes, but also from men of the same tribe in other places.—[*Calcutta Review*, No. xxiv. Article: "The Settlement of the North-Western Provinces."]

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There were, of course, generic resemblances establishing a certain unity of descent; but the varieties were so distinct as to render it necessary that nothing should be done without a close study of the local peculiarities which distinguish the different members of the great family.*

* The writer of the Settlement article in the *Calcutta Review*, above quoted, gives the most graphic picture of the general outward characteristics of the North-West Provinces with which I am acquainted.

"The North-West Provinces," he writes, "are situated almost entirely in the valleys of the Ganges and Jumna; the principal part of them lying between those rivers. There is little variety in the flat alluvial soil to attract the admiration of a passing traveller, accustomed to the interchange of hill and dale in other countries. Nevertheless, if he leaves the high road, and penetrates into the more secluded parts of the country, he will acknowledge that, even here, the hand, 'which makes all nature beauty to his eye,' has not been wanting. If he visits the districts to the east of the Ganges, which border on the Sub-Himalayan hills, he will find much of the luxuriance of tropical vegetation, together with a brisk air and healthy climate in the winter months, such as few tropical regions can boast. There he will see the groves, of which Virgil had heard,

'Quos gerit India lucos;
——— ubi æra vincere summum
Arboris haud ullæ jactu potuere sagittæ.'

The tiger and the elephant still dwell in the remains of the primæval forests, and magnificent mango topes cover large tracts not yet required for the plough. There the fields are rich with abundant harvests, produced with slight labor, and subject to few uncertainties. The little hamlets, with their low thatched roofs, stand closely together, but do not yet contain a population adequate to the full occupation of the land. Patches of bush and grass jungle are thus interspersed with the cultivation, and relieve its uniformity; nor have the palm and bamboo, the banian and the peepul, yet been proscribed as intruders. Streams and pools abound on every side, and assist in varying the landscape.

"If the traveller now crosses into the Duáb, he will perceive a considerable change. There is no longer the same moisture in the soil or climate, nor the same spontaneous fertility. The industry of man has succeeded to the profusion of nature. He now meets with more towns of note from their size or antiquity. The villages are larger, and stand further apart; while their flat roofs, and the height to which, in the course of ages, they have risen above the plain, give them an imposing appearance from a distance. The walls, with which they are often enclosed; the mud fort, perhaps, at the foot of which they are built; the distance which the people have to go to their daily labor; all point to those former troubled times, when a defenceless cottage in the open fields was a most insecure habitation. Yet the face of the country is by no means bare or unpleasing so long as the crops are on the ground. These are raised with greater toil than in the more humid districts, but are generally plentiful, except in seasons of peculiar drought. Wheat, sugar, and rice, are less extensively raised; but cotton, as a valuable article of produce, in some degree supplies their place. The trees, which love the water side, have disappeared, but many remain; and some of these, as the mhowa, the tamarind, and the jamun, still attain a noble size. It is not till the visitor reaches the arid plains to the west of the Jumna, from Etawah to Hissar, on the extreme verge of the British territory, that vegetation really languishes. There the red sandstone hills rise through the hitherto level surface. Except in those favored spots where wells can be formed, or down the line of the Delhi Canal, the husbandman trusts almost entirely to seasonable rains. The hardy babúl and ferash alone break the line of the horizon, and everything betokens the nearer approach to the deserts of Marwar and Bikanir.

"In common with most parts of

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It was a great work, assuredly, which now had to be done, and it required all the energies of a great man to carry it out. It was not to be done by one man—not by a score of men—but it was necessary that over the extensive agency now to be employed should be cast the equal light of one directing mind. There was fortunately a man at hand fitted for the work, and eager to accomplish it. Mr. Robert Mertins Bird was a member of the chief Board of Revenue at Allahabad. He had been reared in the judicial department; but during a connexion of some twenty years with the law courts he had brooded over the great question of Indian revenue, and had, perhaps, as large a knowledge of the subject as

Southern and Central Asia, the fertility of the soil in this part of India depends mainly upon artificial irrigation. When the means for this are available, not only will a sandy soil yield a good crop, but the nature of the soil itself is often gradually improved. Vegetable matter accumulates in the course of years from the remains of former harvests, and from the manure, which it is worth the while of the cultivator to expend upon the land. If, on the other hand, water be wanting, the produce is always uncertain; the cultivation is less cared for; and the usually light soil drifts about with the fierce winds of May and June, till pure silex alone is left in it, or till the barren under stratum of kunkur, or of red indurated clay, appears. The lands nearest the villages are naturally those which receive most attention, and are worked up to the greatest productiveness. These lands often bear two crops in the year, and pay rents of ten rupees, or more, the acre. Their extent varies according to the populousness and prosperity of the village, and to the classes who inhabit it, but seldom exceeds six or eight per cent. of the total area of the estate. Next to these come the second-rate lands, varying up to twelve per cent. of the whole; while the great bulk of the area is thrown into the third or lowest class. This threefold division, with the additional distinction of irrigated and non-irrigated, is prevalent under different names in most parts of the country. Other local peculiarities are of course everywhere to be found. In the vicinity of the rivers it is necessary to distinguish between the low *khadir* land on the borders of the stream, and the *baugar* land on the level of the high bank. In other places the gentle undulations of the surface cause a succession of clayey hollows and sandy ridges, each of which has its peculiar products and capabilities. Even in level tracts, there is often much difference in the stiffness and strength of the soil, according as the sand, which forms its principal basis, is mixed with more productive ingredients. Some local soils are noted for their suitability to peculiar articles, as a certain wet clay in the eastern parts of Goruckpur for sugar, and the black soil of Bundelcund for the Al root. The quantity of saline matter in the earth and water is another point, deeply affecting the value of the land. Where the water is brackish, the agriculturist is much restricted in his choice of crops; many refusing to grow at all under such circumstances, and others requiring an abundant supply of rain-water to counteract the quality of that drawn from the wells. Where much soda is present in the soil, large plains are found entirely destitute of vegetation from this cause, nor has any remedy yet been discovered for the sterility thus produced." —[*Calcutta Review*, No. xxiv.]

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any man in the country who had been trained in that branch of the service. The measures which he was now summoned to carry out "had been many years previously planned and elaborated by him, as measures of a purely judicial character when he was holding a judicial office, and had no prospect of ever being connected with the revenue department. His experience in the discharge of his functions as a judicial officer led to the conviction in his mind that the existing tribunals were insufficient for the ascertainment of rights or their protection, and that the combined effect of the revenue and judicial systems would be injurious and oppressive, unless those systems could be made to bear a more exact relation to the institutions and habits of the people."* The opinions thus formed in the judicial department had taken further shape and consistency, when, as Commissioner of Goruckpore, in 1829, he had first been directly concerned in the revenue management of the country; and when, on his subsequent elevation to the Revenue Board, the chief control of the settlement operations passed into his hands, he brought to the work a combination of rare qualities almost without a parallel in the entire range of a service bright with the names of distinguished men. All men do not concur in his opinions, for he pushed them too far, but all acknowledge his merits. All acknowledge that he had a large grasp of mind, great energy of character and honesty of purpose, catholic sympathies, and a warm heart. They who served under him regard him reverently and affectionately, as with the faith of a disciple and the love of a son, and seldom mention his name without an inward genuflexion. He selected his own agents, and he selected them well. And when he had made his choice, he did not withhold his confidence.

* Despatch of the Court of Directors, August 13, 1851 (a very valuable document). See also Mr. Bird's Report.

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He was a man of too genial a temperament and too kindly a nature to wrap closely around him a cloak of official reserve. He kept up a familiar intercourse with his subordinates, encouraged and upheld them. It was not to be expected that among so large a number of agents there should not have been some who disappointed him. It is said that he was not very tolerant of carelessness, or very patient of dulness, but examples of these irritating qualities were few; it fell to the lot of Robert Bird to commend far more frequently than to censure; and whilst he made few enemies he drew around him many friends.

The duty of revising the settlement of the North-Western Provinces was entrusted to a number of young civilians, who went out into the country, pitched their tents in the neighbourhood of the villages, summoned the villagers around them, and instituted their inquiries into the state of the different tenures. The Court of Directors of the East India Company, reviewing in 1851 the whole question of revenue settlement in the North-West Provinces, declared that the review had left on their minds an impression "of the high honor reflected on the civil service by the zeal, industry, ability, and good feeling of the several officers employed, necessarily with differences of degree, but with so little room for exception, that it would be invidious to particularise where there is such ample ground for general satisfaction." And the praise thus bestowed was not undeserved. Doubtless there *were* "differences of degree." Some men carried to the work of revision a larger zeal and a clearer understanding than others. And two different pictures of a settlement officer might be drawn by those who are expert in such limnings.* Hence it is that we read on one side of "the

* There is so much vitality in the annexed sketch of the life of a settlement officer, that I cannot refrain from quoting it:—"To all who have been experimentally acquainted with the work of settlement, it is associated with the remembrance of severe exertion, but at the same time of great and

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fair-haired Saxon youth opposing his well-trained intellect to the new difficulties which crowd around him,"

varied enjoyment. We look back, as through the vista of many years, and see the white camp rising in the long aisles of the ancient mango tope. We see the fair-haired Saxon youth opposing his well-trained intellect to the new difficulties that crowd upon him. We see him exerting daily, and with no vain or fruitless result, all his faculties of observation, of research, of penetration, of judgment. It is a strange sight—a wonderful proof of the power of intellectual and moral education—to watch the respect and confidence evinced by grey-headed men towards that beardless youth. We see him, in the early morning mist, stretching at an inspiring gallop over the dewy fields. Not unmindful is he of the hare, which scuds away from his horse's feet; of the call of the partridge from the brake; or of the wild-fowl on the marsh. The well-earned holiday will arrive, when he will be able to follow these, or perhaps nobler game; but at present he has other work on hand. He is on his way to some distant point, where measurements are to be tested, doubts resolved, or objections investigated. This done, he returns to his solitary breakfast, cheered by the companionship of a book, or perhaps by letters from a far-distant land—doubly welcome under such circumstances. The forenoon is spent in receiving reports from the native officers employed under him; in directing their operations; in examining, comparing, analysing, and arranging the various information which comes in from all quarters. As the day advances, the wide-spread shade begins to be peopled with living figures. Group after group of villagers arrive in their best and whitest dresses; and a hum of voices succeeds to the stillness, before only broken by the cooing of the dove, and the scream of the parroquet. The carpet is then spread in the open air; the chair is set; litigants and spectators take their seats on the ground in orderly ranks; silence is proclaimed, and the rural court is opened. As case after case is brought forward, the very demeanor of the parties, and of the crowds around, seems to point out on which side justice lies. No need here of *ex parte* decisions, or claims lost through default. All are free to come and go, with little trouble, and at no expense. No need of lengthened pleadings. A few simple questions bring out the matter of the suit, and the grounds on which it rests. No need of lists of witnesses. Scores of witnesses are ready on the spot, alike unsummoned and untutored. No need of the Koran, or Ganges water. The love of truth is strong, even in an Indian breast, when preserved from counteracting influences; still more so, then, when the sanction of public opinion assists and protects the rightful cause. In such a court Abraham sat, when arbitrating among his simple-minded herdsmen. In such a court was justice everywhere administered in the childhood of the human race; before wealth increased, and with wealth complicated interests, and law became a science requiring a life's study to understand.

"Strange must that man's character be, and dull his sympathies, who, in the midst of occupations like these, does not find his heart accompanying and lightening his labors. He sees the people in their fairest light; he witnesses their ceaseless industry, their contented poverty, their few and simple pleasures, their plain sense of justice, their general faithfulness to their engagements. He finds them, as a nation, sober, chaste, frugal, and gifted with much of that untaught politeness in which the rustic classes of colder climes are so often deficient. For months together he uses no language, enjoys no society, but theirs. To these causes of attachment is added that powerful tie which unites us to those whom we have labored long to benefit. The knowledge and feelings, thus acquired under the greenwood tree, will not be forgotten in after days, when the dark side of the picture will alone be presented to his view; when he has to deal with roused passions and selfish desires, uncontrolled by a true Faith; when his intercourse with the people is confined to the prisoner at the bar, or to the vakíls of a grasping plaintiff, and of a fraudulent (perhaps because oppressed) defendant." — [*Calcutta Review.*]

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and see him compared with the patriarch "Abraham arbitrating among his simple herdsmen," and "administering justice in the childhood of the human race;" and on the other we are told of ignorant upstarts, slenderly acquainted with the native languages, and not at all acquainted with native feelings, laying down the law, according to the most approved principles of generalisation, and committing errors of the most irritating kind with an incredible amount of assurance and conceit. It is very possible that examples of both kinds might be found; but, taking them as a whole, the settlement officers went about their work zealously and conscientiously, and carried to it a remarkable amount of serviceable intelligence. Perhaps they sometimes acted in disregard of judicial principles, and were impatient of restraints imposed by laws of evidence and rules of judicial practice. Perhaps they did not always make sufficient allowance for the differences of race and the provincialisms of locality; perhaps they did not always understand the precise character of the various tenures upon which they adjudicated. And so it happened that the people sometimes shrugged their shoulders and went away surprised and disappointed, perhaps angry, at the decisions which cost the English gentlemen so little trouble, but which were to them such matters of life and death concernment.* But, as a whole, the new settlement compared with the old was as light to darkness. The people gained mightily by it. There was an admi-

* One illustration of the manner in which fixed rules were often set aside, and local circumstances disregarded, may be given in this place. It is a standing rule that in districts bordering upon the hills, no man having possessions in the plains, but habitually residing in the hill country, shall be impleaded on account of such possessions during that season of the year when the deadly malaria renders it perilous to traverse the intervening *terai*. A young deputy-collector, however, having a resumption-suit before him, in which the defendant was one of this class of dwellers on the hills, took it up and decided it *ex parte* during this very season of the malaria, when the party had every right to believe that he was for the time secure against any such proceedings.

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rable system of checks. If sometimes the settlement officers went wrong, there were the Commissioners to rectify their errors; above them there was the Sudder Board; and supreme over all was the Lieutenant-Governor of the North-Western Provinces.

It was not to be expected that all these authorities should entertain similar opinions and convictions. The most important portion of the settlement work was accomplished when Mr. Robertson (of whose proceedings as Judge of Cawnpore I have already spoken) was Lieutenant-Governor of the North-Western Provinces. This gentleman—one of the ablest and most distinguished civil servants of the Company—was not one of the new school of revenue-officers. He had seen in Bengal, perhaps, a little too much of the off-hand manner in which landed tenures of old standing were dealt with by young civilians, and he was rather suspicious of the operations of the clever but inexperienced youngsters to whom this important work was entrusted. He thought that they were too fond of generalising, that they started with certain fixed principles which they believed to be of universal application;* that their predilections, for example, in favor of the village communities often led them into error; that in their eagerness to create an extensive subdivision of property they committed many acts of injustice; and that their resumption operations were frequently harsh and ill-advised. "The settlement officer," he declared, "swept up without inquiry every patch of unregistered land; even those under ten *beegahs*, exempted by a subsequent order, which did not come out until five-sixths of the tenures had been resumed;" and added,

* The Sudder Board disclaimed all sympathy with these generalising views, and declared that they were eager to discourage them. Upon this the Lieutenant-Governor expressed his satisfaction at finding "the sentiments of the Board so directly opposed to what he imagined that he had occasionally detected in the writings of their subordinates."

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that "in one district—that of Furruckabad—the obligations of a treaty and the direct orders of Government were but lightly dealt with, and in all a total disregard was evinced for the acts even of such men as Warren Hastings and Lord Lake." And this opinion was afterwards confirmed by the Court of Directors, who declared that it was always their desire that the resumption measures should be carried out with great lenity and forbearance. "In many instances," they added, "it has been so. In others, the results have been attended with much hardship. But the solicitude of the several Lieutenant-Governors has been carefully directed to remedying the evil in question, by money provisions of more or less duration. We think this is the best method of disposing of such cases. It provides for the incumbents and their families, and secures the ultimate rights of Government."

Still, when we come to consider the aggregate results of the settlement, how much food is there for hearty congratulation. "The first settlement," it has been said, and truly said, "ruined the persons for whose benefit it was devised. The last settlement saved millions of much-enduring men from ruin and misery." The expediency of the measure, too, was as clear as its justice. The revenue progressively increased under it, and the sales for default of payment diminished with equal steadiness. In the course of six years* the amount of property sold on this account had decreased by more than five-sixths.† The lightness of the assessment, which is computed to average less than a third of the gross produce, has tended to increase alike the prosperity of the people and the State. Over-assessment was found in practice to be as injurious to the one as to the other.

* From 1842-43 to 1847-48, inclusive.
† That is, from 259,685 rupees to 40,616 rs.

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The principle, in spite of occasional deviations, was one of moderation; and the Court of Directors, reviewing the proceedings of the settlement officers, lost no opportunity of declaring in favor of moderate assessments. Where the result showed that a district had been over-assessed, they recommended a revision of the settlement.

The happy effects, indeed, of this light assessment are visible upon the face of the country. There is no lack of cheering evidence of good government. The indications of the advancing prosperity of these fine provinces are, such as he who runs may read, across the whole length and breadth of the land. A mild and equable rule, giving security to person and to property, repressing the violent and the lawless, encouraging the peaceful and the industrious, has borne its accustomed fruit. Many illustrations of this might be readily adduced; but none more satisfactory than the following, written in 1852:

"I have just marched," writes a distinguished British functionary, "to this place along the strip of country reaching from the Sutlej to the Jumna by Hansi and Hissar. You must remember that country when it was inhabited by a wild and lawless set of people, whom no one could manage. Native chiefs would not take the lands at a gift. Our own troops were frequently repulsed by the communities of Rangurs, and Bhuttees, and others, who lived in large fortified villages and subsisted by plunder. Now the country is thickly inhabited and well cultivated, and the most peaceful that could possibly be. This year the 'Khurreef' crops have failed entirely, and very little 'Rubbee' had been sown. Yet the revenue had been paid up without a balance, and had occasioned no perceptible distress. This is the effect of firm rule and a light assessment. Mr. R. Bird (all honor to his name!) insisted, at the late settlement, on a considerable reduction of the assessment. The con-

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sequence is, that land which before was worthless now bears a high value, and a people who were before lawless now yield implicit obedience to the laws. It is a cheap Government of which the strength consists in low taxation." *

The secondary advantages sought to be obtained by the settlement were not all so clearly established. The division of the revenue payments into four instalments, falling due after full time has been allowed for the sale of the produce, was unquestionably a boon to the cultivators. But the creation of the road-fund met with considerable opposition; and the establishment of a paid village police was still more generally unpopular. The people were slow to appreciate the advantages of good roads, and were very unwilling to pay for them. But they came in time to be satisfied with the arrangement, and, perhaps, to understand that the trifling *per-centage* devoted to this purpose was in reality not an addition to the assessment, but a deduction from it. The advantages, however, of the salaried village police dawned more slowly on their comprehension; and writing in August, 1851, the Court of Directors could say nothing more than that they were "disposed to hope that, with careful supervision, it may be found satisfactory to the people."†

Of the resumption of the rent-free tenures I have already spoken. There are one or two other points of considerable importance which require to be mentioned. The tendency of the settlement operations was towards

* *MS. Correspondence.*

† Mr. Robertson had always been opposed to this measure. He expressed a strong opinion to the effect that such a functionary as a paid watchman could never be acceptable to the people, even if it entailed no additional charge upon them. Such an official, he said, would be likely to lord it over the Brahmin and Rajpoot on his own domain. "There is in this," he observed, "an inversion of the social order of the country such as must cause heart-burnings and mortifications in that class of our subjects whose affections it is most our interest to conciliate. An abatement in the number of thefts and burglaries is but a sorry compensation for such a consequence, or for the no less pernicious result of the Zemindar taking advantage of the presence of a paid police-officer to exonerate himself from all responsibility for what occurs."

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the disruption of the large estates. There was a class of large landed proprietors, known as Talookdars—the territorial aristocracy of the country. The settlement officers seem to have treated these men as usurpers and monopolists, and to have sought every opportunity of reducing their tenures. It was not denied that such reduction was, on the whole, desirable, inasmuch as that these large tenures interfered with the rights of the village proprietors. But the reduction was undertaken in too precipitate and arbitrary a manner; and the Court of Directors acknowledged that it had caused great practical embarrassment to Government, against whom numerous suits were instituted in the civil courts by the ousted Talookdars, and many decided in their favor.*

Another point of great importance was this. It has been shown that, under the original imperfect settlement which succeeded our first occupation of the country, much injustice was done, and much confusion created, by the indiscriminate sale of lands held in coparcenery by several sharers, for the shortcomings of one or more defaulting partner. The new law accorded the privilege —for so it was esteemed—of separate responsibility.† The shares of each member of the community were

* The writer in the *Calcutta Review* questions the justice of these decisions. The cases were generally tried —"always in the first instance, and frequently also in appeal—by the uncovenanted judges;" and the result, he says, "has not been satisfactory." The tendency, it is added, of the lower courts, "has been to look only at the records of past settlements, though these were confessedly imperfect or erroneous; and finding the plaintiff therein mentioned as Zemindar, to consider him as being the sole and exclusive proprietor. This feeling, on the part of the inferior courts, together with the expense and delay of a civil suit, felt of course most by the poorer party, have caused many of the decisions to be adverse to those passed at the settlement, and it has not been always possible to have these proceedings set right on appeal."

† That is to say, whenever the privilege was claimed. But the right was only partially exercised. "There are great differences in the extent to which separate responsibility prevails. In some districts it is universal; in some the instances are numerous; in some few; in others none."—[*Report of the Court of Directors.*] Mr. Thomason (September, 1848) wrote: "In practice, it is customary to attempt to realise first from the individual, then to offer his property to any coparcener who will pay up the arrears, and if no one accepts the offer, then to hold the entire body jointly responsible for the balance."

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distinctly parcelled out and recorded, and each separate defaulter suffered for his own particular default by the sale of his individual share. But as this might have a tendency to introduce strangers into the coparceneries, and destroy the integrity of the village communities, the right of pre-emption was given to the other shareholders; so that, to a certain extent, the remedy lay in their own hands. The provision, indeed, would have been an excellent one, but that it was set aside by the custom of granting fictitious mortgages, "against which," says the Court, "there appears to be no remedy but a valuation on fixed principles, at which the right of pre-emption shall be given to the community." And some of the best authorities—as Lord Metcalfe, Mr. Robertson, and Mr. Thomason—were of opinion that the system of joint responsibility on the whole is advantageous to the village communities.* No alteration of the existing law is proposed; but every effort is made by the Government of the North-Western Provinces to induce them to adopt voluntarily the system of joint responsibility; and in this view the Court fully concurs.

Viewed as a whole, it is difficult not to regard the settlement of the North-Western Provinces as a great work. It is not free from errors of design and execution. Its originators do not claim for it the credit of being a perfect conception carried out to perfection in all its parts. The truth is, that every large scheme with the stamp of *thorough* upon it involves more or less error of detail. No one will ever achieve anything great who is haunted by the fear of exceptional cases and small mistakes. Mr. Bird was, at least, in earnest. His disciples were in earnest. They did not falter; they did not hesitate. They went intrepidly to their work, with a firm faith in the excellence of the design, and an honest

* The question is very fairly argued by Mr. Thomason, in his Minute of 25th September, 1848.

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intention to carry it out worthily and well. And in spite of errors—errors not many and large in proportion to the magnitude of the undertaking—resulting from original defects or inefficient agency, they may, without any large amount of self-glorification, look back on what they have done, and proudly compare the present state of the agricultural population with what it was before their labors commenced.*

The North-Western Provinces of India have now been, for half a century, under British rule. The great experiment of Indian government has there been pushed forward with remarkable energy and uncommon success. In no part of India are the signs of progress so great and so cheering. There is a freshness, a vigor, a healthy robust youth, as it were, apparent everywhere in the administration of these provinces. The physical improvement of the country, and the moral improvement of the people, are advancing, under our eyes, with a rapidity which would fill the bygone generation of Indian administrators with as much astonishment as the ancient race of soldiers would experience at the sight of the magnificent dimensions of our Indian Empire. I do not believe that there is in the world a more conscientious and more laborious class of

* The collateral advantages derived from the settlement are thus summed up by its historian in the *Calcutta Review*:—"The revision of the settlement has made us better acquainted with the people, whom we have been called upon to govern, than we might otherwise have been in centuries. It has given us an insight into their condition, feelings, desires, and wants. It has thrown a flood of light on all the relations of the people with the State. It has furnished the Government with means, never before possessed, for encouraging industry and protecting private rights; while it has accustomed our subjects themselves to familiar intercourse with their rulers, and has inspired them with confidence in our moderation, and reliance on our justice. It has done more to prevent affrays, and to lead to the peaceable adjustment of disputes regarding real property, than all the terrors of the penal law could ever have effected. While in progress, the settlement afforded the best school for fitting men to fill other offices of every description; and, even now, the necessity of maintaining its arrangements, and acting up to its provisions, supplies a training of nearly equal efficacy. Those who, after such a training, are called to preside in a civil court, are enabled by the settlement arrangements and records to decide confidently, where they must before have groped hopelessly in the dark. A measure, which has been followed by such results, besides its more immediate object of equalising taxation, must deserve the attention of all who take any interest in the welfare of India."

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civil functionaries than those who, under one of the best men and ablest administrators who have ever devoted their lives to the service of the people of India, are now bearing the burden and heat of the day, in serious toilsome efforts to make the yoke of foreign conquest sit lightly on the native subjects of the British Crown. Earnestness and energy are contagious; and in the North-Western Provinces of India the heavy-paced are soon roused into activity—the phlegmatic into tingling life. What Thomason and his associates have done for Upper India can only be fairly appreciated by those who know what was the state of the Ceded and Conquered Provinces of India fifty, or even twenty, years ago. It is not easy to represent the true character of these great achievements to those who, in Westminster or Belgravia, sit in judgment upon British rule in the East, and decide that our administrators have done nothing, because they do not know what they have done. But the servants of the East India Company may find abundant consolation in the fact that the happiness of the people of the East is not to be gauged by the knowledge of the people of the West.

There is one characteristic of the present Government of the North-Western Provinces of which I would further speak in this place, though perhaps it might more fitly be introduced into another chapter. There is a communicativeness about the system, which is a peculiar feature of the administrative progress now making in India. The representatives of the paramount power have there shaken off their secrecy and reserve. They no longer live with a cordon of official exclusiveness around them; they no longer move about with sealed lips and veiled faces. The doors of their palanquins are thrown back; the sides of their tents are drawn up; and the people are invited to come freely to them. The Lieutenant-Governor, who is continually moving about from one district to another and watching the results of the great measures with which

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he is so honorably associated, is one of the most accessible of men; and his subordinates emulate the courtesy and openness of his demeanor. But it is not so much of this personal diffusiveness of which I would speak, as of the great efforts which are being made, principally through the agency of the press, to render the people familiar with the acts and principles of Government—to help them thoroughly to understand the manner in which we are endeavoring to administer their affairs. "Compendious treatises," says Mr. Raikes, "embracing not only the rules of revenue process, but also the principles of revenue science, have been drawn up. Translations of these have been distributed right and left. The more intelligent of the people are being thus fast led to co-operate with their rulers, whose principles are better understood and appreciated. All candidates for Government employ find the necessity of mastering the existing revenue code. The consequence is, that numbers of books in the language of the country, some of considerable merit, are issuing from the press at Agra, Delhi, and elsewhere, explanatory of the laws affecting landed tenures and of the principles of agriculture and rural economy. The collectors of revenue have been encouraged to disseminate memorials of useful knowledge, suited to the capacity of the rising generation, among the students at the village schools. Such books, for which, also, the people have to thank the Government of the North-Western Provinces, will, we trust, supersede the trash which has hitherto been taught at these schools."

Let these efforts be weighed, and let it be remembered that in 1811 an old Indian Chief Justice—Sir John Anstruther—asked, tauntingly, in the House of Commons, with reference to the freedom of the Indian press, "whether it was intended to illuminate the people of India?"—"Was this exactly desirable?" he continued. "Would it be very expedient to inform them of the pecu-

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liar tenure by which the British Government hold their power?" There was nothing startling, at the time when they were asked, in such questions as these—but we look at them now as we would at a thumb-screw, or any other relic of a barbarous age. The principle of modern Indian Government is thoroughly to illuminate the people, and to render them as familiar as they can possibly be with all the tenures by which they are connected with their foreign rulers. It is not concealed that this enlightenment may have the effect of breaking all these tenures; but when the people of India are ripe for self-government, England will have fulfilled her mission, as a ruler, in the East; and she must be prepared to abide the result.

I cannot conclude this chapter without remarking that the instructions sent by the Court of Directors to their servants in India, and the opinions expressed regarding the settlement operations, have been uniformly conceived in a liberal and enlightened spirit. It has been their leading desire so to carry out the work, with leniency and moderation, and with a due regard to the feelings of the people, as to render it a blessing to them and their successors. I can trace no signs of covetousness and rapacity in their recommendations; but rather a sincere desire to allow the cultivators to till the fields mainly for their own benefit, and to reap the reward of their own ameliorative efforts. The settlements, as I have said, were made some for twenty and some for thirty years. One of the principal arguments in favor of the permanent settlement is, that it holds out the strongest inducement to landholders to improve their estates. There is not an Englishman who does not shrink from expending money on property, whether house or land, of which he holds but a brief lease. He increases the value of the estate, and in return his landlord raises his rent. The Court of Directors have

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already begun to consider "whether an agriculturist on the renewal of a settlement shall be allowed the full benefit of his improvements, or whether the Government shall be held entitled to a share of the additional value which his capital and industry, aided by other circumstances, have added to the land." And they have expressed their opinion, that "the only satisfactory principle upon which all future renewals of settlements can be made, will be that reference must be had to the value of the land at the time, a liberal consideration being given for the improvements attributable only to the efforts of the tenant himself, and especially with regard to such as are of a comparatively recent date, and with regard to which he has reaped the advantage only for a short period under the old settlement."

Indeed, the unvarying tenor of the Court's instructions to their servants in India is to impress upon them the duty of fixing light assessments, and passing only such Regulations as will encourage agricultural improvement, and raise the condition of the cultivators of the soil. It is their earnest effort to stimulate production by light assessments; and so far from their fiscal measures being conceived in an extortionate spirit, or having a tendency in execution to restrict the cultivation of such staples as cotton and sugar, they have consistently impressed upon their servants the duty of encouraging such production, by keeping down the assessment of the lands so cultivated to an equitable valuation. "Our object," they wrote some years ago, "is to prevent the land from being assessed in such a manner as to impose a tax upon those commodities—it being contrary to our intention that such commodities should be taxed. The land bearing a particular product should never be so assessed as to give an artificial value to such product—in other words, raise its price by force of taxation—which the imposing a higher assessment on

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land, whenever it is made to bear that particular product, obviously does." And when it was suggested by one of their chief servants in India that such liberal measures would occasion a considerable loss of revenue, they replied, with happy irony: "We are aware that when a tax is abolished the revenues which it yielded ceases to be received." They scouted, indeed, this narrow view of a great question, and trusted rather to the general results of a liberal policy than to such individual details.

Of the general results of the administration of the Indian land-revenue by the British Government, it is almost unnecessary to write, as they will be gathered from the details of these last three chapters. As far back as 1815, the Marquis of Hastings recorded an elaborate minute, the result of a tour through Upper India, on the Revenue Administration of the Presidency of Fort William, which takes, in one of its sections, a condensed view of the general advantages of our system. He sums them up thus in a few paragraphs:

The advantages of our system over those of former Governments may be summed up in a few words. The former systems left entirely at the discretion of the Aumils the lives and properties of all the population of their several jurisdictions. There was only an appeal to the immediate sovereign of the state, and he was generally inaccessible.

From the moment of the establishment of our Government, the lives of all were secured under the shield of the law; and the substitution of the practice of contracting only for the realisation of a fixed assessment, instead of contracting for the revenue of a given district, to be raised at the discretion and the cost of the contractor, secured their properties also, except against minor abuse and covert villany. The annihilation of the contract system in all its branches has now, in some degree, given protection against those evils.

Instead of the population being subjected to the arbitrary exactions of every Aumil, and of every farmer he might choose to impose, an uniform and universal system has been introduced,

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under which every one may know his rights, and be secure of having them respected. The system is certainly not yet sufficiently perfect for its ministerial officers to know of themselves the exact amount of revenue which is demandable from all; but that is only because they cannot ascertain the actual amount of produce, the requisite information being suppressed from interested motives. All that is wanting, however, to give perfection on this point, is a fixed criterion, from which the amount of produce may be known or fairly estimated, so that settlements may be formed on uniform principles and data, known to be correct, instead of only believed to be so, as at present.

It is this very desideratum which the new settlement has so beneficially supplied.

It were worth while to quote further:

The advantage to the country is, however, best judged of by its effects. There is, at present, little or no emigration of the agricultural class; indeed, it is found that proprietors, before driven into exile, or into the search of other means of livelihood, such as military service, daily return to reclaim the lands they had been obliged to abandon, in the certainty that they must now have ceased to be unprofitable.

The wages of agricultural labor are much higher than they used to be, which is solely attributable to the increased demand for labor of this description. The more valuable articles of produce are also cultivated with much more spirit; and the most astonishing efforts are daily made to conquer natural defects of soil, as well as to preclude the evils of casual calamity of season.

There can be no doubt, indeed, that the produce and the profit, of agriculture have been increased in a very surprising degrees since the country fell under our administration. The comparative prosperity of the several cities may form a good criterion of this; and the rapidity with which they are increasing, both in size and population, is scarcely credible.

The abolition of those arbitrary sayer imposts which each Zemindar conceived himself entitled to levy on all goods that entered his domain, has now left open to every proprietor a free market for all his produce, to which it may be carried, without the fear of violence or exaction in the transport.

The beneficial system on which the customs and town-duties are now collected here, at the same time, left the rates of that

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market free from the operation of any local circumstances, and solely regulated by the broad commercial interests of the whole of India. In consequence of these facilities, commercial capital and enterprise have been turned towards the land, and an activity has been infused, of which every class begins to feel the benefits.

The display of wealth is no longer avoided as dangerous; but perhaps the most direct and positive advantage to the landed interest which has resulted from our occupation of the country is, the discontinuance of the arbitrary practice of quartering troops on districts, from which they were to be provided gratis, in addition to the public dues of Government, as well as the requisition of free gifts of several descriptions, besides the obligation gratuitously to furnish supplies, laborers, artificers, and carriage of every sort, whenever circumstances might bring a man in power or a body of troops to the neighbourhood of a village. The occasions for demands of this description were unlimited, and payment never was offered, nor could it be asked with safety. . . . .

The above advantages are amongst those which have particularly attended our revenue-administration, and are in addition to those incalculable benefits resulting from the comparative total absence of external or internal violence, induced by the strength of our political Government and the authority of the law.

More than thirty-five years have passed since these passages were written; and the prosperous condition of the North-Western Provinces is now as much in advance of what it was under the administration of Lord Hastings, as, at that time, it excelled the old state under the Mahrattas. The abolition of the Transit-duties, and the new Settlement, have ripened and perfected the blessings which Hastings saw only immature and undeveloped; and there are others, of which he had but a dim conception, now spreading themselves over the land, under the saving influence of a great remedial agent, of whose power he was not wholly unconscious, though it was left to his successors to give it free scope and permanent expression.*

* I feel that in this chapter I ought to have made more particular mention of the operations of the Revenue Survey. I must refer the reader to a brief paper in the Appendix (D), and to the excellent work of Captains R. Smith and Thuillier, of the Artillery.

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CHAPTER V.

Famines in Upper India—Importance of Irrigation—Early Mahomedan Works—Our first Canal Efforts—The Western Jumna Canal—The Eastern Jumna Canal—The great Ganges Canal—The Baree Doab Canal—The Great Trunk Road—Other Public Works—Their Cost—General Financial Results.

THE chapter which I have just written on the Revenue Settlement of the North-Western Provinces is a testimony, however imperfect its execution, to the industry and ability of the men employed on this great work. But there was one thing which might at any time mar the results of all this industry and ability. If the heavens should deny to the country their wonted tribute of rain, the Settlement, though it might mitigate the evil of a famine, could not wholly prevent it.

Over a large portion of these fine provinces all the staple products of the land are at the mercy of the seasons. The effects of a drought are more terrible than language can describe. Upper India has been visited by periodical famines, the terrors of which all the wisdom and all the resources of the best and strongest Government have scarcely even mitigated. The famine of 1837-1838 is still fresh in the recollection of many European gentlemen, who saw then what they will remember to their dying day, and yet were powerless to alleviate the suffering which gathered around

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them. Parents sold their children for a few shillings, and were glad not merely to fill themselves with "the husks that the swine did eat," but to dispute with the ravenous crows for the filthy refuse of the grain which had already fed the horses of the troops on the line of march.

There could be nothing more worthy of a humane Government than the prevention, as far as human wisdom can prevent these providential calamities, of such a gigantic evil as this. There was but one manner of meeting it, and this was by an extensive system of canal irrigation. The Mogul Emperors had in their uncertain, spasmodic way, addressed themselves from time to time to the consideration of this great prophylactic measure. The extreme value of water in such a country is dwelt upon, by many incidental references, in the oldest writings extant. Kings and Sages combined to punish the waste of the precious element, and to reward the profitable disposal of it. In the code of Menu the breaker of a dam is sentenced to long immersion under water, and in the Institutes of Timour it is ordained that "whosoever undertakes the cultivation of waste lands, or builds an aqueduct, or makes a canal, or plants a grove, or restores to culture a deserted district, nothing shall be taken from him in the first year; in the second year what the subject voluntarily tenders; and in the third year the Government dues according to regulation." But the word which is here translated "canal," has but a limited signification, and by no means represents those great works which some of the later Mahomedan Emperors designed and executed, and which the British-Indian Government is now carrying out on a scale far beyond the speculations of the most large-minded of the Mogul princes.

It has been said that "God meant rivers to feed

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canals."* Upper India abounds in canal-food. The numerous rivers which flow from their mountain homes on the great Himalaya range supply volumes of water, of which commerce has little need; whilst thirsty agriculture would not suffer a single foot to escape. The conversion of this water to agricultural purposes is now the main object of the great engineering operations, which for many years, with some temporary interruptions, have been progressing in the Ceded and Conquered Provinces of Hindostan.

Soon after these territories passed into our hands the subject of canal irrigation attracted the attention of some of the most earnest of our British officers. The remains of the old Mahomedan works seemed to look us encouragingly in the face.† But those were days when our ideas of internal administration were somewhat crude, and the development of the resources

* "To no country in the world, perhaps, does the emphatic declaration of the famous Brindley, that 'God meant rivers to feed canals,' apply more emphatically than to those fertile and populous plains which stretch away southward from the Himalayas in irregular forms between the 70th and 34th parallels of longitude, and the 34th and 24th of latitude, and are traversed by the numerous rivers which flow from the great range. These rivers, in the upper portion of their courses, are commercially useless; agriculturally they are, or with a little skill might be, made invaluable."—[*Calcutta Review*, vol. vi. Article: "Canals of Irrigation in the North-Western Provinces."]—This excellent treatise—a very mine of information relating to Indian canals, has been so often publicly attributed to Lieutenant Baird Smith of the Bengal Engineers, the accomplished author of the work on "Italian Irrigation," that I believe I am guilty of no impropriety in naming him as my chief authority for the statements in this chapter.

† In connexion with these old Mahomedan works there is a curious circumstance, very interesting to geologists:

"When describing the excavations of Feroze, Ferishta mentions incidentally that the workpeople employed upon them found near the lower hills quantities of 'giants' bones.' For nearly two centuries and a half this seemingly fabulous statement passed unnoticed. To minds familiar with discoveries in fossil geology the old chronicle had, however, a faint gleam of significance; and, guided by its feeble light, English officers of the canal department re-examined the localities indicated, and found, associated with others of different dimensions, not 'giants' bones,' but bones most gigantic, from which, in course of time, they were able to add to the system of nature many new and strange animals before unheard of. Pursuing their labors at remote stations in Upper India, drawing their materials for comparison from the forests and rivers around them, denied many of the facilities for research which happier local positions would have afforded, they yet won for themselves European fame, and rewards ranked among the highest which the courts of science in their own land had it in their power to bestow."—[*Calcutta Review*.]

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of the country was little studied by its rulers. Mr. Mercer is said to have offered to open, at his own expense, the old Delhi Canal, which lay before him a lifeless excavation, if he were suffered to receive the proceeds for twenty years. The offer did not meet with acceptance, and it was not until 1810 that, under the administration of Lord Minto, any steps were taken to inquire into the state of the old canals, and the expediency of restoring them to efficiency. A Committee of Survey was then appointed to report on the lines, both east and west of Jumna. But nothing came of the effort. The higher scientific authorities, as the Chief Engineer and the Surveyor-General, when called upon for their opinions, poured over the survey report such a flood of contradictory learning, and seemed to take such antagonistic views of the great question, that the Government, sorely perplexed and bewildered, and utterly unable to derive wisdom from the multitude of councillors, seem to have abandoned the worthy project in despair.

But under the subsequent administration of Lord Hastings, the vast importance of these works was recognised. A beginning was made. And from that time up to the present period, the work has progressed with more or less constancy and vigor, according to the state of the public finances, and the temper of the local Government. It has met, from time to time, with temporary hindrances and obstructions. It has fallen on evil days under one ruler, and basked in vice-regal sunshine under another. But it has gone on through evil report and good report, and there is satisfaction in the aggregate result.

I must speak of these measures and their results more in detail. The line of the Western Jumna, or Delhi Canal, was first surveyed by Lieutenant Blaine, of the Engineers, an officer of rare promise, which he

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barely lived to fulfil. He had been directed to report on the practicability of re-opening the canal, and on the expenses that would attend the operation, before the breaking out of the Nepaul war. The engineer was called to the field, and for a time the work was suspended; but Lord Hastings, in his famous minute of September 21, 1815, the result of his tour to the Upper Provinces, dwelt emphatically upon the advantages that would attend its completion. "To the canal on "the opposite side of the Jumna," he wrote, "generally "known by the name of the Delhi, or Ali Murdan's "Canal, it is necessary for me to call your attention. "Measures were, I believe, taken, and were already in "train of execution, with a view to ascertain the ex- "pense and practicability of re-opening it; and though "these measures were interrupted for a time only by "the military operations incident to the Goorkha war, "which required the services of Lieutenant Blaine in "the field, I presume your Honorable Board will be "disposed to resume them, now that the more impor- "tant calls for the services of the engineer officers have "ceased.

"I will only say," he adds, "that my own inspection "has fully convinced me of the facility and the policy of "immediately restoring this noble work. Setting aside "the consideration of its certain effect, in bringing into "cultivation vast tracts of country now deserted, and "thereby augmenting importantly the landed revenue "of the Honorable Company, the dues to be collected "for the distribution of the water from it would make "a most lucrative return. This is held so sure, that "individuals (for propositions were made to me) would "now undertake the business, were it fitting that the "credit of a work so dignified, so popular, and so bene- "ficial, should fall to the share of any but the Govern- "ment. Were a lakh of rupees to be laid out yearly for

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"three years on this object (and I believe I specify "much more than would be actually required for per- "fecting the canal), it would be money laid out more "profitably for the Company than it could in any "other mode of application."

The work was sanctioned. Lieutenant Blaine commenced operations. But his efforts were very limited at the outset. There was altogether a want of faith in the success of the experiment. The work seemed only to proceed by sufferance. All sorts of shifts and expedients were resorted to that money might be economised. "Earthen bunds were used for carrying the canal across the beds of the intersecting mountain streams. Few if any bridges were considered necessary, the canal being fordable throughout; and natural channels were invariably taken possession of in spite of their defective levels and tortuous courses." But whatever could be done, with such scanty means and in face of such difficulties, Blaine's skill and energy accomplished. He lived to see the canal re-enter Delhi, after a suspension of half a century; but not further to extend the good work of which he was the pioneer. He was succeeded by Captain Tickle, of the Bengal Engineers, and subsequently by Colonel John Colvin, of the same corps—whose name is still held in affectionate remembrance by the people, for whom, bringing all his professional skill to bear upon the labor of love, he toiled with so much energy and such hearty goodwill. In 1823 he was appointed to the general superintendence of the works of irrigation in the Delhi territory, and from that time they continued to advance to maturity with the steadiness which commands permanent success. There were many engineering difficulties to be overcome, but they were overcome by our resolute engineers; and there were financial difficulties —the growth of a false economy, which neither science

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nor enthusiasm could easily overleap. But, in spite of all hindrances and impediments, the Western Jumna Canal was brought into effective operation throughout the country it was intended to fertilise, and is now conferring incalculable benefits upon its agricultural population.

The canal extends from the foot of the Hills to Delhi and to Hissar. Its total length is 425 miles. It is spanned by 159 masonry bridges, 54 of woodwork, and one suspension-bridge; and there are nearly 700 irrigation outlets from the main channel.

Of some of the results of the Irrigation system I would now speak. It would appear, from statistical tables prepared by the Government of the North-Western Provinces, that the extent of irrigated land in different districts, within the influence of the Western Jumna Canal, varies from one-half to one-tenth of the entire area. In this computation the total area of the irrigating villages is taken into account. But it is not to be inferred that the whole extent of these lands is actually watered by the canal. It is estimated that from one-half to one-third is the average of land brought under immediate irrigation—those irrigating villages, which are fewer in proportion to the entire area, using the water most freely. Thus the district of Paniput, one-half of which is covered by irrigating villages, seems only to bring a third of the area of those villages actually under irrigation, whilst Hissar, which only shows one-tenth of its entire area to consist of irrigated villages, actually waters one-half of the area of these lands. "The best watered of all," it is said, "in proportion to its irrigable area, is the once sterile district of Hissar, the chief towns of which were found, in 1807, to be literally without an inhabitant. The canal here has almost called into being an active, contented, and prosperous peasantry."*

* *Baird Smith, in the Calcutta Review.*

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The progressive extent to which the people have availed themselves of this artificial water-supply may now be shown by a reference to tables of receipts on account of water-rents. A small rent-charge, ranging between one shilling and ten shillings an acre, according to the nature of the ground and the value of the produce, is made for the water supplied; and, in the course of twenty-seven years, from 1820-21 to 1846-47, the amount received has not much fallen short of 355,000*l.* The annual receipts have progressively increased. In 1820-21 the amount received on account of irrigation was about 1450*l.*; in 1846-47 it was 26,250*l.* The last returns before me show for one half year in 1851 a water-rent of 13,341*l.*; or 26,681*l.* on the entire year.

"The exceedingly unsettled state," it is said, "of the agricultural population, the constant fluctuations of the summary settlement of the Government land-revenue, and the novelty in many localities of continual irrigation, were the chief causes of this slow progress. The permanent settlement of the land-revenue gave a great impetus to the extension of canal irrigation; and 1837-38, the year of the great famine, fatal as it was to districts not protected by canals, exhibits a remarkable increase—a fact pregnant with meaning."

It is calculated that in that grievous famine-year the gross value of the crops grown on land irrigated from the Western Jumna Canal, the greater part of which land would have been totally unproductive without the use of canal-water, amounted to a million and a half of English money. Of this sum about one-tenth, or 150,000*l.*, was paid to Government, as land and water rent, whilst the remainder "supported in comfort, during a period of devastating famine, the inhabitants of nearly 500 villages."

But the water-rents, paid on account of irrigation, do not constitute the sole profits of the canal. Some

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revenue is raised from the rents paid by the proprietors of flour-mills* in the neighbourhood of Kurnaul, Delhi, and Hissar. Between the years 1822-23 and 1846-47, the sum derived from this source exceeded 31,400*l.* In the first of these years the receipts amounted to only 302*l.*; in the last they had risen to nearly 1500*l.*; and in 1850 had exceeded that amount. There are also smaller sums receivable from certain pastoral villages, which depend entirely upon the canal for the means of watering their cattle; and others paid, in the shape of transit-duties, principally upon timbers floated down by the canal.

The Eastern Jumna Canal is a work of inferior proportions. The entire length of it is estimated at 155 miles. It runs for the most part along a beautiful country between the Ganges and the Jumna. "Most beautiful in all parts it truly is," says the canal-historian, "with its broad road smooth as an English lawn, its double rows of trees drooping over the stream, its long graceful sweeps, its rich bordering of the most luxuriant crops, its neat station-houses, and the peculiar care with which all its works are maintained. It is certainly one of the most interesting and attractive of Indian sights. The gem of the whole is the southern division, where, for nearly sixty miles, the visitor passes through a country which is the garden of the North-West, and finds constant cause to admire the beautiful, although limited scenes, which every turn of the canal brings before him."†

* The following account of these mills is taken from the authority already quoted. It affords an apt illustration of the unprogressiveness of the natives of India: "These mills consist of substantial buildings of masonry, located near the large towns of Kurnaul, Delhi, and Hissar. The machinery is of the most primitive kind, being a small vertical wheel, with oblique horizontal spokes, slightly hollowed, on which the water impinges. Although these machines do not economise more than thirty per cent. of the effective power of the water, and are liable to be interfered with during the rainy season by back water, yet they are so much preferred by the native community to any more complicated arrangement, that every attempt to supersede them by machinery of European form has signally failed."

† *Baird Smith.*

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Towards the close of the year 1809, the Board of Commissioners called the attention of Government to the canal, "generally known as Zabita Khan's, from an attempt which he made to re-establish it, and which, previous to its being suffered to fall into decay, must have fertilised in its windings an extent of country of not much less than 200 miles."* The senior Commissioner had visited the head of the canal, and taken counsel with the chief engineer, who had reported favorably upon the expediency of restoring the great work. "On the important advantages," said the Commissioners, "which may be expected to result from the measure, if feasible, there can be no difference of opinion. Several Pergunnahs, now almost entirely desolate, will be rapidly restored to cultivation, and plenty will soon be diffused over a part of the country where wild animals now usurp the dominion over mankind."† The recommendations of the Commissioners were not without effect. Captain Tod, of the 25th Native Infantry, was ordered to survey the line of canal, and to report upon the feasibility and the cost of its restoration. He sent in a rough estimate of the probable expenditure, which was set down at a lakh and a half or two lakhs of rupees. But either the same cause which had deferred the restoration of the Western Jumna Canal, or unwillingness on the part of Government to incur the estimated expenditure, postponed also this experiment, and for some years nothing was done.

But in 1822 the line was surveyed by Lieutenant Debude, of the Engineers, and active operations were

* *Report of the Board of Commissioners, October* 7, 1809—*quoted in ordu Moira's Minute, September* 21, 1815. *Revenue Selections.*—It is doubtful, however, whether in Zabita Khan's time the canal was long in operation. "About 1780," says the canal-historian in the *Calcutta Review*, already quoted, "Zabita Khan Rohilla is said to have reopened the channel, and to have brought a stream of water through the bed of the Kursunni river to the site of the great city projected by him. . . . But his canal could have been open only for a few months; and with the first rain-floods it was, doubtless, seen that the difficulties were too formidable to overcome."

† *Ibid.*

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commenced. On his removal to other duties, he was succeeded by Colonel Robert Smith, under whose superintendence it was prosecuted to the completion of the original design in 1830. But much still remained to be done. There were serious defects in the execution of the plan, which threatened the destruction of many of the works almost as soon as the canal was opened;* and Captain Cautley was appointed to rectify these errors. The professional skill of this eminent engineer overcame every difficulty. He carried out many great improvements, and recommended others, which, on his removal to the higher appointment of chief superintendent of canals in the North-Western Provinces, were carried into effect by Lieutenant Baird Smith, who succeeded him in charge of the eastern line of works, and has since won for himself so high a reputation.

Deducing from statistical tables the same results as in the case of the Western Jumna Canal, it would seem that the proportion of irrigated to unirrigated lands ranges from a fourth to a ninth of the entire area in different districts; and that of these lands from a third to a fifth is actually watered by the canal. There has been the same progressive increase in the consumption of water, and, therefore, a progressively increasing revenue. The gross amount derived from water-rent between the years 1830-31 and 1846-47, inclusive, is 109,500*l.* In the first year of the series the amount realised was only 600*l.* In the last it was 10,770*l.* In 1837-38, the great famine year, the rents were more than doubled. They rose

* "On the 3rd of January, 1830, the canal was opened for the first time, and by the 20th of the same month nearly every bridge north of Scharunpore, and south of Surrowli, was in imminent peril of total destruction. Rapids established themselves at different points on the steep slopes between the bridges and working back, as such rapids invariably do, they exposed the foundations, and in course of time would have completely undermined the works."—[*Calcutta Review.*]

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at once from 4400*l.* to 9100*l.* In that calamitous year it is estimated that the value of the crops grown on irrigated land, "the greater part of which land would have been totally unproductive but for the canal-water," fell very little short of 500,000*l.*; of this a tithe, or 50,000*l.*, went into the Government treasury, and the remainder was bestowed upon the people by the agency of the canal. Of the other sources of revenue from the water-supply, it may be stated, that the mills have furnished to the amount of about 8300*l.* within the years above mentioned; that the cattle-supplies have yielded only about 190*l.*; the transit-duties 450*l.*; and the plantations about 2200*l.**

To combine in one view the financial results of these canal operations, and to exhibit the progressive demand that has been made upon the Government water-supply, the following facts, gathered from more detailed tables, may be stated:

WESTERN JUMNA CANAL.

	£
Gross receipts from 1821 to 1846-47	420,000
Gross expenditure	353,000

EASTERN JUMNA CANAL.

	£
Gross receipts from 1830 to 1846-47	125,000
Gross expenditure	198,000

WESTERN JUMNA CANAL.

	£
Income in 1821-22	2,700
Income in 1846-47	30,000

* "In addition to the plantations of forest trees, grafted mango gardens have lately been established with the view of introducing a superior fruit into the country adjoining the canal. Of these gardens five are in existence, containing about 300 trees each, and being from three to five acres in extent. The result of their establishment has been very satisfactory; and, although only one of the number has yet arrived at maturity, they have proved very successful—the demand for grafts and fruit being much in excess of the means of supply. The native community, for whom they were chiefly intended, have shown their appreciation by purchasing a large number of grafts; and there is every probability that the intention of Government in sanctioning the project will be fully realised."—[*Calcutta Review.*]

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EASTERN JUMNA CANAL.

	£
Income in 1830-31	800
Income in 1846-47	12,000

In both cases the highest amount is to be found opposite the last year of the series, and with slight deviations only the increase has been regularly progressive. The surplus revenue derived from the two canals amounted in the year 1846-47 to 15,000*l*.

I come now to speak of the great Ganges Canal—a work still in progress of execution, which, when complete, will scarcely bow to a rival in any part of the world. It is one of comparatively recent conception, for it took birth only since the passing of the last charter-act. The originator of this great design was Colonel Colvin, who did so much to bring to perfection the Western Jumna Canal. It seems to have taken shape in his mind about the year 1836, at which period he held the office of Superintendent-General of Canals. But although he met with little encouragement at the time, he had full faith in the success of the experiment —he believed that the waters of the great river might be made to contribute abundantly to the wants of the thirsty soil of the Doab, to fertilise the land, and to enrich the people. The subject, though replete with interest alike to the philanthropist and the man of science, was then, and might still have continued to be, one only of speculation and discourse. But the winter of 1837-38 witnessed a grievous famine in Upper India. The whole staff of bread was broken. The heavens had not yielded their rain in due season, and the earth had not yielded her increase. The calamity came suddenly upon the people, and in this mortal extremity their rulers could do little for them. But it set such men as Colvin and Cautley thinking over the great project of the Ganges Canal, and it prepared Lord Auckland—a man of a humane nature, and, when left to himself, of

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sound discretion in quiet times—to give it favorable acceptance. The Governor-General sanctioned a full practical inquiry. Major Cautley was entrusted to examine the country through which the proposed canal would pass, and to send in a report on the subject. His first report was completed in May, 1840. It fully established the practicability of the great design.

It was now left to the Government to determine the scale upon which they would give effect to the project —the nature and the extent of the works of which they would sanction the execution. The times were not propitious. The war in Afghanistan, and the miserable encumbrance of the Douranee Empire, which only British money could sustain, was causing a chronic derangement of our Indian finances. But the Court of Directors saw clearly the immense benefits which such an extensive system of irrigation would confer upon the people of Upper India, and they worthily determined to sanction the proposed undertaking on such a scale as would secure an adequate water-supply to the whole of the country lying between the Ganges, the Hindun, and the Jumna.

But ordinary prudence dictated that so great a work should be cautiously approached—that the fullest examination should precede the final setting of the seal of authority upon this costly undertaking—so a Committee, composed of three of the ablest engineer officers in the country, Frederick Abbott, Baker, and Cautley, was appointed to ascertain and to report upon the best method of giving effect to the liberal views of the Court. In February, 1842, they submitted their report. In February, 1842, Lord Ellenborough arrived in India.

Lord Ellenborough went out to India to emulate the magnificent philanthropy of the Mahomedan Emperors. He returned to England to speak of the humiliation he had experienced on witnessing the

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great works of those native rulers, and contrasting them with our own. But one of his first measures, as Governor-General of India, was the suspension of the great undertaking of the Ganges Canal, which his predecessor had sanctioned. A vigorous prosecution of the work had been ordered. Lord Ellenborough arrested its progress.

There may have been State reasons for this with which I am not acquainted. I think that public writers are too hasty in condemning measures with the secret history of which they have but imperfect acquaintance. Lord Ellenborough may have arrested the progress of the great Ganges Canal, because the political crisis which had arisen seemed to render it imperative upon him to devote every rupee in the public treasury to the equipment of the armies which were retiring from Afghanistan—or he may have required for more warlike uses all the engineer officers at his command—or he may have had good reason to apprehend that the projected work, if it rescued the people from famine, would destroy them by disease—or he may have believed that navigation was more important than irrigation, and that in this case they were antagonistic objects. He may have been moved by one, or all, of these considerations. All I would say is, that no one knows so well as a Governor-General the difficulties with which, in such cases, Government have to contend, and that no one should be so slow to condemn the omissions which paramount circumstances may have enforced.

A season of dreary stagnation ensued, and when again there were symptoms of revival, the activity which was manifested was almost worse than the quiescence; Lord Ellenborough turned his thoughts towards the Ganges Canal, and directed that it should be primarily a canal of navigation. The projectors of

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the great enterprise stood aghast at this decision. Irrigation was the great object of the contemplated works, and now it was proposed that only the surplus water, after securing the navigation of the canal, should be devoted to its original purpose. The Colvins and the Cautleys—the Abbotts and the Bakers—who knew well what were the real wants of that part of the country, had regarded the great question not in its commercial, but in its agricultural bearings. They remembered the great famine of 1838; and they were eager to prevent the recurrence of its horrors. It was not for this that Cautley had been bringing all his science to bear upon the survey of the line.* But a new Governor-General soon came to preside over the Councils of India; and the whole question was reconsidered. Another difficulty had started up in the way of the great project, and had come to arrest the progress of the work. It was suggested that the canal would have a fatal effect upon the climate of the surrounding district—that the miasma which it would en-

* The Court of Directors entirely concurred in the views of the engineer officers, and wrote out to the Supreme Government, clearly enunciating their views in favor of irrigation:—"Major Cautley's original plan was for a canal of irrigation, adapted, as far as could be done consistently with its efficiency in that respect, for navigation also; in 1844, the Government determined that the canal should be constructed with a view to navigation in the first instance, and that irrigation should be made a secondary object. We altogether disapprove of this project; and we are satisfied that its employment as a navigable canal should in any case be made altogether subordinate to its use as a means of irrigation; the advantage of possessing a good line of water communication through the centre of the Doab is undoubted, more especially if the navigation of the Ganges above Cawnpore should be rendered impracticable from the abstraction of its water. On the other hand, the efficiency of the canal for purposes of irrigation may possibly be impaired by specially adapting it to purposes of navigation; the expense of its construction will certainly be very much increased; the injury occasioned to the banks by the passing of boats will probably add to the costs of the annual repairs; and it must not be left out of view, that the canal, as a means of transit, may be hereafter superseded by the construction of a railway. These considerations must be borne in mind in determining on the expediency of adapting the Canal to purposes of navigation; and we would desire you to consider whether the sum which would be saved out of its cost by making it a canal of irrigation exclusively, might not be better applied in improving the ordinary means of communication through that tract of country, either by clearing the rivers of existing obstructions, by improving the roads, and eventually to the construction of a railway."—[*Court of Directors to the Governor-General, July 7*, 1847.]

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gender would be destructive to the health of the people; and that, therefore, it would be prudent to pause until the medical question had been fully examined. So a Committee, of which Major Baker and Dr. Dempster were the chief members, was appointed, and, after a temporary interruption, caused by the Sikh invasion and the military operations which followed, they formally reported the result of their labors.

The report was satisfactory, and so were its results. Lord Hardinge fully recognised the merits of the scheme. He clearly saw the engineering practicability of the work in such hands as those to which it had been entrusted; and he saw, too, the immense effect which it would have in promoting the prosperity of the country and the happiness of the people. He gave it, therefore, his entire sanction and approval. Men and money were freely forthcoming. The Court of Directors readily consented to the expenditure of more than a million of money upon the prosecution of this gigantic enterprise.* And the work was pushed forward with becoming vigor. It is now in rapid progress towards completion. One-half of the money granted has been expended, and if the predictions of 1851 be verified, the present year will see the admission of water to the main lines.

The great Ganges Canal is the most magnificent work ever undertaken in India—one of the most magnificent works in the world. It traverses with its several branches more than 800 miles. The reader will do well to place the map of India before him and trace the course of this gigantic work. He must start from Hurdwar,† which he will find by following the

* The first revised estimates were a million and a quarter—but they were subsequently raised to a million and a half.

† "At about 2½ miles north of Hurdwar, a branch leaves the right bank of the river Ganges, and, flowing past the sacred ghats, and under the picturesque buildings of the town, follows a course, generally parallel to that of the parent stream, which it rejoins at a point 30 or 40 miles to the southward.

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30th degree of latitude till it intersects the 78th of longitude; and from Hurdwar he must proceed south-east in a slightly circular direction to Alighur. This distance is 180 miles. Here the canal follows two different lines—one towards the Ganges at Cawnpore, a distance of 170 miles—the other towards the Jumna at Humeerpore, which may be computed at about the same amount.* These are the main lines; but, having traced them, the reader must go back to the great trunk which he followed from Hurdwar to Alighur, and between these points three lesser canals branch off—one to Futtehghur, on the Ganges, a distance of 170 miles—another stretching to Bolundshahur, a distance of 60 miles; and a third to Coel, the length of which is estimated at 50 miles. The total length is officially computed to be 810 miles—thus:

	Miles.
Hurdwar to Alighur	180
Alighur to Cawnpore	170
Alighur to Humeerpore	180
Branch to Futtehghur	170
Ditto to Bolundshahur	60
Ditto to Coel	50
	810

As the work is still only a work in progress, no complete account of it can yet be given; but from the many interesting details before me, one or two may be selected in illustration of its nature and extent. "The grand, indeed the only, obstacles to the construction of

"Possession has been taken of the upper portion of this branch for the head of the canal; and through it the supply of 6750 cubic feet per second will be brought to Myapúr, a point about 1¼ miles south of Hurdwar, where the artificial channel commences.

"The first masonry works are constructed at Myapúr. They consist—1st, of a dam across the branch of the Ganges, having 38 openings of 10 feet each, fitted with gates or sluices and flank overfalls, by which a clear waterway of 517 feet is secured for the passage of floods from the Ganges during the rainy season; and 2nd, of a regulating bridge across the canal bed, having 200 feet of water-way in 10 openings of 20 feet each, fitted with all the machinery necessary for regulating the admission of water into the canal. The dam and bridge are connected by a long line of masonry revetement; and, on the opposite bank, the similar line of revetement with bathing ghats, &c., complete the works at the head of the artificial channel."—[*Calcutta Review.*]

* In the India House Statistics it is set down at 180 miles. I see that some other writers say 165 miles.

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the canal," says Captain Baird Smith, " are met with on the first twenty miles from the head, or between Hurdwar and Roorkhi. These difficulties arise from the course of the canal intersecting at right angles the whole of the drainage of the Sub-Himalayas, of which the western valley of the Ganges is the receptacle.

" This drainage, independently of numerous minor channels, which are unimportant, is collected into three great lines, being the valleys of the Puthri, the Ruthmu, and Solani rivers, draining respectively about six, eleven, and eight miles in length of the hill country. The Puthri drainage, being divided among a number of minor channels, is not difficult to control; but the Ruthmu and Solani are impediments of the highest class.

" The artificial channel of the canal leaves Myapur with a transverse section, having a constant width at bottom of 140 feet, and a variable width at top, dependent on the depth of excavation, but which may be stated generally to be about 200 feet. The depth of water provided for is 10 feet, and the slope of the bed about 18 inches per mile. After pursuing its course for about 6½ miles, and crossing several lines of drainage, which are disposed of either by dams, or inlets and outlets, the canal is lowered into the valley of the Puthri river by means of the Bahadurabad Falls, which consists of two descents in masonry of 8 feet each, exactly similar to, although on a very much larger scale than, those of the Eastern Jumna Canal. These will be very massive works; and when the canal is opened, and its huge volume of water is poured over them, the sight will be a most striking one. Even with the small supply of the Eastern Jumna Canal, the turmoil at the base of the Belka Falls, which are 15 feet in height, is most formidable to behold. What

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then will it be, when ten times the quantity of water is thrown over walls 16 feet ?"

Engineering difficulties are of one kind; financial difficulties are of another. Where there is a sufficiency of skill the magnitude of the work is nothing, if the labor and materials can be supplied. The great trunk line of the Ganges Canal has to be brought across the Solani river. "The river itself," says the same high authority, "is crossed by a masonry aqueduct, which will be not merely the largest work of the kind in India, but one of the most remarkable for its dimensions in the world. The total length of the Solani aqueduct is 920 feet. Its clear water-way is 750 feet, in 15 arches of 50 feet span each. The breadth of each arch is 192 feet. Its thickness is 5 feet; its form is that of a segment of a circle, with a rise of 8 feet. The piers rest upon blocks of masonry, sunk 20 feet deep in the bed of the river, and being cubes of 20 feet side, pierced with 4 wells each, and undersunk in the manner practised by natives of India in constructing their wells. These foundations, throughout the whole structure, are secured by every device that knowledge or experience could suggest; and the quantity of masonry sunk beneath the surface will be scarcely less than that visible above it. The piers are 10 feet thick at the springing of the arches, and 12½ feet in height. The total height of the structure above the valley of the river will be 38 feet. It will not, therefore, be an imposing work, when viewed from below, in consequence of this deficiency of elevation; but when viewed from above, and when its immense breadth is observed, with its line of masonry channel, which, when completed both north and south of the river, will be nearly 3 miles in length, the effect must be most striking.

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"The water-way of the canal is formed in two separate channels, each 85 feet in width. The side walls are 8 feet thick, and 12 deep, the expected depth of water being 10 feet. Various buildings are provided at the flanks of the aqueduct, and many minor arrangements are made, which it would be wearisome to describe here. A continuation of the earthen aqueduct, about ¾ of a mile in length, connects the masonry work with the high bank at Roorkhi, and brings the canal to the termination of the difficult portion of its course. Such details convey but a very imperfect idea of the work. They are, however, the only substitutes for plans, or other graphic representations; and it may be hoped that they are intelligible enough to give some conception of the magnitude of the structures.

"It will perhaps give additional clearness to what has now been stated, if some details of the amount of labor, and the quantity of materials, which will be required to complete the work within six years, are exhibited; and with this view the following calculations made by Major Baker, late director of the canal, are given:

Calculation of means required to complete the Solani Aqueduct in six years.

"For 8,749,524 cubic feet of masonry in aqueducts and revetements will be required:

	L.		B.		D.		
Bricks (12"	×	6"	×	2½)	. .	69,996,192	
Surkhi (1,924,894 cubic feet)					. .	13,474,258	
Total of Bricks					. .	83,470,450	
Lime						962,447	cubic feet.

Or say eighty-four millions of bricks, and one million cubic feet of lime.

"The workpeople required in preparing and using the materials are as follow:

	Brickmakers.	Laborers.
In Brickmaking (inclusive of wood cutting) . .	141,666	3,143,333
	Masons.	
In building Masonry and laying Floors . . .	306,233	781,946
In pounding Surkhi		641,632
In undersinking the foundation Blocks . . .		311,040
In earthwork of Aqueduct (exclusive of draught cattle)		1,972,750

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"The total labor required is therefore—

Brickmakers	141,666
Masons	306,233
Laborers	6,850,701

"The brickmaking, to be completed in five years, allowing 190 days each year (deducting Sundays and rainy seasons), would require per diem 149 brick-moulders and 3309 laborers. The remaining work, to be completed in six years, allowing 250 working days per annum, would require per diem 204 masons for five years, and for the sixth year 2471 laborers. The work-shops will require 50 smiths, and 80 to 100 carpenters per diem. An establishment of about 1000 bullocks (exclusive of contract carriage) will be required for the earth waggons, and other purposes."

This will be something to leave behind us, in those future days when we shall no longer sit at the receipt of custom among Mussulmans and Hindoos, and our Empire in India is a dream of the past.* It will be something to leave behind us; and it will be something, too, that it should be said that every laborer employed on this gigantic work received his wages on the appointed day, and that for every beast of burden the lawful hire was duly paid.†

* "Five centuries," says Baird Smith, "were not sufficient to obliterate the canals of Feroze, and these, as compared to the works of the British Government, were limited in extent, temporary in construction, and feeble in their powers of resistance to the destroying hand of time."

† A passage in a little book by Sir Digby Neave ("Three Days in Connemara") has attracted my attention whilst this sheet is passing through the press. Writing primarily on the subject of Irish famines, and the measures which have been taken, in case of their recurrence, to mitigate their severity, the tourist alludes to Indian famines, and what has been done to prevent them, and comments on the money-wages paid for the people's work.

"The country," he says, "is being opened up, for the civilising process is now begun, coupled, as I trust it will be, with a boon never before extended to India under any dynasty—a blessing, I really believe it may be fairly termed a Christian one, a lever which has never been applied except in the Christian era to the elevation of the masses—money-wages.

"We have been slow enough in marking our career with great works of utility; thank God these modern triumphs of civilisation, which are striking through the jungles, will be unspotted with blood. They will not be made as the tanks, the pyramids, and, in our days, as the Mahmoody Canal, with men's, women's, and children's lives, and a villanous calculation of the powers of human endurance, but by a fair day's wages for a fair day's work. Then will the Christian be had in honor among the heathen, and his creed in reverence among the nations.

"'Le physique influe sur la morale,

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Of the estimated agricultural results of this great enterprise it is time to speak. I continue to quote the same authority, because I know the evidence to be the best:

"The first point to determine is the extent to which the Doab will be irrigated by the canal and its branches; and fortunately, by means of the invaluable statistical tables prepared by the Agra Government, this can be done with a degree of accuracy not before attainable. The districts to which the influence of the Ganges Canal and its branches will extend, together with details of their assessed areas, are given below. From the areas of Saharunpur, Muzuffernuggur, and Meerut, we have deducted the portions already provided with means of irrigation from the Eastern Jumna Canal. We have taken from the tables only the cultivated and culturable areas, because it is for these alone that irrigation has to be provided.

	Cultivated area in acres.	Culturable area in acres.
1. Saharunpur	501,606	392,508
2. Muzuffernuggur	505,830	236,216
3. Meerut	972,213	476,427
4. Bolundshahur	657,071	359,713
5. Alighur	901,405	129,710
6. Muttra	676,323	106,129
7. Furruckabad	652,075	305,095
8. Mynpuri	613,338	182,000
9. Etawah	477,901	139,850
10. Cawnpore	781,173	163,565
11. Futtehpur	518,812	123,985
12. Allahabad	997,508	231,597
Totals	8,255,255	2,846,795

"The total area, cultivated and culturable, of the above twelve districts, is therefore 11,102,048 acres.

"Now, supposing that the full supply of the canal, being 6750 cubic feet per second, is rendered available for irrigation, as ultimately we have no doubt it will be, we know, from experience on the canals of the

et la morale sur le physique.' I do not recite the remark for the truism it contains, but to call attention to the just order in which this reciprocating action is placed, as the imperious demands of the 'physique' must take precedence of the requirements of the 'morale.'"

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Jumna, that each cubic foot of this discharge is sufficient for the irrigation during the year of 218 acres. The total area which would be actually watered during the year would consequently amount to $6750 \times 218 = 1,471,500$ acres, or, for facility of calculation, say 1,500,000 acres.

"Assuming, as a standard of comparison for the whole of the Doab, the best irrigated districts on the Eastern Jumna Canal, namely, the western portion of Meerut, we find, by reference to the statistical tables, that irrigating villages actually water one-third of their total areas. Consequently the supply of the Ganges Canal would furnish abundant irrigation for an area of $1,500,000 \times 3 = 4,500,000$ acres.

"In districts benefiting by canal irrigation, it is found that for such localities as, from position, difficulties of level, or other causes, cannot be provided with water, irrigation from wells is extensively employed. From data given in the Special Committee's report, it would appear that, in the best irrigated district on the Western Jumna Canal, the proportion of canal to well irrigation is as five to one; assuming this for the Doab, we should have an area, irrigated from wells, amounting to 900,000 acres.

"The total area for which irrigation would be provided would accordingly amount to 5,400,000 acres. But the whole irrigable area of the Doab is, as formerly shown, 11,102,048 acres. This tract of country would therefore be irrigated to the extent of very nearly one-half its surface—a proportion equal to that of the best district west, and nearly double that of the best district east, of the Jumna. In making this comparison, it should not be overlooked that the best districts on existing canals have been selected as standards for the whole Doab—a measure which tends to give a more limited range to the influence of the Ganges Canal than

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would have been the case had inferior tracts been selected. But we are anxious to avoid all appearance of exaggeration in estimating the benefits to be anticipated from this great work, and, as a rule, will select such data as give minimum results, believing these to be abundantly convincing."

Having shown the actual amount of the land to be brought under irrigation, it remains only to exhibit its value, and to indicate the increased produce which the canal system will secure to the producer.

Calculation of the gross value of crops which will be secured from injury in famine seasons by the grand Ganges Canal.

KHURIF CROPS.

		Rupees.
250,000 acres	of Sugar and Indigo, at Rs. 80 per acre .	2,00,00,000
125,000 „	of Cotton, at Rs. 48 per acre	60,00,000
375,000 „	of Rice and Sundries, at Rs. 38½ per acre .	1,44,37,500

RUBBI CROPS.

750,000 „	of Wheat, Barley, &c., at Rs. 48 per acre .	3,60,00,000
1,500,000	Total . . .	7,64,37,500

"Of this sum (upwards of 7½ millions sterling per annum) about one-tenth will return to Government in the form of land and water-rent, while the remainder will be the property of the agricultural community. It is needless to dwell on the importance of placing property, equal to between one-fifth and one-sixth of the value of the agricultural produce of the entire Presidency of Agra, beyond the influence of the seasons, and of insuring to the cultivators, under all circumstances, a certain return for their labor. The influence of the canal on the improvement of the Doab must necessarily be immense. This great tract will become the garden of the North-Western Provinces; and we shall hear no more of those devastating famines, which have hitherto swept across it, bringing physical wretchedness and moral degradation in their train.

"In addition to the certainty of returns, the actual

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produce of irrigated land exceeds materially that of land unirrigated. From data collected during the progress of the Revenue Survey, it appears that the excess on irrigated over unirrigated land may be taken from the Rubbi, or cold weather crops, as being about 550lbs. per acre for wheat, and about 730lbs. for barley. Assuming the average of these for the general excess, we have the following estimate of the increase of produce due to the existence of the canal: 750,000 acres under Rubbi crops will amount,

at 640lbs. per acre, to . . . . . 480,000,000lbs.

The value of this increase, allowing the market rate to be one maund, or 80lbs. per rupee, would amount to rupees 60,00,000, or 600,000*l.* per annum.

"We have not data sufficient to enable us to estimate in detail the increase on the Khurif crops; but considering that this season, including as it does sugar, indigo, and cotton, is by far the most profitable to the cultivator, and that irrigation exercises an equally beneficial effect upon it, as upon the produce of the Rubbi, we may with great safety conclude that the increase during the Khurif will be at least equal to that during the Rubbi. Hence the total increase of the value of the produce would amount to 1,200,000*l.* per annum, a sum nearly equal to the total capital invested in the canal."*

Leaving the line of the Ganges, let us now cross the Sutlej and see what is doing in the Punjab to fertilise the thirsty land. The development of the resources of the country by means of improved methods of irrigation and channels of communication, was from the very first one of the leading ideas in Lawrence's mind. He was continually pressing upon the Su-

* It may be mentioned here that the writer very clearly demonstrates that the great Ganges Canal, after paying for repairs and increased establishment, will yield an annual surplus of 350,000*l.* —more than twenty per cent. on the capital invested.

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preme Government the expediency of devoting large sums of public money to the construction of roads and canals, and urging that such an expenditure would soon return itself tenfold, in increased revenue, to the treasury of the State. "If the Punjab," such was the language of the Lahore Board, "is to be made to pay its expenses; if we can hope to keep up efficient military and civil establishments, while taxing the people less than they have been taxed by previous rulers (and unless we can do so we assuredly cannot expect to win their good will); if we wish to feed the thousands of human beings whom the change of rule must necessarily throw out of employment, we cannot more readily do so than by cutting new canals, and improving the beds of the old ones."*

To no one could an earnest appeal of this kind have been addressed with greater certainty of eliciting an echo responsive to every word than from Lord Dalhousie. "Since I first addressed the Court of Directors on this subject," he wrote in a minute dated December 6, 1850, "I have personally visited the several districts of the Manjhir, as well as the southern portion of the Baree Doab, near Mooltan, and the lower portion of the Sindh Saugur Doab, and of the Trans-Indus province. Everywhere I found evidence of the wonderful effect produced by irrigation, wherever the means could be obtained; everywhere I found lands of vast extent, fertile properties now lying comparatively waste, but wanting only water to convert them into plains of the richest cultivation; and everywhere I found among the people the keenest anxiety to be supplied with that by which alone they could be enabled to turn their labor to good account. It is impossible to exaggerate the political importance of holding out to the people of this

* *Secretary of Lahore Board to Secretary of Supreme Government, Nov. 29, 1850. MS. Records.*

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Doab an early prospect of the formation of canals throughout its length and breadth, whilst the statements which have recently been, and which now are, submitted to the Court, appear to afford satisfactory proof that the revenue of the new province will fairly warrant this large expenditure, and that the undertaking itself will be richly profitable to the treasury of the State."*

As freely and as earnestly as the Governor-General responded to the Lahore Board, the Court of Directors responded to the Governor-General. "We have already," they wrote, "in our despatch of the 5th December, 1849, shown the importance which we attach to the extension and improvement of public works in the Punjab, and concurring entirely in the views taken by the Governor-General of the advantages, social, political, and financial, likely to result from the construction of the canal in question, we readily give our cordial assent to the undertaking, in the full confidence that the utmost care will be exercised in selecting officers competent in every respect for designing and carrying into execution, with efficiency and a due regard to economy, a work involving so large an expenditure of the public money."†

The great work here recommended is known as the Baree Doab Canal. The projected line stretches from the Ravee river, some miles below the fort of Shalipoor, across the Baree Doab, west of the town of Butteeala, and falls again into the Ravee sixty miles above Mooltan. The entire length of the canal, with its several branches, will be 450 miles.‡ It will be available for navigation

* *MS. Records.*

† *Court of Directors to Governor-General, April* 25, 1851.

‡ The course of the canal, with its branches, is thus described by Colonel Napier, of the Engineers, under whose superintendence the work is proceeding: "The Baree Doab Canal will leave the Ravee some miles below the fort of Shalipoor, and following the highest land between the Ravee and the Beeas, will throw off a large branch at the village of Tibbree, eight miles below Deena-nuggur. This branch will supply two channels terminating in the Sutlej —the one at Sobraon, the other at Kussoor. The main channel passes west of the town of Butteeala, nearly parallel with which it again throws off a branch, which will water the country

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as well as irrigation. Its estimated cost is 500,000*l.*; and it is calculated that it may be completed within five years from the date of its commencement.

Of the immediate productiveness of such a work—apart from the after-results of increased cultivation—there seems to be little doubt. An equitable water-rate would yield, after deducting all expenses of establishment and repairs, 24 per cent. annually on the outlay. "Supposing," says Colonel Napier, "that 2500 cubic feet of water will be available for irrigation, and adopting Colonel Cautley's data for the Ganges Canal, that one cubic foot of water per second will irrigate 350 beegahs, or 218¾ English acres, 2500 cubic feet of water, at the rate of 1 rupee per Punjab beegah, or R. 2 6 10 per acre, will yield a return of·

	Rupees.
Water Rent	13,27,311
Water Mills	40,000
Transit-duties and sale of canal produce	30,000
	13,97,311
Deduct annual expense of establishment and repairs	1,90,000
Balance	12,07,000"

or 24 per cent. upon the outlay. But I have written too much already on the advantages of canal irrigation, to render it necessary for me to say, in this place, that the direct money return for the sale of the water is but a small element in the financial consideration of the question, and has no bearing upon the moral aspects of the case.*

I have shown what are the grand material results already realised or anticipated, on the securest data, of the system of canal irrigation, which the British Government is now carrying out so vigorously in Upper India. How it will change the whole face of the

in the neighbourhood of Lahore, and will fall into the Ravee about thirty miles below that city. The main line continues its course down the centre of the high land, and falls into the Ravee sixty miles above Mooltan."—[*Memorandum by Colonel Napier. MS. Records.*]

* See for further details of the Baree Doab Canal, Appendix E.

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country, and what will be the magnificent effect, when the entire scheme, including that of the proposed Sutlej Canal,* is perfected in all its parts, I leave it to the imagination of the reader to conjecture. I have heard a man, advanced in life, who had retired to this country after years of honorable service, declare that the completion of the great Ganges Canal would take him back to India on a pleasure tour.

Of the moral results of these great reproductive works I need not particularly speak, for they are those which ever attend increased security and prosperity, the accumulation of capital, and the diffusion of wealth. To fertilise the land is to civilise the people. It is impossible to conceive anything that will have a greater effect upon the civilisation of the inhabitants of Upper India than the great remedial measure which guards them collectively against all the barbarising and demoralising effects of famine, and secures to every man individually his daily bread.†

* See Appendix E.

† Before quitting this attractive subject of canal irrigation, I may mention that Captain Baird Smith, during his recent furlough to Europe, visited Italy, and inspected the great canal works of Lombardy and Piedmont, and afterwards, with a similar scientific object, the United States of America, at the expense of the East India Company. He has now returned to India, and has been appointed, I believe, to superintend the execution of the great Ganges Canal. The results of the Italian tour have been given in a very important work on Italian irrigation, in which the writer thus comprehensively states his impression of the relative merits of the Italian and Indian works:—"As regards the works themselves, whether reference is had to their designs or modes of execution, I do not think that the Italians are superior to ourselves; and in regard to the manner in which the efficiency of the work is maintained, I must frankly say decidedly inferior." There is another passage in his work which I am tempted to quote; for the lesson it conveys is an important one:—"I have thought it right to say these few words on the comparative dimensions of Italian and Anglo-Indian canals, because I found that nothing whatever was known of the latter among the intelligent engineers of Lombardy and Piedmont. Nor do I wonder at this, for in England there is nearly equal ignorance; and I cannot refrain from saying that I think the Government of India does itself the most grievous injustice by taking no measures whatever to convey to the public authentic information regarding these great works, which with equal advantage to its subjects and itself, it has been occupied in developing vigorously during the last thirty years. The impressions of the character of the British Government in India, among intelligent foreigners, I found to be of a very unsatisfactory kind, and it was gratifying neither to my national nor my personal feelings, to have to rectify the idea that we had done little or nothing to improve the condition of the people. As men's

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I have devoted so much space to these great works of irrigation in the North-Western Provinces of India, that I cannot afford to write much in detail of the lesser public works which everywhere dot the country. A list of these works occupies a folio volume. Some of them, of course, are of limited extent; but they indicate the continued, quiet, beneficial action of an enlightened Government, eager in small things as in great, to contribute to the happiness of the people. I am necessarily obliged, in such a work as this, to pass over very much that might be adduced in illustration of the great subject of Indian Progress, for time and space are alike restricted, and even at a period of unusual excitement, the patience of the public, in respect of matters of Indian administration, has no very extensive limits. Much might be said of the irrigation system of Southern India, differing as it does greatly from that of the North; but still most beneficially affecting the productiveness of the soil and the prosperity of the country. The works known as the "Cauvery Annicut"—works intended to secure, by embankments, the waters of the Cauvery river in the Southern Peninsula for purposes of irrigation, are approaching towards completion. Similar works for the Godavery and Kistnah rivers, in the northern parts of the Madras Presidency, have been sanctioned, and are in progress of execution. In 1849, an expenditure of 91,000*l.* was sanctioned for the former work; and in 1850, 150,000*l.* for the latter.*

minds in Northern Italy were thoroughly familiar with the nature and influences of works of irrigation, I found that, even the imperfect accounts that I was able to give of what the English in India had already effected in this department, were productive of good. The constant commentary on the information given was, however, 'Why are no accounts of such works communicated to the world?' And I earnestly hope it may yet be considered desirable that a worthy record of them should be made."

* With reference to the Kistnah Annicut, the Court observe in their letter of January 8, 1851: "The pro-

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Whilst these great works of Irrigation were in progress, the improvement of the means of internal land-communication, in all parts of the country, was engaging the attention of the Indian Government, and evoking the energies of their executive officers. And steadily and effectually has the good work been prosecuted. Foremost among recent achievements is the great Trunk Road. It stretches from Calcutta to Delhi, and thence to Lahore and Peshawur. Its total length is estimated at 1423 miles, and is thus divided:

	Miles.
Calcutta to Delhi	887
Delhi to Kurnaul	78
Kurnaul to Loodhianah . . .	124
Loodhianah to Ferozepore . .	74
Ferozepore to Lahore . . .	50
Lahore to Peshawur . . .	210
Total	1,423

This fine road was commenced soon after the Act, under which India is now governed, came into operation. It has been completed as far as Kurnaul, a distance of 960 miles, and is now being pushed forward with vigor. It is a metalled or macadamised road, "smooth as a bowling-green," and has hitherto cost about 1000*l.* per mile. It is estimated that the cost of keeping

ject has been submitted to the examination of those whose scientific acquirements, general experience, and local knowledge render them the most competent to form an opinion as to its merits, and has received the strongest recommendation from those authorities under whose consideration it has passed. We have carefully examined the papers submitted to us, and have satisfied ourselves that every possible means have been adopted to obtain the fullest assurance of the practicability of the proposed undertaking, and that the greatest care has been taken to prevent future disappointment in respect to the estimates, both of costs and returns. Under these circumstances, and concurring fully in the observation of Sir Henry Pottinger, that independently of the undoubted benefit which must in due time accrue to the State by a great increase of revenue, it is 'a positive duty which the British Government owes to the inhabitants of the districts which the Annicut is meant to fertilise, to adopt a measure which, under God's blessing, will for ever avert the horrors of famine under which they have before so deplorably suffered,' we readily give our cordial sanction to the undertaking, and trust that matters will be so arranged, that the establishment employed on the Godavery Annicut may not be broken up and dispersed, but may be made fully available for the works on the Kistnah."

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the entire line in repair will not fall short of 50,000*l.* per annum.

Of the amount of traffic on this road, some idea may be gathered from the following statement, derived from statistical tables published by the Government of the North-Western Provinces. "During the year 1846-47, a party of five individuals, with one overseer, were stationed at the two principal bridges. The men relieved each other night and day. The following figures may convey some idea of the importance of this great artery in the body politic, of the traffic which annually passes along this great channel of communication; and of the advantages which might be anticipated from a railway. During the year 1846-47, there passed along the road at the Paudu-bridge, as transport—

			Maunds.
Hackeries	Laden. 48,489 / Unladen. 14,417	weight of goods at 20 maunds each,	969,780
Camels	Laden. 9,782 / Unladen. 3,766	„ „ at 6 maunds each,	58,692
Bullocks and Buffaloes.	Laden. 16,261 / Unladen. 13,212	„ „ at 4 maunds each	65,044
		Total weight of Goods ...	1,093,516

Besides these, there passed travelling,—

Foot Passengers ...	565,347	... Sheep and Goats...	21,738	... Buggies	617
Coolies and Banghis	7,883	... Elephants	287	... Behlis	...9,950
		... Horses and Ponies	40,304	... Palkis	...1,798
Total	573,230		62,329		12,365*

Of the measures which have been taken to give security to the traveller along this great public way, something may be said in this place. A very recent writer—a gentleman of high character and elevated

* *Statistics of Cawnpore, quoted in Calcutta Review.*

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official position—speaking immediately with reference to the state of the country about Cawnpore, which does not unfairly represent the general condition of the Upper Provinces of India, says:—

"Since the year 1848, numerous measures have been adopted for the comfort and protection of travellers. Besides the halting-grounds for troops, serais have been erected at convenient intervals, and provision depôts have been established by Government, which stations its own contractors there, and compels them to conform to rules framed for the prevention of extortion or exorbitance. So that the traveller finds board and lodging, and accommodation for man and beast, at road-side inns provided by the State. For the protection of the road, there are fixed, at intervals of not less than two miles, either guard-houses with two watchmen each, or police-stations of greater or smaller calibre, according as the locality may require. Taking the number of the watchmen, and of the regular police employed upon the road, into consideration, there cannot be much less, upon an average, than one officer, of one kind or other, to every half mile of road."*

* *Calcutta Review.* Article: "Statistics of Cawnpore." I may add in confirmation of the above statement, the following by another writer, who speaks of *his* part of the country:

"The arrangements for watching the Grand Trunk Road in the district with which we happen to be best acquainted, are as follow: Every two miles along the road there is a police-station, with three policemen. These men are drafted from the body of the district police, are well armed, and wear a becoming uniform. The hours of their respective night-watches are fixed, and each man, on joining a road police-station, has a written notice given him, specifying the precise duties of his office From 10 p.m. to 4 a.m. two of the three night guards patrol the roads. Horse patrols are stationed at convenient distances, and to keep them on the alert, a written and verbal parole is sent from the magistrates court to each end of his district. The written parole is returned by the district post, so that the authorities have proof that once, at all events, each night, the horsemen patrol their portion of the road. To keep all up to this work, along the forty miles of road, three mounted jemadars are stationed, who send in written reports every morning of the exact spot where they passed each horse or foot patrol during the night. In the district to which we allude, in addition to the forty miles of Grand Trunk Road, there is, at least, an equal length of Branch Trunk Road leading towards Agra, which is watched and patrolled in the same manner. During the past year, no one single case of highway robbery has taken place; and though the traffic has been great, the amount of property stolen at night from travellers at halting-places, so far

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Let these statements be compared with what I have shown to be the security of the highways in the time of the Emperor Jehanguire, and let us strike the balance with an honest hand.*

Two other trunk roads, of lesser proportions, but still of very considerable extent, have also been commenced and carried some way towards completion. The Bombay and Agra Trunk Road was commenced in 1840, under the government of Lord Auckland. Its total extent is 734 miles. The expense of construction has amounted to 243,676*l.*—about 330*l.* per mile. It is not metalled, except in parts.† The cost of repair is calculated at about 5000*l.* per annum. The formation of the Calcutta and Bombay mail road was sanctioned by the home Government in 1840. A portion of the distance—that is, from Bombay to Ahmednuggur—158 miles, had been previously completed. The remaining distance from Ahmednuggur to Calcutta is upwards of 1000 miles. The estimated expense is about half a million.‡

as can be ascertained, does not exceed 1200 rupees (900 of which are the value of a bale of silk cut off a cart under the nose of a sleepy watchman). When it is considered that in this district there are no restraints put upon travellers as to where they shall halt, and that parties of wearied merchants are spending the night all along the road under the canopy of heaven; when the following table of traffic, too, is taken into account, it will be acknowledged that due care is taken to protect the commerce of the country. Of loaded carts (of one to eight bullocks each) there were 28,168 drawn by 99,714 bullocks. The beasts of burden, camels, bullocks, horses, &c., carrying loads, amounted to 34,820. This is the account of what passed on the Grand Trunk Road alone, in the year 1851. Above, *i.e.*, to the west of the point where the Agra Branch Road meets the Grand Trunk Road, from and to Agra along the branch road, an almost equal amount of traffic passed. Now, allowing that each bullock and beast of burden drew or carried on an average property worth ten rupees, the losses of merchants by theft, in the two roads, cannot be set down at more than two pie per hundred rupees, and by robbery *nil*. And as no single instance of cattle theft occurred during the year on the road, either of loaded or not loaded cattle, the ten pie per hundred rupees must be reduced to at least three pie per hundred rupees, or fourpence per hundred pounds sterling."—[*Raikes' North-Western Provinces.*]

* See *ante*, pages 45, 46.

† Whether the highly metalled roads are acceptable to the people, is somewhat doubtful—admirable as, in many respects they are, and greatly as they contribute to the furtherance of improved means of communication. We must not, at all events, look at the subject with our English eyes, for the natives of India seldom shoe their cattle, and they complain that the metalled roads wear out the hoofs of their beasts. They are often to be seen travelling by the sides of the trunk roads — anywhere rather than on them.

‡ *India House Statistics.*

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Of the cross-roads which intersect all parts of the country, it would be impossible to give any detailed account. These roads are made and repaired by means of funds raised, in some places from the tolls on public ferries, in others, from a rate of one per cent. paid by the landholders on the Government Revenue, and which in reality is a remission to that amount.* One local example will illustrate both the extent of these roads, and the manner of their management. "The district," says a recent writer on the Statistics of Cawnpore, "is intersected in every direction by unmetalled roads, passable for nine months in the year. These roads are repaired every year after the rains. Exclusive of the trunk road (which is under the superintendence of an engineer officer), the aggregate length of road under charge of the committee amounts to 500 miles. The members of the committee are composed partly of European and partly of native gentlemen."

I have spoken of what has been done in the Punjab for the irrigation of the country by means of the Baree-Doab Canal. I may add here that smaller canals of irrigation have been opened out, or old ones have been repaired. Good roads, too, are starting up everywhere. In less than two years the great trunk road—one of the finest in the world—will be extended to Peshawur, and so link the capital of British India with the frontier of Afghanistan. Cross-roads are being made in every direction. Already eight hundred miles of new road have been laid down in the Lahore district alone. At every stage along the new main roads serais have been constructed, and police posts established at an interval of every two or three miles. Thousands of trees have been planted by our English administrators; and soon, from one end of the country to the other, the reproach of want of verdure will be wiped away.

* See preceding chapter, page 264.

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The state of the roads in the Madras Presidency would seem to vary according to local circumstances. An expenditure of four lakhs of rupees a year upon the trunk roads has been authorised by the Court of Directors; but it does not seem that progress has been made commensurate with this liberality. Some of the district reports represent the roads in the interior to be in a state of decay, whilst others show that internal communication has been greatly facilitated by their excellent condition. From Salem, for example, the reports are very favorable. "The roads in this district," it is said, "are kept in repair without expense to Government. It is worthy of remark, that in 1847, there were no less than 400 miles of road traversed by carriages without obstruction at all seasons, besides branch roads, which only require some bridges to place them in equally good condition. The amount expended by Government from 1821 to 1840, was large, but the results were also very great. In 1848, the number of carts employed by the community exceeded that of the previous year by eighty, which is attributed to extended trade from the improved state of the roads."* A more recent writer, who brings down the statistics of this district to the beginning of 1852, shows that the improvement has been progressively increasing. "Next to freedom of commerce," he says, "we would place the facility of locomotion, the state of public roads; and on this subject we can speak with unmixed satisfaction. From one end of the district to the other, from north to south, and from east to west, excellent roads, bordered by flourishing avenues, do honor to the zeal and perseverance of several collectors, who have successively turned their attention to this subject; and, above all, to the late Mr. John Orr. The whole extent of roads within the district, which has been completed,

* *Official Returns—Report on Public Works*, 1851.

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planted, guarded by ditches, and with few exceptions marked by mile-stones, amounts to 726 miles. They are traversed, night and day, by hundreds of country carts, without let or hindrance, and may be traversed by any English traveller in his own carriage."* From Tanjore, too, it is reported that "considerable improvement has recently been effected throughout the province in the formation and opening out of roads, and the bridging of streams. The public have been greatly benefited by the completion of the repairs sanctioned in 1847 for the lines between the towns of Tanjore and Tivady, Tanjore and Combaconum, and the chain of communication is thus rendered perfect."†

One more illustration of the progress that has been made, in some parts of the Madras Presidency, may here be advantageously adduced. It is stated that the number of bridges built in the Salem district amounts to eighty-four. In connexion with this fact, a curious circumstance is stated by a local writer. "When the district was first handed over to our Government, an application was made to Colonel Read, by the officer commanding, for bricklayers to assist in building the officers' bungalows. Colonel Read's answer is on record, and states that no such person as a bricklayer existed in the district. In the last two seasons a bridge has been built over the river Cauvery of twenty-six arches, each of sixty feet span, chiefly by bricklayers and artificers of the Salem district."‡

Under the Bombay Presidency considerable progress has been made, especially in the improvement of internal communication. Something had been done before the Act under which India is now governed

* *Calcutta Review, June, 1852. Articls: "Land Revenue of Madras."*

† *Return from the Presidency of Fort St. George.—Report on East India Public Works, August 1, 1851.*

‡ *Calcutta Review.*

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passed into law. The administration of Sir John Malcolm saw the construction of the Bhore Ghât road, which opened the communications along a line of country upon which even military stores had been previously carried on the backs of bullocks, or on coolies' heads. There has been for some years an excellent road from Bombay to Poonah, and another from Bombay to Thannah, now soon to be superseded by the railway. Under the administration of Sir George Clerk, the Phonda Ghât road from Vizier-droog to Kolapore and Belgaum has thrown open the Southern Mahratta country. The road from Bombay to Sattarah has been greatly improved; and within the latter newly-acquired country there has been a large outlay on the public thoroughfares. Considerable progress has been made in the execution of the Thull Ghât road under Major Peat of the Engineers;* and a good road from Sholapore to Nassick commenced in a season of famine, with the object of supplying work to the starving people, has conferred substantial benefits on that part of the country. Of the lesser lines of communication I cannot afford to speak. I believe, too, that the only extensive irrigation works under the Bombay Presidency† are those in Kandeish, where the "bundarahs," by means of which the country was formerly watered, have been restored. In Bombay, as elsewhere, the want of money has been severely felt; and I am not sure that more would not have been done, if there had been less of centralisation in our system.

I have confined myself almost entirely, in this chapter, to the subject of roads and canals. Of the

* This is part of the line between Bombay and Agra, a continuation of the Thama road.

† The principal irrigation of the country is effected by means of wells and tanks. The revenue-officers are empowered to supply the agriculturists with money for the improvement of these works.

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construction of railways and their effects on the prosperity of the country it is too early a day to speak in detail. In each of the three Presidencies of India the construction of a line of railway has been sanctioned by the home Government, and commenced under the auspices of a private company. The East India Company have guaranteed the payment of interest on the subscribed capital to the extent of from 4½ to 5 per cent.* The Electric Telegraph has also been introduced into India. A line of wires between Calcutta and Kedgeree, near the mouth of the Hooghly, now flashes the message from the ship to the counting-house. The success of this experiment, conducted by a member of that service to which science in various branches is so much indebted—the medical service of the East India Company—convinced the Court of Directors of the practicability of a vast extension of the system, and, under the superintendence of Dr. W. O'Shaughnessy, an entire line of telegraphic communication, extending to 3150 miles, and connecting Calcutta, Madras, Bombay, Agra, Simlah, and Lahore, is now speedily to be established. The estimated cost is 35*l.* per mile, or 110,250*l.* for the entire distance.†

The amount, according to the official returns, expended on "Public Works in India, comprising Roads, Bridges, Embankments, Canals, Tanks, and Wells," is shown to be, on the average of the last fifteen years, about 300,000*l.* a year.‡ But averages of this kind, as I have said, are not worth much; and it is my object to show not the average, but the progressive expenditure on these works. In 1837-38, the first year of the series, the total expenditure was little above seven-

* That is, in Bengal, 5 per cent. on the first million; 4½ on the second. In Madras, 4½. In Bombay, 5 per cent.

† To this, and other scientific operations, as the Trigonometrical Survey, &c., I may, perhaps, allude in another place.

‡ In exact figures, 299,732*l.*

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teen lakhs of rupees (170,000*l.*); in 1851-52, the estimated expenditure was nearly seventy lakhs of rupees (700,000*l.*)* Of this latter sum, nearly fifty lakhs of rupees (500,000*l.*) are debited to the expenditure of the North-Western Provinces, including the Punjab, and are appropriated mainly to the great works of irrigation, of which I have given this hasty account. In these estimates of expenditure no account is taken of the salaries or allowances of the civil and military servants employed in the superintendence of the construction and repair of the works. Neither is any credit given for the cost of convict labor, which, for the five years between 1833 and 1838, is estimated at 156,000*l.* It is to be borne in mind, also, that, in Bengal, the Zemindars are under an obligation to repair the roads and embankments of rivers in their several estates, and as these disbursements are in reality met by proportionate remissions of revenue, the payments are in fact made by Government. They are estimated at not less than 100,000*l.* a year.

Therefore, although the total amount of the expenditure on public works, set down in figured statements, amounts to no more than four millions and a half† during the last fifteen years, this amount does not fairly represent the cost of their construction and repair. It is to be remembered, too, that these statements only relate to Roads, Bridges, Embankments, Canals, and Wells, and that "all buildings, civil or military, except so far as they are connected with such works, as bridges or roads, are excluded."‡

The estimated expenditure on Canals, Roads, &c., for the year 1850-51, has been shown to be 700,000*l.*—precisely quadruple the amount expended on similar

* That is, in 1837-38, 17,35,913 rupees; and in 1851-52, 69,35,290 rupees.

† 4,49,59,921 rupees.

‡ *India House Statistics.*

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works in 1837-38. But even this amount inadequately represents the annual expenditure at the present time. "There can be no doubt," we are told, on official authority, "that the disbursements in the two or three years following 1850-51, will be greatly in excess of the expenditure of that year, inasmuch as in addition to the ordinary outlay they must include the larger proportion of the sum of two millions sterling, which has been specially sanctioned for the construction of the Ganges and Punjab canals, the former of which is fast approaching to completion."*

On the whole, it would appear from these statements that there has been a progressive tendency, on the part of the Indian Government, both in its local and its home relations, to promote great works of public utility. That the amount of money expended on such works is miserably small in comparison with the immense sums lavished on unproductive wars, is a fact which cannot be too deeply deplored. But there is no single truth which ought to stand out so prominently from every picture of Indian Progress as this—that the exhausting wars, which have swallowed up the resources of India, have obstructed and limited this progress; and that roads have not been made, canals have not been dug, bridges have not been built, in the number and to the extent which the interests of the country demanded, and the benevolence of its rulers desired, solely because the money, which was necessary to the construction of such works, has been abstracted from the public treasury to meet the expenditure incurred by the ruinous wars in which we have been

* *India House Statistics.*—It is stated by the same authority, that "In 1847 sanction was given for an annual expenditure of 40,000*l.* for a system of trunk roads in Madras. No great progress appears to have been made by the local Government in this work; but as a system of railroads is now about to be established in India, it appears most desirable to determine the direction in which these lines shall traverse the country, before incurring any great outlay on ordinary roads, which for the most part must be altered in their directions so as to become subsidiary to the great arteries of communication."

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engaged. It is a truth to be wept over by every friend of humanity, that, within the last fifteen years, whilst some five millions of money have been spent on great national works, tending to the development of the resources of the country, and the promotion of the happiness of the people, thirty millions have been spent on War. And, in every consideration by Parliament or Press, by communities or individuals, of the good or bad government of our Indian possessions, this should be the foremost fact of all. It is right that, when account is taken of what has been done, and what has been left undone by the rulers of our Indian possessions, we should measure not only the progress that has been made, but what, judging by actual results under the most unfavorable circumstances, would have been made, if, throughout the last fifteen years of which I have been speaking, Peace had smiled down upon the land. It is right that, in every investigation of the working of the administrative machinery of what is called the East India Company, an inquiry into the causes of the melancholy retardation of domestic improvement should be prominently instituted; and that the responsibility of all this lamentable waste of public money, which, properly expended, might have conferred incalculable benefits on millions of our fellow-subjects, should be traced to its legitimate source.*

* See, for some interesting facts on the subject of Indian Bridges, "Addenda" at the end of the volume.

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PART III.

CHAPTER I.

The first Judicial Tribunals—The Mayor's Courts—Efforts of Warren Hastings—The Supreme Court of Calcutta—Cornwallis and the Regulations—The Provincial Courts—Reforms of Lord William Bentinck—Increase of Native Agency—Present State of the Company's Courts.

I WOULD proceed now to speak of the administrative efforts which have been made by the British Government in India for the protection of life and property, and the suppression of crime; and to inquire into the effect which these efforts have had upon the general happiness of the people.

In the early chapters of this work it has been briefly shown in what manner the first settlers provided for the occurrence of those mischances of lawlessness which are inseparable from all conditions of society,* and, most of all, from such a condition of society as obtained amongst us when we first planted our factories in the East. Collisions, whether civil or criminal, with the natives of the country, subjected our people to the decisions of the native tribunals; and when we fell out among ourselves, in matters affecting property or person, our disputes, if of the former character, were settled by the President, or if of the latter, a Court was held, under

* See *ante*, pages 65, 66.

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the King's Commission, probably on board one of the vessels in the roads, and the offender was dealt with as its members, consisting of the chief naval and mercantile functionaries, might determine and decree.

As time advanced, and the number of British subjects on the eastern shores steadily increased, and with the increase necessarily arose more complicated relations both with the natives of the country and among ourselves, it became necessary to establish in our settlements judicial tribunals with more defined powers. The Charter of 1661 empowered the Company to appoint Governors and other officers in their several factories, and decreed that "such Governor and his Council may exercise civil and criminal jurisdiction in the said factories, &c., according to the laws of England;" "and if the offence," continued the Letters Patent, "shall be committed in a place where it cannot be tried, the offender may be sent to such other plantation or fort, where there is a Governor and Council to try him, that justice may be done." A further clause set forth, that "the King's subjects, employed by the Company in the limits aforesaid, shall suffer such punishment for offences there committed as the Company's President and Council shall think fit and the quality of the offences require, and in case of appeal the offender shall be sent home for punishment. And for the better discovery of offenders, all persons may be examined on oath before the Company's President and Council, touching the same." In the grant of the island of Bombay, in 1669, the Court of Proprietors, or the Governor and Committees of the East India Company, were authorised "to make and publish, under the Company's seal, laws and constitutions for the good government of the island and its inhabitants, and to impose punishments and penalties extending to the taking away of life or member, when the quality of the offence shall require it; so that the punishment and the penalties are consonant to reason, and not repugnant

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to, but as near as may be agreeable to, the laws of England, and subject to the provisos and restrictions contained in the Charter." The proviso was that the offender did not appeal; but as every man sentenced to death was pretty certain to appeal, it would not seem that these Courts had any great power over the life of an offender, so long as they respected the letter of the Charter.

It was, probably, this restriction which rendered the Courts, so established, ineffective for the restraint of crime. At all events, in 1726, the Court of Directors laid at the foot of the throne a representation that "there was great want at Madras, Fort William, and Bombay, of a proper and competent power and authority for the more speedy and effectual administering of justice in civil causes, and for the trying and punishing of capital and other criminal offences and misdemeanors." That they had good reason for this plaint is not to be doubted. The records which still remain of the proceedings of the Courts of Justice anterior to this period, exhibit some curious instances of the manner in which men sat in judgment in their own cases, and put their names to sentences against prisoners whom they themselves had really prosecuted. Strange charges were made, and stranger punishments decreed—but they are to be judged, not by a reference to the state of our judicial administration, either in England or in India at the present time, but to what it was, even in Great Britain, at the close of the seventeenth and the commencement of the eighteenth century. Such an entry, as the following, has a strange appearance in these days, but, a century and a quarter ago, there may have been nothing startling in it. It is taken from the records of the Court of Justice at Bombay:

"July 5, 1724, a woman named Bastook, accused of diabolical practices, having been before whipped for the like, it appearing to proceed from her ignorance, which leads her sometimes to mingle

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rice and other foolish ceremonies, which she thinks effectual to cure sick persons, ordered she receive eleven lashes at the church-door, and afterwards she and all persons that are found guilty of the like, do such penance in the church as customary."*

So ignorance was to be whipped, and to stand in a sheet, at the church-door. But as not very long before the same ignorance was burnt at the stake in England, there was nothing, at that time, very noticeable in such a sentence.

Certainly the plaint of the East India Company at this time was not without just cause. But the remedy, which was sought to be applied, was scarcely a shade better than the disease. Justice gained little by the establishment of the Mayor's Courts. The Letters Patent of September, 1726, which established these tribunals, really did but little to advance the interests of substantive justice.† These Courts were to consist of a Mayor

* *MS. Records.* — This Court took cognisance also of military offences, and sentenced insolent troopers to be flogged. Take the following specimen, which I have extracted from the records of the Court:

"*Court of Justice at Bombay, the Worshipful John Hope, Chief Justice. — April 15th*, 1724.—Mr. Braddyll, having been much insulted by a trooper last Monday night, when he was walking out with his lady, having been almost rid over, and Mr. Braddyll calling to him bidding him take care and keep off, he returned in answer, 'God d—n you; if I had a pistol I would shoot you through the head for a farthing.' Mr. Braddyll answering, 'Would you so?' he again returned, 'Yes, I would—you are a rogue and a rascal.' On inquiry being made who was down on duty that time of night, one Matthew Bogle was fixed upon, who denies it; but the corporal of the first guard declaring that it was him and no other, and the officer of the guard confirming of the same, and two witnesses to the insult, besides Mr. Braddyll, viz., Captain Montague and Ensign Mainwaring, both at the time in the same place with Mr. Braddyll, the Court considering the circumstances, the voice agreeing (no other trooper at that time being at the fort), the corporal's confirmation, the words plainly proved, and nothing to the contrary but a plain denial, the Court condemned him to receive thirty-nine lashes in the public bazaar, and to be sent on board one of the Company's vessels, there to serve during the Governor's pleasure, without pay."—(Mr. Braddyll himself was one of the Court which tried him and signed the sentence.)

† The Mayor's Court of Madras had existed before this, but with less defined judicial constitution, and less extended powers. "They have a mayor and aldermen," says an old writer, at the commencement of the eighteenth century, "who exercise the same authority as in corporations in England. Quarrels, small debts, and other business of the meaner sort, are decided by them at a Court of six Aldermen, held twice a week in the Town Hall. Black merchants commonly apply to this Court, but Europeans usually seek favor of the Governor. When any are not satisfied with the Mayor's Justice, they may appeal to a higher court, where for much money they have little law, with a great deal of formality. Here a judge allowed by the Company presides, who, on the report of a jury, gives a final decree. Of European male-

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and nine Aldermen, seven of whom, with the Mayor, were to be British subjects. They were, in fact, composed of the Company's mercantile servants—men of the slenderest legal attainments, and the slightest judicial training. They undertook all kinds of business, civil, criminal, and prerogative—but were, to a certain extent, controlled by the executive Governments, which were constituted Courts of Appeal. The President and Council and the members of the Mayor's Courts were thus often brought into collision; and between the two, I fear that neither law nor justice was treated with much respect.

I have little doubt that the excesses committed by these early Courts have been considerably exaggerated by writers, who, not belonging to the privileged class of Company's servants, looked askance at their doings, and magnified their misdeeds. But making every allowance for these exaggerations, it would still appear that justice was administered in a very arbitrary manner, and that law was held of little account. It was a story very current in those days that as the Company's Courts had power only to inflict capital punishment for piracy, the widest possible interpretation was given to the word, and men were hanged as pirates who had committed some offence that had no sort of likeness to it.* The laws

factors they hang none but pirates, though, formerly here, have been men put to death for other crimes, whence I am apt to think that the Governors had then great powers."—[*Account of the Trade in India, by Charles Lockyer*, 1711.] The same writer adds: "Lawyers are plenty, and as knowing as can be expected from broken linendrapers and other crack'd tradesmen who seek their fortunes here by their wits."

* "A private trader," said one writer, "if he has the misfortune to incur the displeasure of the Governor, is soon found guilty of piracy." Speaking of the Mayor's Court of Madras, he says, "In matters of consequence, a few pagodas, well placed, could turn the scales of Justice, the cause generally going according to the favored inclination of the Governor." Another writer, the well-known Captain Hamilton, who was an interloper, says: "If any private trader is injured by the tricks of a Governor, and can find no redress, if the injured person is so bold as to talk of *lex talionis*, he is infallibly declared a pirate." The captain gives one or two instances of the extensive application of the word. "They have no martial law," he says, "at Fort St. George, so they cannot inflict the pain of death any other way than by whipping or starving, only for piracy they can hang, and some have been so fond of that privilege, that Mr. Yale hanged his groom (Cross) for

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against piracy were wound up to a state of extreme stringency, and the Company's servants, maddened by the insolence and audacity of the interlopers, doubtless abused the power which was vested in them by those laws, and committed many grievous excesses.

But such as they were, these Mayor's Courts existed for half a century. As time wore on, the evil of a defective administration of justice became more painfully apparent. So long as these tribunals took cognisance only of cases, civil or criminal, in which the hangers-on of the Factories were concerned—such as deserters from the shipping, small traders of Portuguese or Eurasian stock, native dubashes, speaking the English language, and others who lived upon the English connexion—the evil consequences of an ineffective judicial system and an imperfect judicial agency were comparatively limited. But when our territorial dominion was extended—when on the banks of the Hooghly we became occupants of land which we called our own, and the natives of India submitted themselves to our authority and protection, it became obvious that we required something more than the power of administering justice according to the laws of England, and that the whole question of judicial administration demanded our most serious thoughts. The natives of India knew nothing of English law, and if they had known anything of it, would have seen at a glance how utterly inapplicable it was to the social condition of either Mahomedans or Hindoos. We had a very sanguinary code in those times. There were many offences, which to English eyes in the present day have a strange effect with the word "capital" prefixed to them. The enormity of these crimes no native of India could possibly be made to understand. And yet the people of Bengal, in and around Calcutta, were brought within the

riding two or three days' journey off to take the air"—probably for horse stealing, which Mr. Yale, perhaps, regarded as an act of land-piracy. It should be mentioned, that these cases refer to a period anterior to 1726.

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network of these laws, and were sometimes made to feel their terrible significance. The powers of the Courts were extended by law; our judges made other extensions for themselves; and the natives of India were hanged for the commission of acts which they believed to be justifiable, if not commendable, in the eyes both of God and man. One example of this will suffice. It is given on the authority of Mr. Verelst:

"In the year 1762 a native detected one of his women in an act of infidelity. Throughout the East women are wholly subject to the will of their masters, and every husband is the avenger of his own wrongs. The man, therefore, satisfied of her guilt, proceeded to punishment by cutting off her nose. He was arraigned at the Calcutta Sessions. He confessed the fact, but urged that he had done nothing to offend the laws and customs in which he had been educated—that the woman was his property, and that by such customs he had a right to set a mark upon her for her infamy—that he had never heard of the laws by which they tried him, but desired to put one question to the Bench—Did they believe that if he had known the punishment to be death, he would ever have committed what they now called a crime? The man, notwithstanding this defence, was condemned and hanged—for if the Court possess jurisdiction, they must proceed according to the English laws."

This state of things could not be long endured. The people cowered beneath this new terror — a terror doubly terrible, because they could not discern the shape thereof. It might meet them, at any time, in strange places—come upon them unawares, and destroy them suddenly in their sleep, ere they had time to understand the unexpected danger that was coiling around them. In this extremity they presented, in March, 1765, a petition to the President and Council of Fort William, setting forth "the general consternation, astonishment, and even panic with which the natives at all parts, under the dominion of the English, are seized by this example of Radachurn Mettre. They find themselves

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subject to the pains and penalties of laws to which they are utter strangers, and are liable, through ignorance, unwillingly to incur them; as they are no ways interested in those laws, they cannot tell when they transgress them, many things being, it seems, capital by the English laws, which are only fineable by the laws of your petitioners' forefathers, subject to which they have hitherto been bred, lived, and been governed, and that till very lately under the British flag." The hand of the English lawyer was plainly discernible beneath the transparent covering of this petition,* as beneath other petitions of much more recent date; but it really represented the feelings of the more intelligent native inhabitants of Calcutta and the surrounding country. At all events, there was abundant reason on their side, which there is not always in native petitions. It is characteristic of the people of Bengal, that as soon as they began to obtain some little insight into the powers of the Mayor's Court, and to understand the class of offences which the Court was competent to punish with extreme severity, they began to avail themselves of the existence of those powers as an instrument of oppression among themselves, and to set forth charges one against another of such a character as would bring them most perilously under the heavy hand of the English law.

But a time was now approaching when the necessity of looking more seriously at the whole question of internal administration, could no longer be withstood. The Dewanee passed into our hands; and although we did not at once stand forth as administrators, it became our duty to keep a watchful eye upon the system, which

* The petition was primarily for the remission of the sentence passed on Radachurn Mettre for forgery. The petitioners are made to say: "And further your petitioners are advised that the said indictment was very erroneous and naught, and that the said prisoner could not have been arraigned thereon had he been versed in the laws to make his exception thereto—Lord Chief Justice Hales saying, that 'there is great exactness required in indictments where life is at stake.'"

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was to be maintained under the double Government, and to endeavour to give it more beneficial effect. The Mayor's Courts had yet some years of life remaining; but the evils of which I have spoken diminished under a growing conviction, on the part of the chief servants of the Company, that English law was wholly inapplicable to the usages of native society. We began now, more and more, to look into the practice of the Native Courts, and to endeavour to understand the laws which their own magistrates administered. A great and solemn duty was now spreading itself out before us—the duty of infusing the principles of English justice into the administration of the Mahomedan law—of regulating and purifying the dispensation of that law, and improving existing institutions, rather than demolishing them. During the years intervening between the grant of the Dewanee, and our open assumption of the duties of Dewan, the Company's servants had acquired some knowledge and experience, which might be turned to profitable account. But they were not then competent to take into their own hands the entire management of the Courts of Justice. The experiment at that early period would have been a dangerous one, and Hastings knew too well the character and the attainments of his associates to incur so formidable a risk.

When, therefore, by the public announcement that the Company had determined to stand forth in the character of Dewan, the whole responsibility of the civil administration of the country was thrown upon the President and Council, Hastings, though he was prepared to turn his supervisors into collectors of revenue, was not prepared to deliver into their hands the administration of criminal justice. He established in each district two Courts of Judicature—a civil and a criminal court.* Over the former the European collector of

* Known as the "Dewanee Adawlut" and "Fouzdaree Adawlut."

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each district was to preside, on the part of the Company, attended by the provincial native Dewan, who with his officers was to be appointed by the President and Council. Over the others the old Mogul judicial officers were to preside, with two Moulavees, or Mahomedan doctors, to expound the law. The Company's European servants had no immediate connexion with the business of these criminal courts. But the collector was ordered to exercise a sort of general superintendence over their procedure—"so as to see that all necessary evidences are summoned and examined; that due weight is allowed to their testimony, and that the decision passed is fair and impartial, according to the proofs exhibited in the course of the trial."*

At the same time were established two superior courts, which were to sit at the chief seat of Government—the one known as the Sudder Dewanee Adawlut, and the other as the Sudder Nizamut Adawlut. The first of these, or chief civil court, was to be presided over by the President and two members of Council; the latter by a Mahomedan judge, or "chief officer of justice," appointed by the Nazim, and attended by a sufficient staff of Mahomedan law officers. Over the general procedure of this court the same control was to be exercised by the President and Council as was vested in the collectors over the provincial criminal courts.

These Sudder Courts were Courts of Appeal from the different civil and criminal tribunals in the provinces. Their precise powers and duties were clearly defined; whilst, at the same time, many subsidiary regulations for the furtherance of justice were laid down and publicly announced. They exhibit on the whole a sincere desire to secure equal justice to the

* *General Regulations for the Administration of Justice, August* 15, 1772.—*Colebrooke's Digest, Supplementary volume.*

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people—to protect the rights of all men without encouraging the litigiousness which is so formidable an ingredient in the native character.* As the first essay towards the establishment of a judicial system for our new territories, these Regulations of 1772 are very creditable to our infant administrators. And it must not be omitted in any statement of the benefits they conferred on the people, that the oppressive exactions, under the head of fines and fees, which had fed the revenue and paid the law officers, under Mogul management, were abolished, "conformably to the wise and humane instructions of our honorable masters, who, from the same spirit of equity have renounced the right, hitherto exercised by the country Government and authorised by the Mahomedan law, to a commission on the amount of all debts, and on the value of all property recovered by the decrees of the Courts—a practice repugnant to every principle of justice."†

Such were the Regulations in force throughout the Presidency of Bengal when the "Regulating Act" was passed. The thirteenth clause of this Act recited, that "whereas his late Majesty George II., by Letters Patent, dated January 8, of the 26th year of his reign,

* Thus, on the one hand, it was ordered—"That as nothing is more conducive to the prosperity of any country than a free and easy access to justice and redress, the collectors shall at all times be ready to receive the petitions of the injured; and further to prevent their being debarred this access, from motives of interest, partiality, or resentment, in the officers or servants of the Cutcherry, that a box shall be placed at the door of the Cutcherry, in which the complainants may lodge their petitions at any time or hour they please. That the collector shall himself keep the key of the box, and each court-day have such urzees as he may find in it read immediately in his presence by the Arzbeggy of the court." And on the other it was decreed—"That as the litigiousness and perseverance of the natives of this country, in their suits and complaints, is often productive, not only of inconvenience and vexation to their adversaries, but also of endless expense and actual oppression, it is to be observed, as a standing rule, that complaints of so old a date as twelve years shall not be actionable; and further, should they be found guilty of flying from the one court to the other, in order to prevent and protract the course of justice, the party so transgressing shall be nonsuited, and liable to fine or punishment." And again, that "persons found guilty of preferring groundless, litigious, or vexatious appeals, shall be punished at the discretion of the Sudder Dewanee Adawlut by an enhancement of the costs, &c., &c."

† *Letter of the Committee of Circuit to Council of Fort William, August* 15, 1772.—*Colebrooke's Digest, Supplement.*

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granted to the said Company his Royal Charter to constitute Courts of Civil, Criminal, and Ecclesiastical Jurisdiction, and which Charter does not sufficiently provide for the due administration of justice, &c., it is therefore enacted that it shall be lawful for his Majesty to erect a Supreme Court, to consist of a Chief Justice and three other Judges, which said Supreme Court shall have full powers to exercise all civil, criminal, admiralty and ecclesiastical jurisdiction, and appoint such clerks and other ministerial officers, with such salaries as shall be approved of by the said Governor-General and Council, &c., and also, shall be at all times a Court of Record, and a Court of Oyer and Terminer, and a gaol delivery, in and for the said Town of Calcutta, and factory of Fort William in Bengal and the limits thereof, and the factories subordinate thereto."* The old Mayor's Court was superseded by this new tribunal; and English lawyers went out to administer English law after the most approved Westminster model.

Then began the great strife, the history of which has been written in language so attractive, that few are disposed to censure the exaggerations with which it is crusted over. A great and scandalous error was committed by Parliament in not more clearly defining the jurisdiction of the Crown Court; and the new English judges were not disinclined to take advantage of the obscurities of their Charter. They carried with them to India the most inflated ideas of the beauties and benignities of English law. They went out to save, and they destroyed. Instead of maintaining order and preserving peace, they threw the settlement

* The Letters Patent which the King was empowered in the Regulating Act to grant, was dated 26th of March, 1774. It contained a great many clauses intended to define the powers and jurisdiction of the Supreme Court—which had been less clearly stated in the Regulating Act—but it still left them very vague and uncertain.

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into confusion, and engendered the most unseemly strife. Instead of a blessing, they conferred a curse upon the people—instead of security, terror. I believe that they were honest and able men—that they believed they were fufilling the intentions of the Legislature, and shielding the people from wrong; but they went out with the most exaggerated ideas of the inefficiency and the turpitude of the Company's Courts, and believed that so long as they were in antagonism with the Company's servants, they were nobly fulfilling their mission as representatives of English law. The whole administration of the country was well-nigh brought to a stand-still.* It is charitable to suppose that these ermined Interlopers, fresh from Westminster Hall and the Inns of Court, did not know what they were doing. They had little acquaintance with the system of internal government, which the Company's servants had built up on the basis of the old Mogul administration. They knew nothing of the language, the institutions, the character and the usages of the people. They scarcely knew a Mahomedan from a Hindoo, or the difference between a Cauzee and a Dewan. But it was ever uppermost in their thoughts that they had come out to administer the English law, as it was administered at Westminster; and they believed that it was their first duty to uphold the dignity and to maintain the integrity of that "perfection of human wisdom," which they inscribed on their banners when they went out to fight the Company and their servants. There were evils,

* "Every class of the population," says Mr. Macaulay, "English and native, with the exception of the ravenous pettifoggers, who fattened on the misery and terror of an immense community, cried out loudly against this fearful oppression. But the judges were immoveable. If a bailiff was resisted, they ordered the soldiers to be called out. If a servant of the Company, in conformity with the orders of his Government, withstood the miserable catchpoles, who, with Impey's writs in their hands, exceeded the insolence and rapacity of gang-robbers, he was flung into prison for contempt. The lapse of sixty years—the virtue and wisdom of many eminent magistrates, who have during that time administered justice in the Supreme Court, have not effaced from the minds of the people of Bengal the recollection of those evil days."

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doubtless, to be remedied; but the remedy was far worse than the disease. The man who rides down a field of corn to drive out a hare or pheasant that is nibbling at his crops, is a faint emblem of the Supreme Court during the first years of the Regulating Act. The new Judges went out to India to eradicate certain administrative defects, and they rode down the whole administration of the country without a feeling of remorse. Well might it have been said in the petitions which were presented to Parliament, that unless relief were granted to the Company, they would soon have ports without trade; possessions without revenue; and laws without inhabitants.

The prayers of these petitions were not unheeded.* The excesses of the Supreme Court were taken into due consideration by Parliament, and, in 1781, an Act was passed (21 George III., chap. 70) defining and limiting its powers.† Practically, the evil had somewhat abated before the new Act was brought into operation. The Judges may have seen the error of

* The petition from the British subjects in Bengal, Behar, and Orissa, was drawn up by Mr. Shore, afterwards Lord Teignmouth. It set out by saying that "Whereas your petitioners observed with the deepest concern and affliction, that at the passing of the Act (3 George III.), and previous to it, very erroneous reports had been propagated, and injurious ideas entertained of the principles and practices of the British subjects residing within these provinces, from which it was inferred that they required more vigorous restraints and coercions than have usually been imposed upon Englishmen," &c.

† It was enacted "that the Court should not have, or exercise, any jurisdiction in any matter concerning the revenue, or concerning any act or acts ordered or done in the collection thereof, according to the usage and practice of the country, or the regulations of the Governor-General and Council." It then went on to declare the description of persons to be subject to the jurisdiction of the Court. The old Act had rendered all persons in the employment of the Company amenable to the Crown Court, and the judges had decided that all the Zemindars, and revenue-farmers, and contractors, were servants of the Company, and had issued process against them. The new Act decreed that "no person shall be subject to the jurisdiction of the Supreme Court for or by reason of his being a landowner, landholder, or farmer of land, or of land-rent . . . or those who are his under-tenants in virtue of his farm . . . within the Provinces of Bengal, Behar, and Orissa." It enacted that judicial officers in the Country Courts should not be liable to actions in the Supreme Courts for wrongs done in their judicial offices; and expressly declared the incompetency of the Court to determine any indictment or information against the Governor-General and Council.

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their ways, or they may have been subjected to private influences; but the confusion into which the settlement had been thrown was fast subsiding, when the Legislature formally curtailed their power and crushed their licentiousness. From this time, to the present, the Crown Courts have maintained themselves in a state of comparative quiescence, and though, ever and anon, they have come into collision with the Company's servants, there have been none of those open scandals and insolent outrages which in the first years of the Regulating Act convulsed society, and well nigh-overturned the administration.

Meanwhile, the Company's Courts were in process of gradual improvement. From time to time certain changes had been introduced by Warren Hastings and his associates in the Government, but they had not been moulded into "any general and uniform system." But in April, 1780, they took shape in certain Regulations which gave the Company's servants a more clearly defined judicial character then they had been invested with under the Regulations of 1772. Under these Regulations the Collectors had been appointed, *ex officio*, Presidents of the Civil Provincial Courts; but now distinct judicial officers, from among the Company's European servants, were appointed to preside in these Courts, under the title of superintendents of Dewanee Adawlut, with instructions to hold their Courts "three times in every week, and as frequently as occasion may require, but that no cause shall be determined except in open Court, and in the presence of some of the principal officers."* These Courts were to take cognisance of all ordinary civil business; but Revenue suits were to be decided by the Provincial Councils.

* *Regulations passed by the Governor-General and Court, April* 11, 1780.—*Colebrooke's Digest, Supplement.*

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In 1781, another change was introduced, which brought the Company's servants into a still closer connexion with the administration of justice in Bengal. The Judges of the Civil Courts were invested with the power, as magistrates, of apprehending Dakoits and persons charged with the commission of any crime or active violence, within their respective jurisdictions—but they had no power to try them. And in this state, the administration of criminal justice being still in the hands of the native officers, Lord Cornwallis found the judicial system of Bengal on his first arrival in the country. As much had been done, as under all circumstances could have been reasonably expected, to bestow upon the natives of India the blessings of a mild and equable dispensation of the law, and imperfect as were these initial efforts, it is still apparent that the system which Warren Hastings introduced, and the practice which he enforced, were great improvements upon those of the Moguls.*

Lord Cornwallis went out to India with definite instructions from the Court of Directors, but with considerable discretionary power. On the subject of the administration of justice, the Court declared that it was their desire "to accommodate their views and interests to the subsisting manners and usages of the people, rather than to any abstract theories, drawn from other countries, or applicable to a different state of things."† And, having thus enunciated general principles, the soundness of which is not to be questioned, they proceeded to deliver themselves of specific instructions. They ordered that the Provincial Civil Courts should be again placed under the superintendence of the Collectors,

* See for a very fair statement of the advantages conferred upon the people by our earliest administrative efforts *Mr. Shore's (Lord Teignmouth's) Minute of Feb.* 10, 1790.

† *Letter to the Governor-General in Council, April* 12, 1786.

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and that the administration of criminal justice should remain as before, in the hands of the Mahomedan officers. Accordingly a series of Regulations, "revised and adapted to the system established by the orders of the Court of Directors," was passed on the 27th of June, 1787, and translated into Persian and Bengallee, for the information of the people. They revoked all former Regulations, and ordered "that the office of judge of the several Provincial Courts be respectively held by that person who hath, or shall hereafter have, the charge of the revenue in each respective place."* On the same day a series of Regulations for the administration of justice in the Criminal Courts was passed by the Governor-General in Council. The Collectors, as under the Regulations of 1781, were empowered to act as magistrates in their several collectorates; but these powers were now to be extended. Before, the magistrates had been authorised only to apprehend and commit; now they were empowered "to hear and determine, without any reference to the Fouzdarry (or native criminal) Courts, all complaints or prosecutions brought before him for petty offences, such as abusive or calumny, inconsiderable assaults or affrays, and to punish the same, when proved, by corporal punishment, not exceeding fifteen rattans, or imprisonment not exceeding the term of fifteen days; but that in all cases affecting either the life or limbs of the party accused, or subjecting them to a greater punishment than that above specified, the cause be remitted as above prescribed to the hearing of the nearest Criminal Court." We were beginning to nibble at the administration of criminal justice; and it was not long before it passed bodily into our hands.

On the 3rd of December, 1790, a new series of Regulations was issued. The preamble set forth that "the

* Special exceptions were made of Moorshedabad, Patna, and Dacca.

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numerous robberies, murders, and other enormities, which have been daily committed throughout the country, evinced that the administration of criminal justice was still in a very defective state," and that therefore the Governor-General in Council had determined "to resume the administration of criminal justice throughout the provinces." Courts of Circuit were accordingly created—four in number; three for the province of Bengal and one for the province of Behar—and each of these Courts of Circuit was to be superintended by two covenanted civil servants of the Company, to be denominated Judges of the Court of Circuit. The Sudder Nizamut Adawlut, or chief criminal court, which was to be established in Calcutta, was to be presided over by the Governor-General and members of Council, who were to exercise all the powers lately vested in the Naib Nazim, or chief minister of justice.

But although the Mahomedan judges were thus removed from office, the Mahomedan law was still left supreme in the Courts. One of the Regulations of the New Code emphatically ordered "that the decisions of the Court be in all cases regulated by the Mahomedan law."* The Mahomedan modes of punishment were, however, to be renounced. It has been seen that the Regulations of 1787 recognised the cruel punishment of mutilation, which was practised in the Fouzdarry Courts a quarter of a century after we became the rulers of the land. But on the 10th of October, 1791, Cornwallis ordained "that the punishment of mutilation shall not be inflicted on any criminal in future." Instead of the loss of two limbs, an offender was to be sentenced to fourteen years' imprisonment; and instead

* One or two exceptions were made, as for example that "the relations of a murdered man be debarred from pardoning the offender." But a subsequent Regulation modified this exception, and decreed that if the heir of the slain should pardon the murderer, sentence should not be passed by the Courts of Circuit, but the case forwarded to the Sudder, or chief court, at Calcutta.

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of the loss of one limb, to be imprisoned and kept to hard labor for seven years.

But the time was now approaching when all these shifts and expedients were to give place to one definite and comprehensive system of judicial administration. The benevolent mind of Lord Cornwallis had long been brooding over the defects of the existing Regulations, and the discouraging results of all that had yet been done for the protection of the inhabitants of the British Provinces in Bengal. He believed that the establishment of the Courts of Circuit and the reorganisation of the Police had conferred substantial benefits upon the people. But it was painfully obvious that the Civil Courts, presided over as they then were by the revenue-officers, had been converted into instruments of oppression, and that the inhabitants of the provinces were groaning under the wrongs which had been inflicted upon them by officers in whom the fiscal and judicial authorities had been so unwisely combined, and who consummated in one capacity the injuries which they originated in the other.* There seemed, indeed, to be no remedy, in the existing state of things, for this great evil of unchecked power. The greater part of the people, it was clear, would rather submit to the

* "In these various capacities," said Lord Cornwallis, "there is not an individual in the district whose person or property is not, at some time or other, within the reach of his authority. Such power, vested in an individual, and at a great distance from the seat of supreme control, excites terror in the minds of the people instead of inspiring them with confidence in its protection; and as they can form no judgment of our government but as it is thus shown to them in our representative the collector, there is little encouragement for them when oppressed to rely upon our justice for relief. By the operation of these causes we are to account for whole provinces silently submitting for years to oppression and for the mal-administration of collectors having never reached the ear of Government, until despair getting the better of the terrors of power, the people flock to the Presidency to impeach their oppressor. When the complaint has been brought before the Government, what is the result? If the inquiry into the conduct of the offender is to be made on the spot, there is no court of justice in which it can be made. The offender himself is the sole and chief magistrate of the country. . . . If the inquiry is to be made in Calcutta, by whom is it to be conducted? The time of the supreme Government cannot be given up to a long and intricate investigation."—[*Minute of Lord Cornwallis, written by Mr. Barlow. MS. Records.*]

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oppression than undertake the difficult and dangerous work of endeavoring to obtain redress.

With these facts before him—surrounded by wise counsellors—by the recommendation of some of the ablest servants of the Company, and with the encouraging approbation of the judges of the Supreme Court, Cornwallis determined to strike at the very root of the existing system. The first thing to be done was, "to vest the collection of the revenues and the administration of justice in separate officers." With a very different appreciation of the relative importance of the two offices, from that which obtains in the present day, he proposed to appoint the existing collectors judges of the Civil Courts,* whilst their head-assistants were appointed to the different collectorates, for which, said the Government minute, "they will be found sufficiently qualified."† At the cities of Moorshedabad, Dacca, Patna, and in the vicinity of Calcutta, Provincial Courts, each presided over by four judges, were to be established—their jurisdiction over the different collectorates to be co-extensive with that held by them as judges of the Courts of Circuit. A right of appeal to these Courts was to lie from the several district Courts, and from them again, in civil business, to the Sudder Dewanny Adawlut, or Chief Civil Court at Calcutta, and in criminal business to the Sudder Nizamut Adawlut, or Chief Criminal Court. In order

* The judges of these Courts were also to be magistrates in their respective districts.

† Some of the joint remarks of Cornwallis and Barlow on the degradation of the judicial office, may be still read with advantage. The system is thus described: "The administration of justice was considered as a subordinate duty attached to the office of collector of the revenues. To this day, all Regulations respecting the administration of justice are passed in the revenue-department, although no two departments of Government can be more unconnected than finance and the administration of justice—nor can any reasons be assigned why the name and business of the one should be merged in the other. Consistently with the same principles all salaries and emoluments continue to be annexed to the office of collector of the revenue. The collector receives no salary as judge of the Court of Justice, or as magistrate of the district. These two offices are considered as appendages to that of collector, and the duties of the two former offices stand still whenever they interfere with those of the latter." —[*MS. Records.*]

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to expedite the gaol-deliveries, two of the judges were to take one-half of the division, and the two others the other half, and thus, it was said, "the duties of the Circuit would be rendered easy to them, and leave ample time for the discharge of the duties of a Civil Court."* The judgeships, so established, were to be considered appointments "the first in importance in the civil service."—"The persons selected to fill them," it was added, "should be distinguished for their integrity, abilities, and knowledge of the manners, customs, and languages of the natives, and their allowances should be proportionate to the greatness of their trust."† The judges of these Courts were also to be judges of Circuit.

Such was the new constitution of the Company's civil service. But the judicial reforms of Lord Cornwallis were not confined to this redistribution of the different agencies for the internal administration of the country. I have shown how keenly alive he was to the evils of that uncontrolled exercise of power, on the part of the European functionary, which placed the native suitor naked and bleeding at his feet. Eager to remedy this great evil—to give the native inhabitants of the provinces the means of redress against all arbitrary exactions and illegal usurpation of authority, he proposed that "native individuals should be permitted, under certain restrictions, to prosecute the officers of justice in the Courts of justice, for injuries which they may sustain in their persons and properties in opposition to the existing regulations."

Having defined the agency to be employed in the administration of justice, Cornwallis turned his attention to the great subject of Codification. Whether

* *Cornwallis' Minute. MS.*

† It was natural that the elevation of the judicial character should have given great satisfaction to the judges of the Supreme Court. On the margin of that part of the minute, which sketched these Courts of Appeal, and the dignity which was to attach to the office of judge, Sir William J. wrote: "This system is so perfect that I cannot suggest any material addition to it."

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they were "laws," or whether they were "regulations,"* which were now to be passed by the supreme authority in India, there was no one point on which Cornwallis and his advisers felt more strongly, than on the necessity of giving them permanent expression and substantial shape, for the guidance alike of those who were to administer and those who were to appeal to them. The Regulations were to be numbered, arranged, printed, and circulated. They were to have a home in every Government office, and to be transmitted to the authorities in England. Hitherto they had existed partly in manuscript, partly in a printed shape, on detached slips of paper, to be lost with the greatest ease and consulted with the greatest difficulty. All this was now to be reformed. And in order that the greatest possible amount of knowledge, experience, and legislative ability might be brought to bear upon the framing of these Regulations, the Company's servants were to be invited to send in their suggestions through the authorised channels, and point out the expediency of making new additions to the code, or modifying and amending any of its existing provisions. Order and regularity were to be substituted for perplexity and confusion, and instead of an exclusive unintelligible system, there was to be one seeking the largest possible publicity, inviting discussion, and coveting the ready comprehension of the people for whose welfare it was designed.

In all honesty and sincerity this was sought. But it was not in all respects attained. Nothing could have been more simple than the original design of this great judicial reformation; but when it came to be moulded into shape, when the great principles for which Cornwallis and Barlow contended came to be formed and fashioned into Regulations, they lost much

* See *ante*, pages 91-2-3, for the cotemporary discussions on this subject.

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of their original simplicity, and were encumbered with perplexing details. An over-anxiety to improve and perfect may have led to the complication of forms of procedure, and what was designed to give full effect to the protective machinery, to some extent, may have embarrassed its action, encumbered its movements, and restricted its utility. But I cannot think otherwise than that it was a great work, and that to admit the existence of some practical defects, is only to admit its humanity.

It is no new thing—it is nothing peculiar to Bengal that justice should defeat its own ends—that the very earnestness and laboriousness of its efforts should recoil upon itself. In two ways now, was this observable. That justice should be cheap and the judgment-seat accessible, are two of the first essentials of a pure judicial system, and Cornwallis endeavored to secure both the accessibility and the cheapness of the Courts. But he did this for the benefit of a people out of measure addicted to litigation; and it soon followed that the number of suitors so blocked up the doors of the Court, that the judge was not accessible to the most clamorous, and justice was not attainable at any cost. It seemed, too, that the new English judges, eager to administer the law strictly and conscientiously according to the Regulations, and to observe all the prescribed formalities, brought so few cases to an issue, that business accumulated fearfully upon their files, and the people wrung their hands in despair to think what a laggard was English justice with the weight of the Regulations on its back. In good truth it could not keep pace with the litigiousness of the native character. And so it happened that the very measures which seemed to entitle our administrators to the gratitude of the people, worked grievously to their hurt.

It then appeared that justice was too cheap, and

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that our Courts were too accessible. A supposed remedy lay very close at hand. Its application has been severely condemned. It was proposed to make justice dearer, and, therefore, the Courts less accessible, by taxing litigation and so frightening suitors from their doors. The old system of the deposit-fee on the institution of a suit was revived,* and for a time this measure seemed to have the desired effect. But although the subordinate judicial agency had been greatly increased by investing the Registers of the Courts with power to determine suits, and the appointment of duly qualified natives† to decide on disputes of small amount, the accumulation of business was only temporarily kept down; and it was found, at the beginning of the new century, that such was the enormous number of undecided cases on the files, that many of the suitors must wait years for a decision; and in one district it was said that in the ordinary course of events some of them would hardly live to witness the adjudication of their suits.‡ The evil was always admitted—always striven against. The judicial agency was from time to time increased; but still justice was in arrears. The judges despatched a greater amount of business, but still there was an accumulation. The fatal tendency of the people of India to rush into the meshes of the law was not to be repressed.§

* And subsequently by a Regulation requiring that, in all but the lowest courts, law proceedings should only be valid when written on paper bearing the Government stamp.

† Known as "Commissioners," afterwards as Moonsiffs.

‡ It appears that the number of causes depending on the 1st of January, 1802, before the five Courts of Appeal was, 882; before the judges of the twenty-eight City and Zillah Courts 12,262; before the registers of the last-mentioned courts 17,906; and before the native commissioners 131,921. It appears further, that the number of causes which had been decided in the course of the preceding period (from 1793) was, in the Courts of Appeal, 667; by the City and Zillah judges, 8298; by their registers, 14,124; and by the native commissioners, 328,064.

§ In 1810, the Committee of the House of Commons, in their fifth report, said, that up to that time the evil had little abated; but that credit was due to the European functionaries for what they had done; and added that, "in comparison with what is commonly experienced in Europe, the advantage in point of despatch would probably be found to be in favor of the courts of India.

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The accumulation of undecided causes was, doubtless, a great evil. But there was evil, too, in the haste with which, at a subsequent period, efforts were made to keep down the accumulation. There was a tendency to estimate the zeal and efficiency of our judicial officers, not by the soundness of their decisions, but by the number of them. Men decided a certain number of suits and the official returns showed that they were not inactive. This foot-rule system, encouraged by the higher authorities, who applied so false a test to the efficiency of their officers, doubtless bore bad fruit in its day. Thus ever whilst endeavoring to avoid one evil we fell into another. Even the stamp system, which was intended to suppress unjust litigation, had a tendency to foster injustice. The stamp gave a sort of respectability and validity to all the proceedings that it covered. It seemed to have the Regulations inscribed on it, and it carried men through a world of chicanery and fraud—often of violence and oppression.* Indeed, this outside show of the Regulations covered a multitude of sins. Men of weak judgments and indolent habits were apt to become mere formalists under their shadow, and never to give a thought to anything beyond the letter of the written law. But I am not sure that this is peculiar to our possessions beyond the seas.

Of the immediate results of our new system of criminal justice something must be said before I pass on to consider the general effect of the Cornwallis system, and the changes which were subsequently introduced. When our European functionaries were first

* "I remember," writes a friend to me, "a case, and I almost blush in my closet to write it down, where a magistrate, being called upon to justify his conduct in having allowed numbers of respectable men to be arrested and brought into the station on charges preferred by a set of men known to be professional Goindahs, or informers, said in his reply, 'What could I do? The complaints were all written on duly stamped 8-anna paper, and the process issued on each was precisely that enjoined by the Regulations, and no more.'"

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brought face to face with the crime of the country they were startled by the hideousness of the picture that presented itself, and believed that the inhabitants of India were the most demoralised people in the world. The sketches of national character, which appear in the answers returned to the interrogatories circulated in 1802 to the judges and magistrates, are limned with so harsh a pencil, that we must believe either that they were grossly exaggerated, or that the people have greatly improved.* When asked what had been the effect of our system upon the moral character of the people, they answered that it had been various—partly advantageous, partly disadvantageous; but that the balance was in favor of the former. Sir Henry Strachey, whose authority is usually cited against the Cornwallis Regulations, declared that violence of all kinds, except Dakoitee, had diminished, and that the poor looked up to the law for protection as they had never done before.† To the question whether the number of crimes had diminished since 1793, the most conflicting answers were returned. Some said that they had increased, others that they had diminished; and the causes both of the asserted increase and decrease were almost as various as the respondents. All, however, seemed to agree that Dakoitee had not

* Take, for example, the following, from the evidence of Mr. Paterson, of Dacca:—"Their minds are totally uncultivated; of the duties of morality they have no idea. They possess in a great degree that low cunning which generally accompanies depravity of heart. They are indolent, and grossly sensual. They are cruel and cowardly, insolent and abject. They have superstition without a sense of religion; and, in short, they have all the vices of savage life without any of its virtues."

† "In my opinion," he said, "the system has little direct influence on the morals of the people. They are, probably, somewhat more licentious than formerly. Chicanery, subornation, fraud and perjury, are certainly more common." But he added, "Oppression, cruelty, violence of all sorts, except that of Dakoits, are grown much less frequent. The ill-treatment of women, of servants, of slaves, have nearly ceased. The same may be said of the corporal severities formerly exercised in collecting the revenues. The poor look up to the laws, and not as heretofore, to a patron for protection."

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diminished; and many attributed this to the complicity of the police. One gentleman replied that the leniency of the British Government was not at all calculated "to ameliorate the moral character of men so prone to vice, and ready to take advantage of every species of liberty granted to them.*

As represented by figured statements, the results of the new judicial system, during the first ten years of its operation, do not wear a very favourable complexion. But these figured statements scarcely afford a fair test of the results of our administration. It was generally admitted by the Company's judicial officers that the country had improved under our rule†—that popula-

* *Answers to Interrogatories.*—A selection from these was published in the Appendix to the Fifth Report. I quote from a complete set in MS.

† Take a few of the answers to interrogatories. Mr. Webb, of Shahabad, emphatically answered—"The district is in a state of improvement in every particular. I found my opinion on experience. I have no particular facts; the improvement is too notorious to require them." Mr. Paterson, of Dacca, answered—"When I look back to the effect of the famine in 1787, I cannot but conclude that the district is in a state of improvement with respect to cultivation and population." Mr. Paterson added: "There are, however, large tracts of the Zillah which still show the effect of the above-mentioned famine—and which from the vast depopulation occasioned by that scourge are so overrun with jungle and annoyed with elephants and other wild beasts, that they have become almost deserts." Mr. Wordsworth, of Rungpore, answered—"I am of opinion that the population of the district under my jurisdiction has increased considerably of late years, and that cultivation has been greatly extended within these last six years."

Some of the answers to the following question are still more significant:

"Are you of opinion that the inhabitants in general of the city under your jurisdiction, consider their private rights and property secured by the present constitution of the country against infringement, either by the executive officers of Government, or even by the supreme executive authority itself, or by individuals?

Mr. Webb, of Shahabad, briefly answered: "In my opinion they do."—Mr. Paterson, of Dacca, answered: "Those who frequent the Courts of Justice, or who by their connexions with those who do, are enabled to form a judgment of the principles on which the regulations are framed, acknowledge the security of their private rights and property. Those who have not that intercourse (which is the greater mass of the people) still entertain their old jealousies and prejudices, nor will it be easy to inspire them with confidence in that security, which the institutions of the Government are intended to afford, as they have no idea of power, but what is absolute and arbitrary; and under that notion, consider the regulations of the Government as temporary only—liable to be rescinded and altered at pleasure by the same authority which enacted them. It must require a long experience to change these sentiments. The idea of a supreme executive authority prescribing laws and limits for itself, is not easily conceived by them."—Mr. Wordsworth, of Rungpore, made answer: "I am clearly of opinion that the inhabitants

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tion and cultivation had increased, and that there was a greater sense of the security both of life and property under our administration, than under that of the Mogul. Such a system as that introduced by Cornwallis and Barlow was not to be tested by a trial of a few years. Such as it was, it lasted without any material modifications for nearly forty years, and it is not easy to believe that where there has been any departure from its leading principles, the change has contributed to the happiness of the people.*

All through the administrations of Lord Wellesley—of Sir George Barlow—of Lord Minto—of Lord Hastings, and of Lord Amherst, the Cornwallis system of internal administration continued in force, only with such modifications as the mutations of time and circumstance naturally engrafted upon it. But in 1828, Lord William Bentinck arrived in India. Of all the Governors who succeeded Cornwallis, he most resembled that benevolent and upright statesman. As Cornwallis was a reformer, so was Bentinck. He had abundant time to devote himself to measures of domestic improvement, for no miserable war was sitting like a curse upon his arm and paralysing his administrative energies. No honester man ever went out to India; and no man ever addressed himself to the solution of difficult problems of government, and the initiation of dangerous experiments with a larger

in general of the district under my jurisdiction, consider their private rights and property to be secured by the present constitution of the country against infringement, either by the executive officers of Government, or even by the supreme executive authority."

* Not to interrupt the continuity of the narrative, I may state here that the Mayor's Court of Madras was abolished in 1797, when, under 37th George III., chapter 142, a Recorder's Court was established. This, however, was but short-lived; and, under 39th and 40th George III., chapter 79, the Supreme Court of Madras was established three years afterwards. The Supreme Court of Bombay was not erected until 1823, under Act 4th George IV., chapter 71, when the Recorder's Court was abolished. In respect of the Company's courts, the Bengal system has been substantially followed in all places subject to the Regulations. The local variations scarcely call for detailed notice.

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amount of moral courage. Of some of the acts, which have most rendered his administration illustrious, as the suppression of Suttee, and the extension of Native Agency I shall speak at another time. I have here only to do with the changes which he introduced into the judicial system of the country. These changes were great and sweeping.

He abolished the Provincial Courts.* These Courts, it must be acknowledged, had, in progress of time, sunk into something very different from what Cornwallis and Barlow had contemplated in their erection. It has been seen how eager they were to raise the dignity of the judicial character—to appoint to these Provincial Courts some of the ablest men in the country. And yet Lord William Bentinck spoke of them "as resting-places for those members of the service who were deemed unfit for higher responsibilities." The fact is that the revenue branch of the service, under successive administrations, had been gradually treading down the judicial. The very evil which Cornwallis and Barlow had sketched so forcibly in their inaugural minute had been asserting itself, with progressive virulence, ever since their removal from the scene of their labors. And now Lord William Bentinck found the Provincial Courts of Appeal and Circuit, which were to have been objects of ambition to the ablest and best men of the Company's civil service, little better than refuges for the destitute and incapable.

I do not doubt that under this degradation of the judicial service, the Provincial Courts had become wofully inefficient. They required picked men to render them efficient, and they had been presided over

* The Provincial Courts of Appeal and Courts of Circuit, in the Madras Presidency, were not abolished till some time afterwards.

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by the refuse.* As Courts of Circuit they were especially defective. They held a gaol-delivery twice in every year. The period between commitment and trial was infinitely too long. The prisoner was kept, unjustly, perhaps, for months in confinement, and the prosecutor and his witnesses were carried away from their homes, to eat their hearts out around the walls of the Court-house, whilst all their affairs were being engulfed in ruin. Any measure, the effect of which was to increase the number of gaol-deliveries, could not fail to be a blessing to the people.

This Lord William Bentinck accomplished. But he did much more than this. He struck at the very root of the system which Cornwallis had initiated, not merely at the mode of procedure. It was a great thing to increase the number of gaol-deliveries, but it was not necessary to this end that the functions of the judge and the tax-gatherer should again be combined in the same person. Lord William Bentinck abolished the Provincial Courts, and turned the Revenue Commissioners into Judges of Circuit. They were to superintend both the finance and the criminal justice of their different divisions. They were to look after the Company's coin, and they were to sit in judgment upon gang-robberies—a blending of Somerset House and the Old Bailey.

I need hardly say that this plan was not a successful one. Some of the ablest and most experienced members of the Court of Directors protested against it; and Lord William Bentinck himself soon found that it was a mistake. So he transferred the duties of the Sessions to the civil judges, and decreed that they

* It is probable, also, that the minds of these provincial judges had a tendency to deteriorate, under a system which made them little magnates in their several divisions, perhaps at variance with one another, and each clinging to his own prejudices, without a chance of having them rubbed off by a contact with superior intelligence. I am indebted for this suggestion to an intelligent and experienced friend.

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should hold a gaol-delivery every month. There was no objection to this arrangement, provided that the judges had sufficient time for the due discharge of the circuit duties without neglecting their other obligations, and if their new duties were compatible with the old. But this was not the case. The civil judges, under the existing system, were also the magistrates. It was necessary, therefore, to divest them of their magisterial duties. So another class of functionaries was to be found to take up these dropped responsibilities; and, accordingly, they were flung to the collectors. The warmest admirers of Lord William Bentinck and his system admit that this was a mistake. The new arrangement worked as badly as could have been expected, and few reasonable men could have predicated anything but failure as the result. The office of thief-catcher was of course postponed to that of the financier; and the department of Police was the worst regulated of any branch of the administration. The whole system, indeed, was that of the degradation of the office which ought to have been dignified and exalted. But instead of this, by the reversal of the Cornwallis system, the protection of life and property was presumed to be a matter of minor importance, and the responsibilities of the criminal judge and the police magistrate were flung about from one class of public functionaries to another, as though it mattered not by whom they were assumed as an appendage to other graver duties.

But there were other reforms instituted by Lord William Bentinck of which too much cannot be said in praise. When Lord Cornwallis projected his scheme of internal administration, he had to look no further than Benares for the limit of its field of operation. Lord William Bentinck found an empire extending nearly to the Sutlej; and yet there was but one Court

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of final Appeal throughout the whole Presidency of Bengal. Suitors had to travel a thousand miles in search of justice, to brave a new climate and mix with a new race of men. It could not, therefore, be other than a blessing to the people to establish a Court of Appeal in the North-West Provinces of India. Lord William Bentinck erected a Sudder Court at Allahabad, to which appeals lay from all the local judges. And he relieved the pressure upon those judges by an extension of native judicial agency and the enlargement of the authority of the native servants of the State.

The enlargement of the judicial machinery of the country, by means of an extension of Native Agency, had long been contemplated by the Court of Directors. As far back as the year 1824,* they had written:

"We are satisfied that to secure a prompt administration of justice to the natives of India in civil cases, native functionaries must be multiplied, so as to enable them to dispose, in the first instance, of all suits of that description, and, as appears to us, without regard to the amount at stake, their decisions being, of course, liable to revision under appeal, where this check may be deemed indispensable; and what, perhaps, is of no less importance, their general conduct being subject to a constant and vigilant supervision on the part of the European functionaries in the districts where they are stationed. It should be the duty of the latter not only to hear appeals, but to inquire into and report to Government periodically, on the efficiency of the native agents employed more immediately under their eyes, and the degree of estimation in which they are held by the community; whilst it should equally be the care of Government to reward the deserving, and to testify, in the most marked manner, its displeasure against persons of an opposite character."

The wishes thus clearly expressed were subsequently many times repeated; but it was not until the year

* Before this, indeed, the importance of the subject had been insisted upon both by the Company and their servants. See minute of Mr. Butterworth Bayley, now one of the most distinguished of the Directors of the Company, written in 1821.

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1831, that, under the administration of Lord William Bentinck, any steps were taken in India to give effect to the recommendations of the Court. Then, for the first time, the claims of the people of the country to a due participation in the duties and emoluments of public employment were publicly recognised. Lord William Bentinck placed in their hands a large share of the judicial duties of the country, and there is no doubt that thereby the effective working of the machinery of justice was greatly improved.

I shall speak of this important subject more generally in another place. I have here only to do with its effects upon public justice. In 1831, a higher grade of native judgeships was established. Previous to that period there had been but two classes of native judges, with very limited powers and very small salaries. The higher class was known as "Sudder Aumeens," the lower as "Moonsiffs." The Moonsiffs, originally denominated "Commissioners," had been appointed by Lord Cornwallis to relieve the pressure on the European judges. In 1793 they were empowered to determine suits relating to accounts not exceeding 50 rupees. In 1803, the office of Sudder Aumeen was instituted, with a jurisdiction extending to suits of 100 rupees. In 1821, after some intermediate enlargement of the powers of both classes, the Moonsiffs had been empowered to try suits extending to 150 rupees, whilst the Sudder Aumeen took cognisance of cases to the amount of 500 rupees. In 1827, the authority in the latter case had been doubled, and the Sudder Aumeen, if so empowered by the Sudder Court, had jurisdiction over cases extending to 1000 rupees.

Lord William Bentinck now established a superior class of judicial officers, known as "Principal Sudder Aumeens," with enlarged powers and higher sala-

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ries. They were subsequently authorised to try cases involving property to any amount; and an appeal lay from them to the European judges. The highest salary of these officers was 720*l.* a year—a sum not to be estimated according to our English ideas of income, but to the requirements of the natives of India and the general wages of the country.

The machinery of civil justice having thus been greatly enlarged, the expediency also of a more extensive employment of uncovenanted agency in the criminal branch of the judicial department, forced itself on the minds of our administrators. But it was not until the year 1843, that an act was passed by the Legislative Council, reciting that the exigencies of the public service required that this department should be strengthened by a larger employment of uncovenanted agency, and empowering both the Bengal and Agra Governments to appoint in any Zillah or district one or more uncovenanted deputy-magistrates. Under this act several excellent public officers have been appointed, selected from all classes of society—Europeans, natives, and men of mixed blood. The local Governments are authorised to confer full magisterial powers on these officers, and the authority has sometimes been exercised with good effect.

About this time a further attempt was made to improve the general efficiency of the machinery of criminal justice, by the elevation of the superior native police-officers, known as "Darogahs."* Their

* The duties of the Darogah are thus briefly stated: "On the receipt of information by the Darogah of the occurrence of a heinous offence, he is required to submit a notice thereof to the magistrate, and proceed himself to the spot, to hold a preliminary investigation. On his arrival he sends for the prosecutor or aggrieved party, takes concisely his deposition and the deposition of his witnesses, and makes such inquiries as may appear to him proper, and, if the case be proved, forwards his proceedings, together with the defendant, to take his trial before the magistrate. In cases of simple burglary and theft, the Darogah is forbidden to hold any investigation, unless a petition is presented to him by the injured party, or he be ordered to do so by the magis-

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salaries, which had been inexpediently low, were now considerably raised. But they still continued inadequate to the required end; and the department of police still demanded the most vigilant superintendence of the European officer to restrain it from becoming a mighty engine of injustice and oppression. From the very first our administrators had contended in vain against this gigantic evil, the evil of a corrupt police—a police continually in league with the greatest criminals in the country, receiving their pay, sharing their spoils, screening their offences, and probably carrying off innocent men to the magistrate's court in their stead. From the time when, in 1792, Lord Cornwallis, declaring "the establishment of an efficient police throughout the country, whereby offenders may be deprived of all hopes of eluding the pursuit of the officers of justice," to be "as essential towards deterring people from committing crimes, as the speedy and impartial trial of offenders when apprehended," had taken the management of the police immediately into Government hands, we have been endeavouring to secure the services of a well-organised detective force; but continually acknowledging that this very Police is the weakest point of our administration. If the remedy had been as apparent as the disease we should soon have eradicated the latter. But crime in India was so vast, and its organisation so intricate, that it seemed hopeless to construct out of such materials a police force really effective for the protection of the country. We had, indeed, to contend against difficulties unknown in this country. To convey to the untravelled reader some idea of what these difficulties were, and at the same time to show how our officers have endeavoured to overcome them,

trate."—[*Calcutta Review.*] This prohibition, which may appear strange to the European eye, was intended by Lord William Bentinck to check the venality and oppressiveness of the police, who turned these inquiries to purposes of extortion.

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I proceed now to the consideration of some of those great crimes, which from generation to generation have rendered both life and property frightfully insecure in India, and of the efforts which, under British administration—efforts, the difficulty of which few who have never visited India can rightly appreciate*—have been made for their suppression. I do not know that there is any subject to which, in such a work as this, ampler space should be devoted than to THUGGEE and DAKOITEE.

* Astonishment has been sometimes expressed that systematic murder should have so long been perpetrated, almost unchecked, in dominions subject to the British Crown. But it was only the other day (whilst the present edition of this work was going through the press) that Mr. Justice Jackson, at the Monaghan Assizes, declared that in that part of Ireland "for a few shillings parties may be found to take the life of an individual, however respectable, although he may not have given him the slightest cause of offence, or even be known to the murderer."

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CHAPTER II.

Thuggee—Increased Knowledge of the Habits of the People—Its Results—Antiquity of Thuggee—Its Progress—Manners and Customs of the Thugs—Thuggee Expeditions—Efforts for the Suppression of Thuggee—The Thuggee Department—Colonel Sleeman and his Associates—Complicity of the Zemindars—Success of our Efforts—Decrease of the Crime.

THERE is nothing more remarkable in our recent connexion with the East than our increased knowledge of the manners and customs, the literature and the religion, the vices and the virtues, of the people. We had been nearly two centuries connected with them, by ties at least of commerce, before we knew very much more about the natives of India than that they were a race of black people, with bare legs, carrying the greater amount of their apparel piled up on the top of their heads. We looked upon them for a great number of years simply as a people to be trafficked with—a people with whom it was our mission to drive hard bargains for muslin or silk. In time we came to look upon them as a people to be subdued; and then, having subdued them, we began to regard our dusky subjects as so many millions of revenue-payers—people from whom it was our duty to extract so much in the shape of rent or taxes in recognition of their subjection. Then, after another lapse of years, we looked upon them as a people to be governed. We invented, as has been seen, new codes of laws for their restraint and correction, and we did our best, whilst keeping them in order, to protect their properties and their lives. But it is only within very recent times

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that we have thought it worth our while to *know* anything about the natives of India, and to turn our knowledge to profitable account.

The study of books in India preceded the study of men. Learned orientalists, at the close of the last century, took counsel with the Pundits and Moulavees, and wrote elaborate dissertations upon the Hindoo and Mahomedan codes and scriptures, which they diligently translated for the benefit of the Christian world. From these ancient authorities they derived a vast deal of very recondite information, which did not, however, in our commerce with the people, prove to be of much use. That which, perhaps, we most required to know was not set down in these books. It was not, indeed, set down anywhere in written characters; but it was stamped, broadly and deeply—seemingly, indeed, ineffaceably—upon the heart of Indian society. It was not, however, of that kind which he who runs may read. It was not blazoned upon the mosques or inscribed upon the pagodas. An English traveller might make his way from one end of the country to the other and see nothing of the things with which it was so profitable to make permanent acquaintance. He acquired the scantiest possible knowledge of the habits and customs of the people. He passed through them, perhaps lived amongst them, but he only saw the surface of society. Perhaps he did not desire to look beneath the outer shell. Perhaps he beheld feebly some indications of hidden mysteries which he did not care to fathom. Certain it is, that he left much for his successors to drag into the clear light of day. We have much to learn even now. But honor is still due to our cotemporaries for what they have revealed—for what, by stubborn inquiries, by deep probings and subtle anatomisations, they have mastered, and comprehended, and exposed. Little was it that we could do for India until we knew something of the people whom Providence

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had committed to our care. How could we address ourselves to the remedy of the evils which were preying upon the vitals of Indian society, whilst we had no distinct understanding of what those corrosive evils were?

I do not write this in condemnation or reprehension of our predecessors on Indian soil. It was natural—almost necessary, indeed—that there should have been such short-comings as these. There are truths not to be arrived at except by long and patient induction. There are secrets buried deep beneath the surface which it is a work of time and toil to extricate from the deceptive clay which clings around them. Institutions, purposely veiled in darkness, of a strange, mysterious, almost incredible character, were likely to have escaped the notice of the European eye. It was long before we suspected the systematic war against life and property which had been carried on for years in almost every part of the country from Oude to the Carnatic. It was long before we could bring ourselves to understand that organised bands of professional and hereditary murderers and depredators, recognised, and indeed, to a certain extent tolerated by their fellow-men, were preying upon the uninitiated and unwary sections of society, and committing the most monstrous crimes with as much forethought and ingenuity as though murder were one of the fine arts, and robbery a becoming effort of human skill; nay, indeed, glorying in such achievements, as acts welcome to the deity, and bringing them to perfection with a due observance of all the ceremonial formalities of a cherished religious faith.

But in time we began to understand these things. We obtained a clue and we followed it up, until the hideous mystery was brought out into the clear light of day. There is not an intelligent reader at the present time who does not know what a *Thug* is. The word, indeed, has been adopted into our own language, and has been

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applied to other depredators than those who worship the Goddess Davee. It is well known that a Thug is a professional murderer. We found the Thugs carrying on their fearful trade, and as soon as we came to understand them we made war upon, and struck them down. The servants of the East India Company have extirpated Thuggee. It is an exploit worthy to be celebrated by every writer who undertakes to chronicle the achievements of the English in the East—one which it is impossible to dwell upon without pleasure and pride.

Of the antiquity of Thuggee there is no doubt. In the creed of its votaries it had, of course, a divine origin. Everything monstrous and abominable in India has the sanction of some puerile or obscene legend to recommend it to the superstitious and the depraved. The legend which declares the divinity of Thuggee is preposterous even for an Oriental tradition. I do not know a more absurd chapter in all that monstrous farrago of absurdities, the Hindoo mythology, than that which sets forth how the Goddess Kalee made war upon a gigantic monster, every drop of whose blood became a destructive demon; how the blood of these demons generated other demons, until the earth was in a fair way to be overrun by the noxious brood; how, at length, the goddess hit upon the notable expedient of creating from the celestial ichor which exuded from her trenchant arm two men, to whom she gave handkerchiefs, or waistbands, with orders to destroy the demons by strangulation without shedding a drop of blood; and how, the demons having been so destroyed, the grateful goddess gave the handkerchiefs to her myrmidons, and told them that thenceforth they and their descendants might carry on a profitable trade by exercising the destroying implements upon the human race. The Thugs, of course, claim to be descended from these unbegotten heroes, and are very proud of the

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descent. "I am a Thug of the royal records," said one of these professional stranglers; "I and my fathers have been Thugs for twenty generations."*

And what was this royal profession of which the members were so proud? It was simply the cowardly strangling of unsuspecting travellers in remote places, generally committed under circumstances of falsehood and treachery of the deepest dye. These Thugs, leagued together in a great brotherhood of crime, having taken the sacrament with all possible solemnity,† went about the country murdering in their cold bloodless style all the unwary wayfarers whom they could seduce into their toils. There was nothing to distinguish these artists from ordinary travellers. They assumed many different disguises, and played many different parts. They separated on the road, straggled into the towns and villages in little parties of three and four, and met as though they were strangers to each other. Perhaps one of the gang

* Thevenot, who travelled in India in the seventeenth century, has given an account of the Thugs, from which it appears that in those days they employed female decoys:—"Though the road I have been speaking of, from Delhi to Agra, be tolerable, yet hath it many inconveniences. One may meet with tigers, panthers, and lions upon it; and one had best also have a care of robbers, and above all things not to suffer anybody to come near one upon the road. The cunningest robbers in the world are in that country. They use a certain slip, with a running noose, which they can cast with so much sleight about a man's neck, when they are within reach of him, that they never fail, so that they strangle him in a trice. They have another cunning trick also to catch travellers: they send out a handsome woman upon the road, who, with her hair dishevelled, seems to be all in tears, sighing and complaining of some misfortune which she pretends has befallen her. Now, as she takes the same way that the traveller goes, he easily falls into conversation with her, and finding her beautiful, offers her his assistance, which she accepts; but he hath no sooner taken her up behind him on horseback than she throws the snare about his neck and strangles him, or at least stuns him, until the robbers, who lie hid, come running to her assistance, and complete what she hath begun."

† The sacred element was a kind of coarse sugar. According to the Thugs the deity entered largely into it, and there was a kind of transubstantiation, which wrought mightily upon the communicants. At all events, they declared that the sacred sugar changed their whole nature. "It would change the nature of a horse," they said. "Let any one once taste of that sugar and he will be a *Thug*, though he know all the trades and have all the wealth in the world." "My father made me taste of that fatal sugar," said a *Thug* to Colonel Sleeman, "when I was yet a mere boy; and if I were to live a thousand years, I should never be able to follow any other trade."

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travelled in some state, as a man of rank, accompanied by numerous attendants, and a few palanquins or doolies, in which were said to be the ladies of his family, though in reality they contained little but the implements of their profession. On the road, so disguised, with nothing about them to awaken suspicion, these traders in death would fall, as though by accident, into the company of other wayfarers, and watching a favorable opportunity on the skirts of some jungle, or in some secluded place bordering upon a convenient watercourse, would throw the murderous waistband or turban-cloth round the neck of their victim, and scientifically do him to death. One man threw the fatal noose, another, seizing the other end of the rope or cloth, drew it tightly round the helpless wretch's neck, the two together pressing his head forward with their disengaged hands, whilst a third seized him by the legs and threw him to the ground. There could be no resistance. The work was quickly done. The body was then stripped, the property secured, and very soon the corpse was buried. The consecrated pickaxe, plied with miraculous silence, soon dug a grave for the body.* If a stranger approached whilst they were thus engaged, they laid a cloth decently and reverently over the carcase of the murdered man, and kneeling down beside it, lifted up their voices and wept, over the death of a beloved comrade.

Various were their artifices—great their cleverness. They were, indeed, consummate actors. If the locality were a dangerous one, the country much frequented,

* The pickaxe, forged with due solemnity, and then consecrated with certain prescribed formalities, was held in especial veneration by the Thugs. It was forbidden to bury the dead with any other instrument; for it was the symbol of their profession, and a legacy left, it was believed, by the goddess herself. "Do we not worship it," said a *Thug* to Colonel Sleeman, "every seventh day? Is it not our standard? Is its sound ever heard, when digging the grave, by any but a *Thug*? And can any man ever swear to a falsehood upon it?" Another asked, "How could we dig with any other instrument? This is the one appointed by Davee and consecrated; and we should never have survived the attempt to use any other."

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they would throw up a slight enclosure of canvas, pretending that their women were behind the screens, and bury the body within it. Or, warned of the approach of travellers by one of their scouts, some clever member of the gang would throw himself down by the wayside, and simulate the spasms and convulsions, or the exhaustion and prostration of a dying man; and whilst the sympathising travellers were gathering round him and administering such simple remedies as were within their reach, his companions would conceal the body of their victim, and clear away the traces of their guilt. Sometimes the locality favored a readier and easier mode of disposing of the corpse, which was flung into a neighbouring river, or dropped into a convenient well.

Thus were these murders—systematically, artistically—perpetrated, with an adroit avoidance of detection which seldom or never failed. Human life in India is not of much account. A corpse by the wayside in England fills nearly a whole county with horror and astonishment. In India, even a humane English gentleman passes it by on the other side, and is only so far concerned at the spectacle, that probably his horse has shied at it, as it would at the trunk of a tree. Every one is accustomed to the sight of human bodies drifting down the river—floating islands inhabited by gorging birds of prey; or if you should chance to reside in a villa on the river-side, you are not concerned by the knowledge that the round white balls which dot your lawn like snow-flakes, or with which your little children are playing, are so many human skulls. Still less do the natives of India, by whom the European gentleman is infected, in due time, with this apathy, bestir themselves, body or soul, about these indications of our frail mortality. Death in India comes in many sudden shapes. If a certain Moodoo-sooden, or Rungoo-Lal, is missing from his

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accustomed place, or does not reach the end of a journey (should any one expect him), his anxious relatives take it for granted that he has been bitten by a serpent—that the cholera has preyed upon his vitals, or a wild beast has eaten him up. No descriptions of the missing one are inserted in the newspapers, and no members of the detective police are employed to discover the cause of his disappearance. Somehow or other he has been absorbed. "*Mur-gya*"—He has gone dead.

And so it happens that hundreds of natives of India disappear;* and their disappearance is either hardly noted, or it creates no astonishment or alarm. A journey in India is an affair of many months; and numerous are the perils which beset the path of the unprotected pedestrian. Hence it is that whole hecatombs were sacrificed to the Goddess Davee, and no one took account of the victims. Travellers likely to be missed were not especial objects of regard with the Thugs. They suffered such noticeable personages to pass on their way unheeded. Or, if tempted by the largeness of the spoil which glittered before them, they were betrayed into a departure from their ordinary cautious mode of procedure, they summoned to their aid something more than the common artifices of their profession, and surpassed themselves in cunning and skill. Sometimes the very envi-

* I ought rather to have written thousands. A correspondent in the Thuggee Department wrote me a few years ago: "In India hundreds of thousands disappear in a year or two, without the most distant clue but Thannadar's reports, to ascertain whether they have not been foully murdered. Villagers have assured me that to their own certain knowledge scores of men murdered by robbers, or in affrays, have been reported dead of cholera, snakebites," &c. It is not easy to arrive at a correct estimate of the number of people murdered annually by the Thugs. A native newspaper (the *Samachar Durpan*) of great respectability, in 1833 declared that "one hundred *Thugs* slaughter, on an average, *eight hundred persons in a month*. It is not, therefore," added the writer, "going beyond the truth to affirm that, between the Nerbudda and the Sutlej, the number murdered every year is not less than ten thousand." The writer calculates that within these limits a hundred Thugs were always out on their murderous expeditions—probably many more were so employed. And this calculation only relates to a certain tract of country. I am inclined, however, to think that the individual performances of the Thugs is here somewhat overrated.

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ronments of the marked man favored the escape of his murderer. The Thugs always knew their men. They never threw the noose without previously acquainting themselves with the circumstances of their victim. If they murdered a Company's Sepoy, on leave to his native village, carrying his savings wrapped up in his waistband, they knew that it would be long before he would be missed, either by his own family, or the adjutant of his regiment; and that, if missed by the former, his disappearance would be attributed to ordinary death, or if by the latter, to desertion. If they murdered a confidential public or private servant, bearing treasure from one station to another, they knew that the absence of the man, or the party of men at the accustomed place, would be attributed to the dishonesty of the treasure-bearers; and that whilst the police, if set upon the track, were in search of him, they would be far away from the district through which his journey had lain. They took care to leave behind them no living witnesses of their guilt. If they hunted down a man of note, they destroyed all his attendants. They always went *forward;* they never presented themselves in a town or village through which one of their victims had passed. So that even if they went on, riding the horses or wearing the clothes of the men they had murdered, their appearance excited no mistrust. They had always a ready story at command. They had always a given character to assume. They understood each other thoroughly, and they acted in concert, though often they appeared to be strangers. They had a secret dialect of their own; but often more serviceable than this were the secret signs by which they silently communicated with each other. They played their parts, indeed, with consummate address; and they passed on unsuspected to pursue their dreadful trade in the next convenient locality. For such localities they had keen and disciplined

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eyes, as artists have for the picturesque or sportsmen for good covers; and their faces sparkled and their hearts swelled when they chanced on these good murder-grounds.

It might seem from this account of the depredational excursions of these professional robbers, that they were men without a local habitation or a name, flitting from place to place, and never establishing for themselves such social connexions as were likely to cause their migrations to be matter of observance, or, indeed, to attract any kind of continued notice. But such was not, by any means, the case. They belonged for the most part to particular villages, where they left their wives and children; and they outwardly followed some peaceful calling. They cultivated the fields—rented a few acres of ground—or, perhaps, embarked as agriculturists on a larger scale, and employed laboring men to work under them.* Their occasional absence from the village was necessarily remarked. Sometimes the real cause was not suspected; but often it was a matter of open notoriety. A Thug set out on his dreadful journey, and every one in the village knew the cause of his departure—except, perhaps, his own wife.

It was not, indeed, a matter of much concernment to the villagers that these migratory murderers should set out upon their journeys to remote places, and return richer than they went. They did not murder their neighbours. Indeed, the village directly benefited by the blood-money that was brought home. The Zemindar, or head man, had an immediate interest in the success

* Take from among many instances the following, from the evidence of Colonel Sleeman's approvers:—"I remained in my own house for about a year and a half at Guntoulee, working upon my own fields as a cultivator, for I rented 100 beegahs of land, and employed laborers; the villagers knew that I was a man who went from home occasionally, but they knew not that I was a murderer."—Again: "I remained in my own house for two months after this, cultivating in my fields, for I rented three or four beegahs of land, chiefly, however, as a blind to conceal that I was a Thug, and to make a show that I was a cultivator. I started again on Thuggee."

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of the expedition. A certain amount of tribute, or hush-money, was always paid to him; and the police officials, in the same manner, were bribed into silence.* Often, indeed, the brothers, or other near relatives of the village police, were members of the Thug gangs; and Thugs themselves have been known to wear the official brass-plates on their breasts which stamped them as Government employés. The protection of the Zemindars often went the length, especially in the native states, of overt and violent interference, and pitched battles have been fought in defence of the tribute-paying criminals when extermination has threatened the gangs.† The payments made by the Thugs and other depredational leagues, of which I shall speak presently, formed no inconsiderable item of their revenue. They looked to it, indeed, as to a perennial source of income from which they could make good any deficiencies in the amount of the Government claim, and sometimes applied the screw with such freedom that the unhappy Thugs, alarmed by their increasing exactions, migrated altogether from the extortionate village, and sought a resting-place where they might dwell without disgorging so large a share of their murder-gotten wealth. At one time, it may be added, so openly was the traffic carried on, that merchants often came from a distance to purchase the plunder brought home by the migratory gangs; but it would seem that the extension of the Company's judicial machinery, and

* "I always," said one approver, "after my journey, was obliged to give the Zemindar, Ragonauth Sing, of my village, some present, for the whole village knew that I was a Thug, and the Zemindar would have had me put in irons but for these presents. All Thugs thus propitiate their Zemindars."

† "At last," said another approver, "being traced by the Saugor guards, the Gwalior Regent, Bayza Bhaee, was induced, at the suggestion of the British Agent, to send out a detachment of two companies of infantry to secure them. The head man of the village was determined to protect them, in consideration of the share of the booty they had always given him. An action took place, in which several lives were lost, while the camp of the Governor-General of India, Lord William Bentinck, and that of the Bayza Bhaee, were within hearing of the guns. The Thugs all made their escape, in disguise, with the women, but were soon after taken."

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the greater vigilance of its officers, soon indicated the necessity of greater caution in the disposal of the spoil.*

It may be doubted whether any class of natives ever followed their peculiar avocations with a keener relish than these Thugs.† They were brought up from early youth to the dreadful trade. Thuggee was to them not merely a profession. It was a religion. They believed that the Goddess Davee smiled down upon their exploits, and communicated with them through the agency of certain recognised sights and sounds. They performed ceremonial rites in propitiation of the deity, and then looked eagerly for the anticipated omens. No augurs, in remote ages of classical antiquity, ever consulted the auspices with more solemn outward observances, or a firmer inward faith in the expected revelations. A larger range of deity-directed signals was, however, embraced in the code of these Eastern soothsayers. Men and women, of different kinds, and in different situations, were pressed into the service as omens, and various animals, wild and tame, were believed to have the same commission from the goddess. There seems to have been no harmony and consistency observed in the inter-

* The following, from a very interesting Report, by the late Captain Lowis, on River Thuggee, contains a very decided opinion on the subject of the complicity of all classes of the village communities: — "To conclude, there seems no doubt that this horrid crime has been fostered by nearly all classes of the community — the landholders, the native officers of our courts, the police, the village authorities—all, I think, have been more or less guilty. My meaning is not, of course, that every member of these classes, but that individuals, varying in number in each class, were concerned. The Foujdaree police gomastahs have, in many instances, been practising Thugs; and the chowkedars, or village watchmen, frequently so. It is much to be feared that men so respectable in position as to make it seem almost incredible that they should give protection to such criminals, have, in fact, done so, for it appears out of the question that the total population of a village should be Thugs engaged in the regular practice of Thuggee, and several of them frequently apprehended on the gravest suspicion of that crime, without the cognisance of the Zemindars."

† I have alighted upon only one statement which militates against this general assertion, and, perhaps "proves the rule." A Thug, named Dhosoo, examined by Captain Paton, at Lucknow, declared "we only thug from necessity, not from pleasure — it is fearful business." But I could pile up proofs of the relish with which they pursued their trade.

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preting of these divine manifestations. Thus a lame man and a dancing-master—a potter and an oil-seller, were equally unpropitious. Of the brute creation, the donkey and the jackal were regarded as the most important members, and various were the sights or sounds of encouragement, or warning, eagerly looked for from the unconscious beasts. Certain months of the year, and certain days of the week, were proscribed as of ill omen; and it was necessary that they should regulate both their diet and their toilet in the manner of which Davee was supposed to approve. If they were fortunate, they ascribed all their good fortune to a due regard of these heavenly directions, and if misadventure befel them, they attributed it, with praiseworthy candor, to their own misinterpretations, or neglect of the omens through which the goddess had frequently vouchsafed to make known her wishes to her people. "Even the most sensible approvers," writes Colonel Sleeman, "who have been with me for many years, as well Mussulmans as Hindoos, believe that their good or ill success always depended upon the skill with which their omens were discovered and interpreted, and the strictness with which they were observed and obeyed. One of the old Sindouse stock told me in presence of twelve others, from Hyderabad, Behar, the Dooab, Oude, Rajpootana, and Bundelcund, that had they not attended to these omens they could never have thrived as they did; and that in ordinary cases of murder a man seldom escaped after one of them; while they and their families had for ten generations thriven, though they had murdered hundreds of people. 'This,' said he, 'could never have been the case had we not attended to omens, and had not omens been intended for us.' Every Thug present concurred with him from his soul."

When once the omens had shown themselves to be

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propitious, and Davee had smiled down upon the enterprise, murder became not only a religious duty, but a pleasant task. No compunctions then visited the enlightened Thug. "And do you never feel sympathy for the persons murdered—never pity or compunction?" asked Colonel Sleeman of a Thug, who had turned approver. "Never," was the answer. "How can you," pursued the English officer, "murder old men and young children, without some emotions of pity—calmly and deliberately as they sit with you, and converse with you—and tell you of their private affairs—of their hopes and fears—and of the wives and children they are going to meet, after years of absence, toil, and suffering?" And the answer returned was: "From the time that the omens have been favorable, we consider them as victims thrown into our hands by the deity to be killed, and that we are the mere instrument in her hands to destroy them; that if we do not kill them, she will never be again propitious to us, and we and our families will be involved in misery and want." "And," questioned Colonel Sleeman, "you can sleep as soundly by the bodies, or over the graves of those you have murdered, and eat your meals with as much appetite as ever?" And still the answer was: "Just the same—we sleep and eat just the same—unless we are afraid of being discovered." These last words do not indicate the fulness of faith which we should have expected to find in such a worshipper of Davee; for it was the professed belief of the Thugs, that if the omens were properly observed and interpreted, they never could be discovered.

Indeed, such was their confidence in the protective power of the goddess, that they believed that she would not only, if religiously served, shield them from harm, but visit with her wrath all who injured them. Nor was this belief confined exclusively to the Thugs. Their

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ravages were regarded with something of superstitious awe even by influential chiefs. At least, such was the statement of the murderers themselves, and there is other evidence to support the supposition. When Colonel Sleeman asked an approver if he knew any instances of influential natives suffering for acts of enmity or opposition to the Thugs, he was answered: "A great many. Was not Nanha, the Rajah of Jhalone, made leprous by Davee for putting to death Bodhoo and his brother Khumoolee, two of the most noted Thugs of their day? He had them trampled under the feet of elephants, but the leprosy broke out upon his body the very next day." "Did he believe," asked Colonel Sleeman, "that this punishment was inflicted by Davee for putting them to death?" "He was quite sensible of it," was the answer. "Did he do anything to appease her?" was then asked. "Everything," replied the approver. "Bodhoo had begun a well in Jhalone; the Rajah built it up in magnificent style; he had a tomb raised to their name, fed Brahmins, and consecrated it; had worship instituted upon it—but all in vain; the disease was incurable, and the Rajah died in a few months a miserable death. The tomb and well are both kept up and visited by hundreds to this day, and no one doubts that the Rajah was punished for putting these two Thugs to death." This was but one of many instances which Colonel Sleeman's approvers were eager to relate. One man, when asked if he knew any other cases of the same kind, replied, "Hundreds! When Madhajee Scindiah caused seventy Thugs to be executed at Multoun, was he not warned in a dream by Davee that he should release them? and did he not the very day after their execution begin to spit blood? and did he not die within three months?" Then other witnesses were ready with other proofs of the omnipotence of Davee, and told how, when certain Rajpoot chiefs arrested eig[illegible]s, all their families were afflicted, how they

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all perished, "not a child left;" and how one who had imposed certain fines upon the gang, the very day that he took the money lost his only son, "and the best horse in his stable; and was himself taken ill, and died soon after a miserable death." But they all acknowledged that even Davee could not withstand the good fortune of the Company. "The Company's good fortune is such," they said, "that before the sound of your drums, sorcerers, witches, and demons take flight—and how can Thuggee stand?"

Thuggee did not stand—it fell. The great work of rooting out these monstrous depredational leagues was accomplished in a few years by the energies of a few European officers. Up to the year 1829 but little had been done to suppress the abomination. Occasional evidences of the crime had presented themselves some years before, and a few gangs of professional murderers had been arrested. In 1810, General St. Leger, then Commander-in-Chief, issued an order cautioning the troops, especially the Sepoys, about to proceed on leave to their homes, against "a description of murderers denominated Thugs," who infested the districts of the Doab, and other parts of the Upper Provinces. About the same time some of the more active of our magistrates in Upper India had succeeded in securing the persons of a number of these murderers, but although several of them confessed, and the property of the murdered men was found in their houses, the higher judicial authorities did not consider that the evidence was sufficient to convict them. "Mr. Wright apprehended seventy-six, of whom seventeen made confessions which strongly criminated the remaining fifty-nine, who denied. Those who denied, and those who confessed, were alike released by one sweeping order from the Nizamut Adawlut without security or anything else;"* and sent back to carry

* *Letter from G. Stockwell, joint magistrate, Etawah, to T. Wauchope, magistrate, Bundelcund, December,* 1814.

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on their old trade, emboldened by impunity and success.

These were but fitful efforts resulting in nothing. The subject excited little general interest, and no organised efforts, on an effective scale, were made to root out the enormous evil. Indeed, its extent was imperfectly known even to the best informed of our officers until about the time which I have indicated, under the government of Lord William Bentinck, operations were formally commenced, and a regular "Department" for the suppression of Thuggee instituted by that enlightened nobleman. And so vigorously was this great work prosecuted—with such remarkable intelligence, and such admirable perseverance were all our measures shaped, and all our projects executed—that, ten years afterwards, Colonel Sleeman, to whose benevolent energies we are, under Providence, mainly indebted for the success of the undertaking, was enabled to write:—"In 1830, Mr. George Swinton, who was then Chief Secretary to the Supreme Government of India, and our best support in the cause which Mr. F. C. Smith and I had undertaken, wrote to him to say that he feared success must be considered as altogether unattainable, for he had been given to understand by those who appeared to be well informed on the subject, that the evil had taken deep root in all parts of India, and extended itself to almost every village community. There were certainly at that time very few districts in India without these resident gangs of Thugs; and in some, almost every village community was more or less tainted with the system, while there was not one district free from their depredations. No man aware of the fearful extent of the evil could ever have expected to see so much progress made in its suppression within so short a time; because no man could have calculated on those many extraordinary combinations of circumstances upon which our success has chiefly depended—combinations which it behoves us

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gratefully to acknowledge, as Providential interpositions for the benefit of the people entrusted to our rule—interpositions which these people themselves firmly believe will never be wanting to rulers whose measures are honestly intended, and wisely designed for the good of their subjects."*

How this great work was accomplished is soon told. These vast criminal leagues had hitherto thriven upon the ignorance of the British authorities. We could do nothing to suppress them, for, indeed, we knew little or nothing about them. They were mighty secrets—hidden mysteries—dimly guessed at, not at all understood. But now Sleeman and his associates, resolved that this trade of Thuggee should no longer be any more a mystery than tailoring or carpentering, began to initiate themselves into all the secrets of the craft, and were soon, in their knowledge of the theory of the profession, little behind the professors themselves.

It need not be said that all this information was derived from frequent intercourse with the Thugs themselves. Our officers having apprehended some of these professional stranglers, selected the likeliest of the party, and by holding out to them promises, not only of pardon, but of employment, soon wormed their secrets out of them. In a little time Sleeman and his associates had learnt from these "approvers" all that was to be learnt from them—all the mysteries of their craft, the whole art of Thuggee—how the murder-gangs set out on their journey, how they propitiated the goddess, how they consulted the omens, how the victim was first beguiled, how the noose was thrown, how the body was buried—how they brought up their children to the trade, how generation after generation of Thugs lived prosperously and securely, and how it happened that the native chiefs

* *Sleeman.* Preface to published Report on the Depredations committed by the Thug gangs of Upper and Central India. Calcutta, 1840.

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either protected or stood aloof from them, whilst the English were ignorant of their doings. Everything that these approvers, turning their backs for ever on Davee, and bowing down before the irresistible *ikbal* of the Company, now revealed—and they were tolerably loquacious in their revelations—was carefully noted down, and the statements of one informant collated with those of others. From these men Sleeman and his associates learnt not only the whole theory and practice of Thuggee, but gathered no small amount of knowledge concerning the gangs that were in actual operation, and the men who were connected with them. With such clues as the approvers afforded, it was now easy to hunt down the different gangs which were scattered over the country, and many large captures were made. New approvers were brought upon the lists of the "Department," and new gangs were hunted down. Many criminals were thus brought to trial, convicted, and sentenced either to be hanged, transported, or imprisoned.*

These captures struck terror into the hearts of the whole fraternity of Thugs. And far more terrible than the English officers, environed with the prestige of that irresistible ikbal of the Company, which was acknow-

* One or two extracts from Colonel Sleeman's Reports will suffice to convey an idea of the extent of these captures and their results:—"When they arrived at Dakhola, Captain Borthwick having heard of their proceedings, detached a party of horse to apprehend them. The horsemen came upon the gangs unawares, while encamped outside a village, and accused them of stealing opium; they were glad to have an opportunity of clearing themselves of this unfounded accusation, so accompanied the horsemen to the village for the purpose of being examined; immediately on their arrival they were secured and taken to Captain Borthwick, of whom seventy-nine were made prisoners—viz., five made approvers, seventy-four tried by Colonel Stewart (resident at Hyderabad), thirty-nine condemned to death, twenty-one to imprisonment for life, eleven to limited imprisonment, and three acquitted." Again: "Capt. Borthwick having received intelligence of the residence of these gangs, arranged for their apprehension as soon as a party of them returned from one of their excursions. He proceeded with Capt. Macmahon and about 200 of the Jhowrah cavalry, and came upon their villages before daylight, and so completely surrounded them that the capture of the whole gang was effected without the escape of a single individual—in all fifty-three Thugs; four of whom were made approvers, twenty-two executed, eleven transported, three sentenced to limited imprisonment, and thirteen released for want of evidence."

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ledged to be too powerful for Davee to combat, and his well-armed, well-mounted followers, was the knowledge that their own brethren were turning against them, and that ever at the stirrup of the Thug-hunting Englishmen went one or more apostate members of their own murderous Guild. It was plain to them, now that all their secrets were revealed—that there was no safety any longer to be derived from the ignorance of the dominant power—that let them go where they might in the Company's territories, the Thug-led Thug-hunters would be upon their track. Some endeavouring to find in the neighbouring native states a fair field for their operations, or to obtain service under the native chiefs, fled hastily across the boundary-line; but there, too, the Philistines were upon them. English humanity was not brought to a stand at the confines of the country subject to our own regulations, and guarded by our own police. From Northern Oude to Southern Hyderabad our influence at the native Courts, and the labors of our political officers, produced the same results as in our own provinces; and even there some, hopeless of eventual escape, and weary of a life of unceasing anxiety, rushed into the presence of the English officer, flung themselves at his feet, and implored him to receive them as approvers.*

* Indeed the operations of our officers in the Deccan and in Oude do not constitute the least interesting chapter in the great history of Thuggee-suppression. There were greater difficulties to be overcome by those who operated in the native states—difficulties such as are here set forth by Captain Malcolm: "No analogy," he writes, "exists between the proceedings in the Thug Department within the territories of the Honorable Company, or any other well-regulated state, and those which are carried on in the Nizam's dominions, in which no system of police can be said to exist. In the former, the parties charged with this duty are armed with a warrant, before which the gates of every village are thrown open, and the police, if not aiding or furthering the object on which they are employed, dare not openly at any rate throw any obstacles in their way. In the Nizam's territory, however, the case is very different; a few of the principal Talookdars evince the greatest readiness to afford me prompt assistance whenever called on by Government to do so. Their authority, however, does not extend to the villages held on military and other rent-free tenures witu which their districts are studded, aph the Potails of which affect to attend to no orders but those emanating from their immediate superiors. The consequences frequently are, that when a Thug is traced into a village of this class, the gates are shut in the face of the pursuing party; or should they have been allowed to enter from igno-

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But great as was the personal energy and ability brought to bear upon the suppression of the crime of Thuggee, it was hardly probable that our officers should have achieved complete success unless armed with peculiar powers—unless a certain relaxation of the law, warranted by the extraordinary character and the extreme enormity of the crime, had been legalised by the Supreme Government. For some years we had been trying men accused of Thuggee; but they had almost invariably escaped. It had been difficult, to a degree perhaps not readily appreciable by English lawyers or any other residents in this little island of Great Britain, to convict men, upon clear judicial evidence, of specific acts of Thuggee. The migratory character of the murder-gangs —the vast extent of country which they traversed—the number of local screens and fences—the difficulty of personal identification—the craft and subtlety of the offenders themselves—the unlimited amount of false swearing and of false impersonation which, at any time, they could bring into our criminal courts—were obstructions to the course of justice, under a strict interpretation of the existing law, which were seldom or never overcome. A timid or even a cautious—perhaps I ought to write a "conscientious" judge, would be sure to acquit even a notorious Thug for want of satisfactory evidence of the commission of a specific offence. Some of the causes which I have recited contributed largely, also, to the embarrassment of the question of jurisdiction. A murder was committed in one part of the country, and the murderers were apprehended in another, perhaps some hundreds of miles distant from the scene of the

rance of the object of their visit, the Government orders, when produced, are treated with the utmost contempt; and if the party do not quietly take their departure, they are generally forced to do so by the armed men stationed at the place on the part of the Jagheerdars, or by the armed villagers themselves. Serious collisions have in consequence arisen, in which several of my men have at times been severely wounded, and at others treated with the greatest indignity."—[*Captain Malcolm to Captain Reynolds. Preface to Captain Sleeman's Report.*]

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atrocity. To limit the jurisdiction in such a case to the particular Zillah in which the crime was committed, was to throw up all sorts of difficulties and delays, and almost to ensure the prisoner's escape. These impediments to the strict and prompt administration of justice were wonderfully protective of Thuggee. The more complicated the machinery, and the more formal the procedure of our courts, the better for these professional stranglers. They throve upon the legal niceties and the judicial reserve of the English tribunals, and laughed our Regulations to scorn.

It was wisely determined, therefore, after due consideration by the supreme Government of India, to make the case of Thuggee an exceptional case, and to sanction a relaxed application of existing laws and regulations to members of the great fraternity of Thugs. Accordingly an Act was passed in 1836, by which a man convicted of belonging, or having belonged, to a gang of Thugs was rendered amenable to imprisonment for life, whilst at the same time, prisoners accused of Thuggee were made liable to the jurisdiction of any of the Company's Courts, without reference to the locality of the alleged offence, and the formality of the Mahomedan *Futwah* was dispensed with as a preliminary to the trial of this class of proscribed offenders.* The

* The act being conveniently short, I may as well give it in a note:

Act XXX., 1836. (1) "It is hereby enacted, that whatever shall be proved to have belonged, either before or after the passing of this Act, to any gang of Thugs, either within or without the territories of the East India Company, shall be punished with imprisonment for life with hard labor. (2) And it is hereby enacted, that every person accused of the offence made punishable by this Act, may be tried by any court, which would have been competent to try him, if his offence had been committed within the Zillah, where that court sits, anything to the contrary, in any Regulation contained, notwithstanding. (3) And it is hereby enacted, that no court shall, on a trial of any person accused of the offence made punishable by this Act, require any Futwah from any law officer."

A supplementary Act (No. XVIII. of 1837) decreed that "any person charged with murder by Thuggee, or with the offence of belonging to a gang of Thugs, made punishable by Act No. XXX. of 1836, may be committed by any magistrate, or joint magistrate, within the territories of the East India Company, for trial before any criminal court competent to try such person on such charge."

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good effect of these enactments were soon felt. They were all that the Thuggee officers needed to enable them to carry out the great work which was placed in their hands. The strong defences of the Thug gangs were now struck down. They had no longer our ignorance on the one side, and our judicial over-scrupulousness on the other, to protect them. So the work of suppression went on bravely. The gangs were hunted down; our gaols were filled with Thugs; conviction and condemnation were no longer unattainable ends; and a great institution which had existed for centuries was broken up in a few years.

I do not say that there is no such thing as Thuggee, at the present time, in any part of the Company's dominions. It is probable that still an occasional traveller may, from time to time, be strangled by the wayside. But the cases are few in number, and comparatively insignificant in character. The system is destroyed; the profession is ruined; the Guild is scattered, never again to be associated into a great corporate body. The craft and the mystery of Thuggee will no longer be handed down from father to son. A few English officers, acting under the orders of the supreme administrative authorities, have purged India of this great pollution. If we have done nothing else for the country, we have done this one good thing. It was a great achievement—a great victory. And it is one to be contemplated without any abatement of satisfaction, or any reservation of praise.

It is a greater exploit than the conquest of Sindh or the Punjab, or the annexation of Pegu; and the names of the commander of that little army of Thug-hunters and of his unflinching lieutenants, ought, in every History of India, to have honorable mention, and by every student of that history to be held in grateful re-

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membrance. I cannot conclude this chapter better than by the mention of them. They are Sleeman, Borthwick,* Ramsay, Reynolds, Malcolm, Etwall, Hollings,

* Two examples of gangs captured by Captain, now Colonel, Borthwick, are given in a note at page 372, from Colonel Sleeman's Report. But the first of these is so remarkable, not only for the interesting character of its details, but also from the circumstances of its being an account of the capture of, I believe, the first considerable gang of Dacoits convicted and punished in any part of India, that I am induced to give in this place an amplified version of the story almost in the words that it was related to me:—"Captain Borthwick was at the time Political Agent of the western division of the province of Malwa, in which the principality of Rutlam is comprehended. The chief of this state was then a minor—a circumstance which occasioned a more frequent and minute interference in the administration of its affairs than commonly characterised our political control over the native states of that province. So situated, the Political Officer was necessarily kept constantly informed of all that transpired, both by the Akhbar-Nowese, or news-writer, whom he had stationed in the principality for the purpose, and by the minister himself of the state. In the course of almost daily communications from these individuals, Borthwick received an account stating that five bodies of the Bunnyah or Sudookar class had been discovered in the jungle, a few paces from the high road, ten or twelve miles to the southward of Rutlam, the capital of the state. They were slightly covered with stones, and had the appearance of having been recently murdered. The part of the country where these bodies were stated to have been discovered, was much infested by predatory Bheels, and on reading the report, Borthwick's first impression was that the crime had been committed by them. The unusual atrocity of it, however, determined the British agent immediately to proceed to Rutlam and investigate the case. The inquiry was accordingly commenced; but it had not proceeded far before Borthwick saw that the Bheels were in no way concerned in the murders, but that the perpetrators were evidently Thugs. At the same time it transpired that six or eight days previously, about which time it was supposed that the murders must have been committed, a large body of travellers had passed through that part of the country along the highway towards Hindostan. They had the appearance, and, indeed, gave out that they were pilgrims returning to their homes, after having paid their devotions at a shrine of peculiar sanctity in the western part of Guzerat. All this tended so strongly to excite Borthwick's suspicions that these travellers were the authors of this atrocious deed, that he resolved upon taking immediate measures for arresting them. It was observed that they were travelling very leisurely, but, after the lapse of so many days, they could hardly have proceeded to a distance of less than 100 miles. Resolved, however, upon making the attempt to effect their seizure, and having obtained from different persons, who had well observed and even conversed with some of them, a full description of their appearance, he despatched a party of native horsemen, under the command of a smart and intelligent officer, in pursuit of them, with the strictest orders, when once he came up with them, not to lose sight of them until they were secured and brought in for examination. Furnished with a description of the supposed gang, and with requisitions on the local authorities of the villages and districts through which they would have to pass, calling upon them in the name of the British Government to afford him every assistance in their power to effect this object, the party set out in pursuit. It was only at the village of Dekhola, about 150 miles from Rutlam, whence they were despatched, that they came up with the gang. Having satisfied himself that they were the people of whom he was in pursuit, the officer went to the principal man of the place and presented his requisition for aid; but finding the latter was unable to give him the assistance he required (the village being a small and poor one), he had recourse to a piece of

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Lowis, Graham, Paton, Riddell, Ludlow, Birch, Miles, Marsh, Whiteford, and others of good service and good

strategy, which is worthy to be held in remembrance for the sake of its own cleverness as well as for its excellent results. The Government of India had established a strict monopoly of opium over Malwa, which had then existed for some time, and these very horsemen formed a portion of the body of troops employed by Captain Borthwick, and posted at the different commanding outlets to prevent the unauthorised export of the drug. So it occurred to the officer, on finding the village could not supply him with means sufficient to use coercion, to take advantage of this circumstance — to denounce the gang as smugglers, and charge them with having contraband opium in their possession. Too glad to find there was not the slightest insinuation thrown out as to their real characters, they were eager with their offers to submit their luggage at once to the officer's inspection. This, however, not suiting his purpose, he pretended that no inspection at so paltry a village, where there were no authorities of sufficient importance to testify to the result, would be satisfactory to the British Agent, and signified his desire to have it made at a place where it could be effected in a more open and authoritative manner. After some hesitation on the part of the gang they agreed to go back with him to Bhulwâra, a stage to the southward of Dekhola, which they had passed a day or two before. At Bhulwâra there was a large body of Sebundies, or police soldiers, which, on arriving there, the authorities, in compliance with the requisition presented by the officer, placed at his disposal. He now considered he had sufficient means to make a capture of the gang, and thinking it no longer necessary to disguise his suspicions and intentions regarding them, openly charged them with being Thugs, and declared his determination to carry them before Captain Borthwick, to be subjected to a strict examination. Boldly and clamorously they attempted to repel the charge. They declared themselves to be innocent and inoffensive people returning from their pilgrimage to shrines in the west of Guzerat. To all this he paid no attention, but was not a little staggered on a paper being presented to him by one of the leaders, which was asserted to be a passport of the English Government, under the protection of which he (the leader) declared they were travelling. This caused doubt and anxiety to the officer, which, however, was in some measure appeased by considering the strictness of his orders, and in feeling assured that if it came to pass that a mistake had been made, every allowance would be shown to him. All his fears, however, were speedily dispelled by one of the gang, in a paroxysm of fear, coming to him and confessing that they were Thugs, and offering, if his life were assured to him, to make a full disclosure of all their proceedings. This was a contingency for which Captain Borthwick had fortunately prepared him, and he accordingly on the instant separated this proffered approver from the gang, and kept him from that moment away from all intercourse with his comrades. In the mean while Captain Borthwick himself, after despatching the officer and party from Rutlam, proceeded to Joura, a small town twenty miles to the north of the former, there to await the result of the measures he had taken. Shortly afterwards he received a report from the officer of the success that had attended him, which was speedily followed by his arrival at Joura with the gang in his custody. Borthwick immediately entered upon the examination of the approver. Of the information which was thereby elicited, that part which contained a full and particular account of the murders committed by the gang, from the time they passed Rutlam until they were overtaken at Dekhola, claimed his immediate attention. The approver gave an account of no less than eighteen different murders committed in that short interval; and in order to confirm this part of his evidence, Capt. Borthwick sent him the following day, under a guard, and accompanied by a native writer, to note all that transpired along the line of road upon which the murders were stated by him to have been perpetrated. In every instance stated, the place where the body of the

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repute. Many of these were afterwards distinguished as agents for the suppression of professional Dakoitee. But to this important subject I must devote another chapter.

This chapter, however, would hardly seem to be complete without some mention of a fact, more prominently noticed elsewhere, illustrative of the completeness of the efforts which were made for the entire suppression of Thuggee. Through the instrumentality of Colonel Sleeman and one of his assistants, Lieutenant Brown, Schools of Industry were established at Jubbulpore, with the view of affording employment to adult approvers, and of educating their children—so that the little ones, instead of being initiated into the fearful mysteries of Thuggee, were trained to the understanding and the practice of useful trades, and the rising generation of professional murderers turned into industrious artisans.*

murdered person was deposited was pointed out. The several bodies were disinterred, and each instance was verified by the village authorities nearest to the spots. Thus a complete corroboration of the approver's statements was obtained; and other approvers having come forward, the guilt of the gang, individually and collectively, was fully established by a mass of incontrovertible proof."

* See the Chapter on Education, and the papers in the Appendix, for a further account of these schools.

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CHAPTER III.

Dakoitee—Its Antiquity—Measures of Warren Hastings—Hereditary Robber Castes—Their Customs—Local Dakoitee—Complicity of the Zemindars and Moostajirs—Effects on the Suppression of Dakoitee—Appointment of a Special Commissioner for Lower Bengal—New Act—General Remarks.

THE efforts of these energetic and indefatigable officers at the head of the Thuggee Establishment had hitherto been mainly directed to the suppression of that great crime which gave the name to their Department. But when they had reason to believe that their measures had broken up the greater number of gangs, and suppressed the activity of the evil, if they had not wholly rooted it out, they began to address themselves to the eradication of another foul disease of cognate origin and kindred aspect, which, if not so terrible to contemplate, was more extensively disseminated, and scarcely less fatal in its effects upon the general peace and happiness of the people.

It was no new thing to the comprehension of English residents in India at this time that robberies, attended with violence, often, indeed, with murder, were frequently committed in dwelling-houses by gangs of armed men. For three-quarters of a century had these gang-robbers been known as *Dakoits*, and every one in India, or, indeed, every one with the commonest knowledge of India and her affairs, knew well that *Dakoitee*, or gang-robbery, was a crime of very frequent occurrence in all parts of Hindostan. Ever since we had established police-bands to capture, and law-courts to try, offenders of any kind,

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we had been capturing and trying Dakoits, and passing laws against them, tinged with more or less of the severity or the leniency of the times. In the days of Warren Hastings, when a sort of unscrupulous vigor, not in effect so injurious to humanity as it seems to be in description, was brought to bear upon the disorders of the country, it was decreed that not only should every convicted Dakoit be executed in his own village, but that the village should be fined "according to the enormity of the crime, each inhabitant according to his substance, and that the family of the criminal should become the slaves of the state, and be disposed of for the general benefit and convenience of the people, according to the discretion of Government."*

* General Regulations for the Administration of Justice, August, 1772. This measure was recommended by the Committee of Circuit at Cossimbazaar. The arguments with which they support it are curious:—"We have judged it necessary to add to the regulations a proposal for the suppression and extirpation of Dakoits, which will appear to be dictated by a spirit of rigor and violence very different from the caution and lenity of our other propositions, as it in some respects involves the innocent with the guilty. We wish a milder expedient could be suggested, but we much fear that this evil has acquired a great degree of its strength from the tenderness and moderation which our Government has exercised towards these banditti, since it has interfered in the internal protection of the provinces. We confess that the means which we propose can in nowise be reconcileable to the spirit of our own constitution; but till that of Bengal shall attain the same perfection, no conclusion can be drawn from the English laws that can properly be applied to the manners or state of this country. * * * We have many instances of their meeting death with the greatest insensibility; it loses, therefore, its effect as an example, but when executed in all the forms and terrors of law in the midst of the neighbours and relations of the criminal; when these are treated as accessories to his guilt, and his family deprived of their liberty, and separated for ever from each other, every passion which before served as an incentive to guilt, now becomes subservient to the purposes of society, by turning them from a vocation in which all they hold dear, besides life, become forfeited by their conviction; at the same time their families, instead of being lost to the community, are made useful members of it, by being adopted into those of the more civilised inhabitants. The ideas of slavery, borrowed from our American colonies, will make every modification of it appear, in the eyes of our own countrymen in England, a horrible evil. But it is far otherwise in this country; here slaves are treated as the children of the families to which they belong, and often acquire a much happier state by their slavery than they could have hoped for by the enjoyment of liberty, so that in effect the apparent rigor thus exercised on the children of convicted robbers, will be no more than a change of condition, by which they will be no sufferers, though it will operate as a warning on others, and is the only means which we can imagine capable of dissipating these desperate and abandoned societies which subsist on the distress of the

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But although in those days our early administrators were not without some general knowledge of the habits of this "race of outlaws, living from father to son in a state of warfare against society,"* though it was known that Dakoitee was something more than an accident, a casual blot, a superficial excrescence, it had been but imperfectly ascertained to what extent, and in what perfection, it was an integral institution. But when the same process that had been applied to the exposition of Thuggee, with all its systematised enormities, its creeds, and its rituals, was brought to bear upon the kindred crime of Dakoitee, there was found to be as much system in it, as stern a faith, as engrossing a superstition. It was seen then that Dakoitee was the normal condition of whole tribes born and bred to the profession, that there were robber-castes in India just as there were soldier-castes or writer-castes, and that men went out to prey upon the property of their fellows—and, if need be, on their lives—with strict religious observance of sacrament and sacrifice, strong in the belief that they were only fulfilling their destiny, and doing good service to the deity whom they adored.

I do not mean that there was no such thing as accidental Dakoitee—that men not bred and born to the

general community." The logic of this seems rather to halt in the concluding passages; for if the sale of the families of the Dakoits was calculated to better their condition and enhance their happiness, it could not have operated as a very effectual warning. The Committee of Circuit seem to have recommended the proposed measure as a severe and deterring punishment, and then taken the greatest trouble to demonstrate that it would be no punishment at all.—[*Letter of the Committee of Circuit at Cossimbazaar, August* 15, 1772, *in Colebrooke's Digest. Supplementary Volume.*]

* Warren Hastings (1773). The following description of the Dakoit bands, written eighty years ago, shows that our predecessors in India had a very fair general knowledge of the subject: —"The Dakoits of Bengal are not, like the robbers in England, individuals driven to such desperate courses by sudden want. They are robbers by profession, and even by birth; they are formed into regular communities, and their families subsist by the spoils which they bring home to them; they are all, therefore, alike criminal wretches who have placed themselves in a state of declared war with Government, and are, therefore, wholly excluded from every benefit of its laws." —[*Letter from the Committee of Circuit to the Council of Fort William, dated at Cossimbazaar, August* 15, 1772. *Colebrooke's Digest. Supplementary Volume.*]

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profession never, under the force of accidental circumstances, took to Dakoitee for a livelihood—but that it was established upon a broad basis of hereditary caste, and was, for the most part, an organic state of society. "I have always followed the trade of my ancestors—Dakoitee," said Lukha, a noted Dakoit, who subsequently became approver. "My ancestors held this profession before me," said another, "and we train boys in the same manner. In my caste, if there were any honest persons, *i.e.*, not robbers, they would be turned out and not kept with us." The first of these belonged to a robber-tribe known as *Budducks*, one of the largest and most exclusive of the depredational castes; the other was of the tribe of *Hurrees*. Sometimes boys were adopted into these robber-castes. "I was hitherto a Beree by caste," said another approver, "and converted into a *Kheejuck* (another robber-tribe) by one of Jeeteen of that caste, who, seeing me begging and distressed, took me under his protection, and gave me maintenance." Sometimes they married into a robber-caste, and took up the trade with their wives. Sometimes they inherited the profession from the mother's side. "Man Singh, a very noted leader of Budducks," said the same Lukha, whose evidence I have above quoted, "was a Gosaen and not a Dakoit, but he united himself to a Budduck woman, by whom he had Man Singh. This man had been engaged in a hundred enterprises."

Such, read by the light thrown upon this deeply interesting subject by the investigations of our British officers, were the hereditary robber-castes of India; the Budducks, the Kheejucks, the Hurrees, the Dosads, and others. The gangs, composed of these men, were for the most part distinguished by their exclusiveness and uniformity. Dakoitee was conducted by them with all becoming solemnity; it was, like Thuggee, a mysterious institution

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not to be lightly approached—one into the hallowed precincts of which admission was to be obtained only by formal initiation. But though there were robber-castes, and many gangs of Dakoits composed of these exclusive fraternities, all Dakoitee was not of this constitutional character. There were gangs of a less formal and select kind—gangs composed of men of different tribes,* often strangers to each other; and there were Dakoits not of the hereditary class, lay members, as it were, of the profession, who troubled themselves little about presiding goddesses, and set about their work in a less scientific way. But although in these gangs might be discerned a fusion of many castes, they all seemed to rally round the men of the hereditary robber-castes, without whose agency they believed that they could accomplish little. "A convicted Dakoit in the Purneah gaol," writes an intelligent officer of the Thuggee Department, to whose investigations we are indebted for much of our knowledge of the robber-castes of India, "from whom I sought information, confessed to me his having been with three different gang-leaders, with whom he had been concerned in ten different Dakoitees within the Purneah district. These gangs were promiscuously composed, but the nucleus was composed of the robber-castes, and he laid it down as a rule, well known by the robber fraternity, that no gang could retain its organisation and efficiency without an admixture of the '*janam chors*,' as he styled them, or 'born robbers.' This man was one of the industrial castes which are called by the robber-castes

* "The Budducks," said an approver of one of the local Purneah gangs, "depredate with men of their own caste alone, and no others; and we in this part of the country depredate with people of all castes, and the houses of the different men are not in one place, but various distances remote the one from the other, some 10 or 12 coss (20 or 24 miles), others only 1 or 2 coss (2 or 4 miles), therefore, those who live near them are well known to all, and those who live far off are only known to Moostajirs and Sirdars. The members of the gang, then, do not all know each other, but only the Sirdars and Moostajirs know all."—[*Evidence of Bokhai, Mistry.*]

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'*janwars*,' a common term for simplicity and clownishness in India, but by which is here meant the uninitiated. He assured me that his '*oostad*,' or teacher, was a *Dosad* (a notorious robber-caste), and that on one occasion, when he proposed to set up a gang himself, this man told him that without the assistance of the hereditary robber-castes, no gang ever was or ever could be established, for that to them alone had descended, through a long line of ancestors, the '*ilm*,' or secret lore necessary for the purpose."*

This at all events was something to know—but there was much more to be known. The hereditary robber-castes constituted the aristocracy of depredational crime. They were the leaders and instructors of these organised bands of robbers — the pivots upon which the whole machinery turned. Every gang was more or less regulated by them, but every gang was not mainly composed of them. The most noticeable thing of all was the extraordinary extent of these depredational leagues—the thousands of members that they numbered. There seemed, indeed, to be a network of organised plunder spread over the whole face of the country. It was a tremendous suggestion which staggered the credulity, and baffled the comprehension even of men accustomed to the excesses of great criminal leagues. But they set themselves to work vigorously—to learn all they could, and do all they could — believing that as they had stricken down Thuggee, Dakoitee could not stand up much longer before the *ikbal* of the Company.

The first approaches to a full understanding of the subject were made without stumbling on any great difficulties. The greater the segregation of this or that class, the easier is it to trace out and to illustrate its idiosyncrasies. Now the Budducks and Khejucks were not only exclusive, but migratory castes. They carried

* *MS. Notes of Captain Hippisley Marsh.*

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on their depredations at a distance from their own homes, and set out in gangs composed entirely of their own fraternity. It was as easy to elicit a full revelation of the practices and observances of the Budducks or Khejucks, as of their fellow-adventurers, the Thugs. Indeed, our previous investigations into the physiology of the one, facilitated our enquiries into the habits of the other, and guided us more directly to the truth. There were many points of analogy between them. They had a secret dialect, and secret signs. They assumed various disguises. They offered up sacrifices. As with the Thugs, so with the Budducks, the goat was the favorite victim. They consulted the auspices. They had the same overflowing faith in the cry of the jackal. They swore oaths of fidelity and secrecy. They were altogether the same sort of comfortable religionists, with the same utter disregard for the happiness of their fellow-men.*

The ordinary practice of these gangs was to set out, after the usual ritual preliminaries, in parties of thirty, or forty, disguised as travellers, or pilgrims, or bird-catchers, or anything else that might promise good chance of concealment. The principal implement of their profession was the spear. The spear-head they carried about with them, concealed on their persons;

* Captain Marsh says that the habits and organisation of the robber-castes of Purneah were analogous with those of the Budducks of Western India. "It is wonderful," he observes, "how perfectly similar are the habits and organisation of the Western Budducks and of the robber-castes of the Purneah district. No Budduck can exist without wine—*i. e.*, fermented liquor—ditto, the robbers of Purneah. No Budduck reaches full manhood without being initiated into the mysteries and dialects of the caste—ditto, the robber castes of Purneah. No Budduck ever heartily consents to till the soil, but will escape it on the first opportunity—ditto, the robber-castes of Purneah. The little land they till is only to make a show, and screen their real profession. No Budduck gang would ever dream of attacking a house without the preliminary rites and *poojah* of Kalee—ditto, the gangs of the robber-castes of Purneah. Every Budduck Dakoit has a peculiar fashion of girding his breast, back, and loins, so as to offer no impediment to his movements, and to protect him from blows, a fashion not used by any description of peaceable men—ditto, the Purneah robber-castes. All this I have learnt from their own lips and their own showing."—[*From an unfinished demi-official Letter from Captain Marsh to Major Sleeman.*]

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the handles they either converted into walking-sticks, or buried in a convenient place. One of the party sent on in advance, or some confederate at a distance—a corresponding member of the society—either brought or sent in tidings to the effect that he "had his eye on a rich house." A full description of the locality—of the building itself, of its inhabitants, of the probable means of defence, as far as they could be ascertained, was communicated to the leaders of the gang; and then the night and hour of the attack being determined upon, the gang was duly mustered, and an estimate formed of its adequacy to the intended enterprise. If the party were not considered strong enough to secure success, some "auxiliaries" were called in. These were members of robber-tribes, or local Dakoits, resident in the neighbouring villages. With their party thus augmented they took counsel together, and determined on their plan of operations. It was their policy then to separate for a day or two before the meditated attack, a nd then to meet at a given hour—an hour after night-fall—and to advance at once to the enterprise. They then collected the handles of their implements, fixed them into the spear-heads and axes, prepared their torches, divested themselves of all their superfluous clothes, and advanced to the attack.

It was always a nocturnal surprise. With flaming torches, and spears glittering in the broad light, they came suddenly on the sleeping inhabitants of the doomed house, and either roused them with their noise, or pricked them up with the points of their weapons. Thus suddenly startled from their sleep, finding themselves surrounded by armed men, whose numbers their fear greatly exaggerated, the unhappy merchants, or bankers, so surprised, could seldom muster either their senses or their courage sufficiently to conduct an effec-

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tive defence. If by any chance the resistance was obstinate, the Dakoïts, who had not always the stoutest hearts to sustain them, were in a fair way to be beaten back. But the chances were greatly in their favor. A party suddenly surprised is always at a disadvantage. So it often happened that the luckless inhabitants, confused, bewildered, panic-struck, like people under the influence of a fearful dream, did all that they were directed to do —pointed out the places where their wealth was hidden, and went like sheep to the slaughter.

Though the ritual formalities of which I have spoken may have been peculiar to particular classes of Dakoits, the mode of procedure here described seems to have been common to all. With the more demonstrative part of the business, indeed, we had been long acquainted. What we now discovered was not only the very curious inner history of the social organisation and religious environments of Dakoitee, but all the secret mechanism of those screens and defences, only dimly known before, which enabled the great crime to run riot over the whole length and breadth of the land. That the location in an Indian village of numbers of professional robbers, ever and anon setting out on depredational journeys, and returning with much spoil in their hands, should be unknown either to the villagers, high or low, or to the rural police, was clearly an impossibility. It was a matter, indeed, of notoriety in the village. It could not be otherwise. In such cases, amongst us, knowledge is exposure and extermination. A gang of robbers could not exist for a day in an English village after their location were once discovered. Every influential man in the neighbourhood would be eager to secure their capture and imprisonment, and the county constabulary would soon beat up their haunts. But in India all this is reversed. The squirearchy and the police are alike inte-

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rested in the protection and sustentation of Dakoitee. The Zemindar and the Thannadar grow rich upon it. They do not foster the rank weed for nothing. Dakoitee is highly remunerative. The head man of the village shares the spoil with the successful robbers. He has his seigneural rights.* He is a harborer of thieves on a large scale. They come and go freely, uninterruptedly, so long as they are disposed to pay for the privilege; and as their very existence depends upon the payment, they must perforce submit to the exaction. They are, so to speak, the servants or children of the great men, who supply them in time of need with food and clothing, and make moneyed advances to them when they set out upon their expeditions. Indeed, the robber-gangs are often

* From the depositions of a Budduck approver, named Lukha, we gather a full-length picture of a model Zemindar of this kind, whose exactions at last drove a profitable association of Dakoits clean off his estate.

"Five hundred rupees out of this booty," says the approver, after detailing the circumstances of a Dakoitee, "were given to Thakur Dhotal Sing, the great landholder of the village in which we resided."

And again, after another enterprise:

"We gave a share of one-fourth of the booty to Thakur Dhotal Sing, the landlord of Sepreea."

The fourth of the spoil, however, did not suffice him. He grew more exorbitant in his demands:

"In five or six days we reached home in safety; but the landlord, Dhotal Sing, exacted from us more than a fourth of this booty as his share. The rest we divided, but the rapacious landlord got us all seized and bound, and taking from us all the gold and bullion, gave us only one hundred rupees each. . . . . We prepared to leave this man's estate, but he implored us to remain, and swore solemnly never again to behave dishonestly to us."

It seems that they consented to remain; but in a little time the greedy landlord was at his old tricks:

"Dhoulut and I got about a hundred rupees, but we had no sooner got home than Thakur Dhotal Sing came with his son and the other joined proprietors of the estate, seized us all, tied our arms behind our back, and demanded a fourth of our booty. We brought out one of the two hundred rupees, and declared that was all we had gained by the enterprise, but they would not believe us. We protested and remonstrated, and told them that we would leave their estate, as it would never do for us to take all the risk and trouble of Dakoitee, and for them to take all the profit. They were a senseless set of peasants, and all we could say seemed to make no kind of impression upon them—as we committed Dakoitees on others, they committed them on us. They were a short-sighted people, or they would have seen the advantage of observing the same good faith with us that we always observe with our patrons."

This time they acted up to their threats, and betook themselves to another village:

"Dhotal Sing," says the ill-used Dakoit, "the chief of Sepreea, was a rapacious man, and used to extort from us, in some mode or other, a good deal more than the fourth of our booty, which we considered the seigneural, or Zemindaree right; so we went to reside in the village of Bigholee, not far distant."

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attended either by one of these landowners in person, or by a delegate from his immediate family. The connexion between them is of the closest kind. Each is necessary to the well-being of the other.

The bare outside fact of this criminal participation of the landlords was no discovery of modern times. It had attracted the attention of Warren Hastings,* who saw at a glance that it was wholly impossible to suppress Dakoitee without proclaiming the responsibility of the Zemindars as accessories to the crime, and in all cases of conviction punishing them with as much severity as the active offenders.† He would have made short work of these nursing mothers of crime, and hung up the fattest Zemindar with as little compunction as the leanest Dakoit. As I have said before, the most vigorous measures are often the most humane; and I have little doubt that if these recommendations had been carried out and persevered in, and a heavy blow thus struck at conniving landlords, we should not now be hearing, after the lapse of three-quarters of a century, that around the immediate seat of the supreme Government—almost under the

* See Proceedings of Governor and Council, April 19, 1774, quoted in "Colebrooke's Digest," supplementary volume.

"At this time I have repeated complaints from all parts of this province of the multitude of Dakoits which have infested it for some years past, and have been guilty of the most daring and alarming excesses. I know not whether the knowledge of these evils has been officially communicated to the members of the Board. To me it has only come through the channel of private information, as I do not recollect to have heard the slightest intimation of them from the Zemindars, farmers, or other officers of the revenue; which may appear extraordinary, but that I am assured that the Zemindars themselves too frequently afford them protection, and that the Ryots, who are the principal sufferers by these ravages, dare not complain, it being an established maxim with the Dakoits to punish with death every information given against them."

† The words of the recommendation are worth quoting: "That such of the Zemindars or farmers as shall be convicted of having neglected to assist the Foujdars in the execution of their trust, shall be made responsible for any loss sustained by such misconduct, or otherwise fined according to the nature of the offence; but that all persons, of whatever degree or profession, who shall be convicted of receiving fees or other pecuniary acknowledgments from robbers, knowing them to be such, or of abetting or conniving in any shape at their practices, shall be adjudged equally criminal with them, and punished with death; and that this be immediately made public throughout the province." —[*Warren Hastings*, 1774, *ut supra*.]

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shadow of the vice-regal palace itself—"gang-robberies have increased to such an extent that a feeling of general insecurity has arisen in the minds of the people of these districts." These are the words, not of Warren Hastings, but of Lord Dalhousie. The Governor of 1852 only repeats the complaint of the Governor of 1774. The immunity which the landlords have enjoyed in the interval has been the main cause of the perpetuation of the evil. We have been much too slow in our interference with their vested interests in robbery and murder. Lord Cornwallis, when he re-organised the Police Department, in 1792, proclaimed that landlords, convicted of being accessories to the commission of a robbery, should be "compelled to make good the value of the property, stolen or plundered."* So that, even if the regulations had been put into effect against the Zemindars, it would have been merely a matter of calculation with them—a mere question of profit and loss—the balance being pretty certainly in favor of the former. It is not strange, therefore, that under such regulations the landlords continued to carry on the old trade, and to participate largely in the professional emoluments of the Dakoits.

Warren Hastings complained that the farming system had a tendency to extend and perpetuate this evil. And the same fact is insisted upon and demonstrated on the evidence of the Dakoits themselves, by the present generation of British functionaries. The small Moostajirs, indeed, are the great harborers of Dakoits—the great promoters of Dakoitee. "There could be no Dakoitee without the Moostajirs," was the statement almost in-

* "Landholders and farmers of land are not in future to be considered responsible for robberies committed in their respective estates or farms, unless it shall be proved that they connived at the robbery, received any part of the property stolen or plundered, harbored the offenders, aided, or refused to give effectual assistance to prevent their escape, or omitted to afford every assistance in their power to the officers of Government for their apprehension, in either of which cases they will be compelled to make good the value of the property stolen or plundered."

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variably made by the approving Dakoits examined by Captain Marsh and other officers.* Old European residents in the Mofussil confirmed this testimony. "It is my firm opinion," wrote an Indigo planter of long standing in Purneah, "that each and every native Moostajir must of necessity be a Dakoit leader, because, in the first instance, he must know the character of residents in his villages, otherwise he would be constantly subject to have unprofitable tenants; and, secondly, because it is utterly impossible that large gangs could assemble and cross the country in different directions at night without being stopped by the heads of villages, and as the approvers themselves say that no gang will dare to move out without a Moostajir, it appears to me beyond all doubt that one or two Moostajirs are the actual leaders of every Dakoit-gang."†

It would seem, too, if the evidence of the approvers is to be trusted, that if there could be no Dakoitee without the assistance of the Moostajirs, neither could there be Moostajirs without the assistance of the Dakoits. "There is no petty Moostajir," said one man, "free from connexion with Dakoitee; and whoever has a repugnance so

* A few specimens of the evidence on this head, contained in the Official Reports, will suffice:

Question.—If the Moostajir be not in league, cannot the professional robbers practise Dakoitee?

Answer.—It cannot be done without the Moostajir.—[*Evidence of Hazaree Dhurkar.*]

Question.—Can there be no Dakoitee without Moostajirs?

Answer.—There can be no Dakoitee without Moostajirs, for, through their influence, the Thannah people cannot lay hold of us robbers from fear of the Moostajirs; and the use of the Moostajirs is this, that they find the robbers in food and clothes, and lend them money, and give them liquor, and in every way protect our families and ourselves. This is the use of Moostajirs.—[*Evidence of Suroofa Hulwaee.*]

Question.—Since the Moostajir knows he has robbers in his villages, does he make no effort to turn them out?

Answer.—If he gains much by remaining, why should he turn them out? He keeps them for his own benefit.—[*Evidence of Jhubban, approver.*]

Question.—Is this true, that without a Moostajir or Sirdar, no Dakoitee can take place?

Answer.—If the Moostajirs do not join, and there be no Sirdar, how could poor robbers commit *Dakoitee?* without the command of the Moostajir and the Sirdar no *Dakoitee* can be carried on. Under disguise of landholders the Moostajirs set *Dakoitee* on foot.—[*Evidence of Jhubban, Kuraria.*]

† Evidence relating to Dakoitee, printed in Calcutta.

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to connect himself, will not take a Moostajiree." "Without being a rogue," said another man, "a Moostajir's profession could not be carried on. No class of rogues come up to the Moostajirs. . . . If there were no robbers in the village, then none would take Moostajiree, and now every class of men become Moostajirs in this hope that they may share in the spoils of Dakoitee." "Moostajiree of villages," said a third, "is taken for purposes of Dakoitee. . . . By becoming a Moostajir he cannot manage without forming a connexion with Dakoits." There is every reason to consider this evidence to be trustworthy, as far as it goes. It relates, however, almost entirely to a particular part of the country;* and the extent to which the evil prevails in other parts may not be safely predicated from it. But the complicity, after one fashion or another, of the landholders, whether Zemindars or Moostajirs, in the depredations of the Dakoits, is not local and accidental, but general and continual. The same system, with slight superficial variations, which prevails in Bengal, prevails also in Oude.† The landholders are the arch-offenders.

Associated with them, in the protection of the more active criminals, are the equally corrupt members of the police. This was no new discovery. Warren Hastings had as clear a perception of the fact as any Superintendent of Police in the present day. But although the Indian constabulary force has been modelled and re-modelled—though first one system has been tried and then another, every description of organisation that has yet been attempted has been found to be equally inefficacious for the

* The Purneah district.

† With certain variations, of course dependent upon the nature of the landed tenures. In the example, which we have quoted from the evidence of a Budduck practising in Oude, the protecting landlord was a powerful Zemindar. In the instances cited by the Khejucks of the Purneah district, the territorial offenders were principally small *Moostajirs*, or Revenue-farmers.

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protection of life and property, and the detection and punishment of crime. Instead of protecting life and property, these men, under whatever name they draw a certain amount of salary, whether they belong to the regular police, or are the village watch, only protect rapine and disorder. To such at least point their own unaided instincts; but European superintendence, though powerless hitherto to convert the Indian police into an effective body, has done something to control its excesses. There is still much more to be done. It is the weakest point of our Indian administration. But to break up a gigantic league of this kind, a confederacy between the landlords and the police so contrived, so glossed over—each playing into the hands of the other—as to baffle almost every effort to convict the suspected offenders of actual participation in the delinquencies of the Dakoits, is a work of no very easy accomplishment for a handful of European strangers. The network of this foul conspiracy stretches up to the very doors of the magistrate's cutcherry. It embraces all classes, from the wealthy Zemindar and the influential Amlah to the ill-paid and insignificant village watchman, who, perhaps, is a member of a robber-caste.* The more intricate the machinery

* See the following evidence of a Dakoit approver:

Question.—What class of people become *Chokeedars* (watchmen)?

Answer.—Dosaud, Hurree, Kurraria, &c., &c. (robber-castes); these principally furnish the *Chokeedars*.

Question.—In the course of the month what does such person realise?

Answer.—Two rupees a month for each *Chokeedar* is levied on the Ryots; and they (the *Chokeedars*) realise a great deal from thieves and robbers and *Dakoits*, and this is the real reason why they undertake to be watchmen—to feather their own nests—else no one would willingly undertake so detestable an occupation.

Question.—Do the *Chokeedars* ever go on *Dakoitee*?

Answer.—No: they do not go on Dakoitee, but know all about the *Dakoits*. Whoever leaves his house for *Dakoitee*, he does so with the knowledge of the *Chokeedars*; and they do not go on *Dakoitee* for this reason, that in a village all kinds of people dwell; if any person should be discovered absent by the *Naka-Buskundaz*, he would be reported to the *Thannadar* (native police superintendent), therefore, the watchmen at night do not leave their village, but go on the rounds and set robberies on foot, and take share from robbers and Dakoits.—[*Evidence of Bokai, Mistry, taken by Captain Marsh, July* 19, 1842.]

Again:

Question.—Are the Chokeedars of your caste (Hurree) all thieves?

Answer.—They call themselves Cho-

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of our own law-courts, and the more extensive our police establishments, the more subtle become the contrivances by which the conspirators endeavour to cloak the crimes which they are all interested in concealing. Eighty years ago, Warren Hastings regretted that "the regularity and precision which have been introduced into our new courts of justice," should be "among the causes of the increase of robbers." It is not to be doubted, I fear, that in these days the more complicated machinery which we have introduced in furtherance of the improved administration of justice has had a tendency to raise up so many screens or barriers between the eye of the British functionary and the crimes which are committed around him.

Upon this subject, in its general bearings, important as it is, I cannot now afford to enlarge. But this is the proper place in which to speak of the effects of our present system upon the great crime of Dakoitee. It is a distinguishing feature of the practice of these professional depredators that they adapt their ways, with wonderful precision, to the legal machinery which is brought to bear upon them—that they even turn the very engine which is designed for their destruction, into an instrument of defence. They adapt their organisation to our own, and the more intricate it is the greater are their chances of evasion and escape. "The English," writes an officer of great intelligence and experience in the intricacies of these criminal leagues, "having divided the country into districts and Thannas, the robbers have made it a fundamental maxim and *sine quâ non* to attach themselves by divisions to Thannas, in order to bribe every man of real and actual influence over the villagers to enter into a league with their paymasters—their principle being to sacrifice much in order to retain

keedars, and by this deceit engage in robbery and Dakoitee; all the Chokeedars of the Hurree caste are robbers and Dakoits. — [*Evidence of Jhoomuk, Hurree, taken by Captain Marsh, July 20, 1842.*]

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a little in certainty and safety. Now the two classes which have supreme actual influence among the village population are the Thannadars (with their myrmidons) and the Revenue-farmers (with theirs). These then are the persons held in the pay of the Dakoits. To ensure regularity in this necessary particular, a robber-division is attached to a Thanna, and a subdivision to a particular form. This robber-division is under a Sirdar (or chief) of robbers; and it is among the first of his duties to pay monthly with his own hand the shares respectively of the Thannadar and the Revenue-farmer."*

Nor does the corruption, as I have already intimated, stop here. "The Sirdars," says another writer, an intelligent and zealous magistrate, "are men who travel in their *palkis* (palanquins), and arrange all these little affairs first with the local police, next with the magistrate's Amlah, and eventually with the Sessions' Amlah and the law officer."† "In short," to use the comprehensive words of another civil officer, the highest authority on such a subject in Bengal, "the whole plan has been got up to meet our rules of evidence, and it is carried on with the help of our ministerial and police Amlah."‡ Whatever we have done, indeed, the Dakoits have turned our doings to their own uses—our revenue system, our police system, our judicial system, have all been impressed into their service. Whatever may have been our administrative organisation, they have adapted to it, with consummate skill, the organisation of their criminal leagues, and out-manœuvred us at all points.

Nor did the triumphs of these astute criminals stop short

* *MS. Correspondence.*—The same writer thus calculates the number of robbers located within one Thanna (or police division):—"I calculate to every Thannadar four Revenue-farmers resident in a Thanna; on every Revenue-farmer's farm four *Sirdars* (or chiefs), with their respective divisions of robbers. To every Sirdar four *Naib-Sirdars* (or captains), and to each *Naib-Sirdar* four burglar gangs, and to every burglar gang five men each. Thus, $1 \times 4 \times 4 \times 4 \times 4 \times 5 = 1280$ members of the depredational league in one Thanna."

† *MS. Correspondence.*

‡ *Ibid.*

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even at the doors of the Sessions Court. They reached to the very judgment-seat. So protected by the Amlah, it would have been hard if the Dakoits could not have brought into court any amount of false evidence to secure their acquittal. It never, by any chance, happened that all, or even the most influential, members of a robber-gang were arrested; and they who were at large never failed to exert themselves to obtain the liberation of their more unfortunate comrades who had fallen into the grasp of the law. False witnesses were readily obtainable from among their own people, willing and able to swear him off. The manner in which this evidence was got up was often very clever and ingenious. "It is quite out of my power," writes Mr. Wauchope, magistrate of Hooghly (of whose services I shall come to speak presently), to the Superintendent of Police in the Lower Provinces, "to describe on paper the delight with which the Dakoits with me talk about their exploits—of the pleasure parties which Kartich Koura, a famous Sirdar, used to take from Calcutta to his native village, whence they never returned without committing one or more Dakoitees; how on one of these occasions their Sirdar had three of his fingers cut off; how he was arrested and committed to the sessions; or the roars of laughter with which they give the details of the trial before the judge, where he was acquitted on the evidence of a most respectable Brahmin, and a still more respectable Kait—the first being Sirdamund Thakoor, a first-rate leader in the gang, and the second Syud Mytee, now an approver with me, and only lately sentenced to transportation for life."*

A system so complete in its organisation as this was not to be put down by the ordinary judicial machinery applied to accidental offences, and by the ordinary ministers of the law. It was apparent that, as in the

* *MS. Records.*

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case of Thuggee, a necessity existed for the adoption of specific measures of a more stringent character, and of a less regular type. Neither the law courts nor the law officers, as then constituted and appointed, were sufficient for the suppression of an evil so complex and so extensive. Something more required to be done.

It was in the month of April, 1837, that the first attempt was made to suppress Dakoitee by means of special measures directed to that one end, and a special machinery employed for their execution. Sir Charles Metcalfe was, at this time, Lieutenant-Governor of the North-Western Provinces. The subject had been for some time pressing urgently upon the consideration of the authorities, and the time had now come for action. A Commission for the suppression of Dakoitee was established; and Mr. Hugh Fraser, a civil servant of good capacity, was appointed Commissioner, with a liberal staff of auxiliary subordinates. Special powers were conferred on him. Throughout the whole of the North-Western Provinces he was invested with magisterial authority. All the magistrates were instructed to co-operate with him, and the police were directed to render every possible assistance to his agents. But the year and a half, during which the Commission was in operation, were distinguished by no important results. There was an attempt rather to strike at accidental symptoms, than to probe down to the seat of the disease. It aimed rather at the conviction of Dakoits than the suppression of Dakoitee. The great subject itself, in all its length and breadth—in all its intricacies and complexities—was not sufficiently studied. But Sleeman had reduced Thuggee to its elements, and he was obviously the proper man to submit to a similar process the kindred crime of Dakoitee. He had already, indeed, acquired much available information regarding the professional robber-castes; and his associates in the

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Thuggee Department had approved themselves to be men of the right stamp to co-operate with him. The union of the two offices of the General Superintendent of measures for the suppression of Thuggee and the Commissioner for the suppression of Dakoitee, seemed, indeed, to be recommended by many important considerations, not the least of which was the peculiar fitness of the man who had long held so worthily the former appointment; and now Lord Auckland, at the end of the year 1838, being at Simlah, and holding in his own hands the government of the North-Western Provinces, determined to unite the two offices under the superintendence of Colonel Sleeman. At the commencement of the following year the junction was formally effected, and from that time all the measures for the suppression of Dakoitee under the Bengal Presidency, with the exception of those in the Lower Provinces, which were conducted by the "Superintendent of Police," were under the direction of the man who had done so much to root Thuggee out of the land.

The same system now which had been employed so successfully for the extirpation of Thuggee, was brought into play against the great fraternities of Dakoits. Sleeman's head-quarters were to be in Rohilkund. His assistants were spread out all over Upper India. The plan now to be pursued was simply, as described by Sleeman himself, to hunt down the Dakoits by a simultaneous, vigorous, and well-sustained pursuit throughout all parts of India, and thereby to break up their little communities, and compel them to blend with the rest of mankind in public service or private industry, and by degrees to lose their exclusive feeling, and forget their exclusive language. And this was to be done, firstly by the agency of informers, who were to set our officers on the track, and enable us to detect the offenders; and secondly, by specific legislative enactments, to enable us to punish them.

There was no scarcity of informers. Our gaols were

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full of Dakoits. It was astonishing what a mass of serviceable information was locked up within our prison-walls. The whole art and mystery of Dakoitee was there to be had for the asking. Professors proud of their knowledge, and rejoicing in the opportunity of giving free vent, in voluble discourse, to the cherished reminiscences of bygone days, talked without stint to the British officers about their depredational achievements, and openly avowed the eagerness of their desires to be again at the exhilarating work. They could not understand that their profession was not as honorable as it was lucrative and exciting. They had no shame, and they had no remorse. They gloried in their exploits as sportsmen do, and talked over a successful gang-robbery with its attendant murders as our European gentlemen talk over their boar-chases or tiger-hunts. "Whilst talking over their excursions," wrote one of Sleeman's assistants,* "which were to me really very interesting, their eyes gleamed with pleasure, and beating their hands on their foreheads and breasts, and muttering some ejaculations, they bewailed the hardness of their lot, which now ensured their never being able again to participate in such a joyous occupation." It was a pleasant life, and a lucrative employment, beside which the hard labor and slender earnings of honesty cut but a sorry figure in the eyes of the work-eschewing Hindoostanee. When asked, after many years spent in prison, if he would not on regaining his liberty betake himself to honest courses, the gaol-bird would always return the same discouraging answer: "No, no," shaking his head and laughing, "that would never do. Why should I become an honest man—work all day in the sun, rain, and all weathers, and earn what? Some five or six pice a day! We Dakoits lead very agreeable

* Capt. W. M. Ramsay. See Colonel Sleeman's Bhudduck Report. Calcutta, 1849.

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and comfortable lives. When from home, which is generally only during the cold season, we march some fourteen or sixteen miles a day, for perhaps a couple of months, or say four at the outside—commit a Dakoitee, and bring home money sufficient to keep us comfortable for a year, or perhaps two. When at home we amuse ourselves by shooting, and visiting our friends, or in any way most agreeable—eat when we please, and sleep when we please—can what you call an honest man do that ?"*

But however discouraging all this may have been viewed with regard to any hope that may have been entertained of the reformation of Dakoits, the freedom with which the convicts spoke of their professional achievements promised well for the success of our endeavours to root them out of the land. The Dakoits, indeed, were not to be reformed—they were to be extirpated. It was characteristic of English benevolence that we should have been slow to resort to such a remedy as this—that we should have sought rather to convert these depredational tribes into industrial classes by holding out to them sufficient inducements to honest exertion. But all such projects were seen, upon a closer examination, to be worthy only of an Utopian country, and a Saturnian age. People talked about buying up Dakoitee —about sending out a general invitation to these hereditary robbers to come and settle upon grants of land appropriated to them by Government, and to live a life of peaceful integrity for the remainder of their days. But "the difficulties and risks of such a measure were," as Colonel Sleeman well remarked, "little understood. Our territories did not contain one twentieth part of the great body which we should have had to collect; and we should have found it impossible to collect them by mere invitation, without offering them as little labor, and

* Substance of conversation held with Captain W. M. Ramsay.

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as much luxury, as they then enjoyed in their wild state, with all the same hopes of rising to wealth and distinction. We should have had to give a leader of robbers and murderers, with his four or five wives, more pay than we give to a native commissioned officer, who had served our Government faithfully thirty or forty years, who had his breast covered with medals, and his body with honorable scars. Had we at any time increased the labor from absolute idleness, or diminished their subsistence from absolute luxury, they would have been off to their native forests and ravines."*

All this was undeniable. The arguments against so wild a project as the establishment of colonies of reformed Budducks, to be supported at the expense of the industrious inhabitants of the country, were so conclusive, that the scheme was soon reasoned down. Indeed, we had begun to discover by this time that humanity, like ambition, sometimes "overleaps itself, and falls on the other side." Nothing is more remarkable in the history of Dakoitee than the fact of the large number of notorious offenders who have escaped conviction and punishment, partly through the agency of false witnesses and the corruption of the native officers of our law courts, and partly through the unwillingness of the European judicial functionaries to convict and punish, except in cases substantiated by the clearest possible evidence of the commission of a specific offence. The judicial axiom that it is better that twenty guilty men should escape than that one innocent man should be punished, however sound it may be in the abstract, had not certainly, in its application to the case of these great depredational leagues, any tendency to advance the interests of mankind. Such tender mercies as were exhibited, with the best possible intentions, by our enlightened European functionaries, were in effect cruel. Seventy years before, Warren Hastings had clearly

* *Colonel Sleeman's Report, Calcutta*, 1849.

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discovered the impossibility of suppressing Dakoitee by judicial proceedings in harmony with our refined English ideas of justice, and a strict observance of rules of evidence as recognised in our English law courts. He saw that such mercy was in effect unmerciful, and that there was no real humanity but vigor. As time advanced, and the machinery of our law courts became more complicated, and our European law officers became more and more the representatives and exponents of the high abstract principles of Western civilisation, it was not likely that the scruples which stood in the way of a larger growth of real justice and humanity should have been less influential upon the decisions of our judicial tribunals. The Dakoits, indeed, from generation to generation, laughed at us and our law courts. "Do you think that we shall succeed in extirpating you?" asked Captain Ramsay. "If you go on in the way the Thugs have been put down," was the answer, "you certainly will; but in the customary way, that is, requiring proof to convict of specific acts of Dakoitee, never—it is impossible—we should go on increasing from year to year."

These words, which were spoken in 1839, contain the pith of the whole question of Dakoitee-suppression—the evil laid bare and the remedy suggested. But it was not until 1843 that the remedy was applied. It has been seen that in 1836 an act was passed for the suppression of Thuggee, declaring that any one proved to have belonged at any time to a gang of Thugs should be liable to conviction and punishment on the general charge, and now it was proposed that a similar exemption from the necessity of convicting for specific offences should be applied to the case of professional Dakoitee.* "It is

* The preamble of the Act stated "professional Dakoits, who belonged to certain tribes, systematically employed in carrying on their lawless pursuits in different parts of the country." The reader, bearing these words in mind, will perceive that the specification contained in them subsequently

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hereby enacted," said the new Act—No. XXIV. of 1843—"that whosoever shall be proved to have belonged, either before or after the passing of this Act, to any gang of Dakoits, either within or without the territories of the East India Company, shall be punished with transportation for life, or with imprisonment for any less term with hard labor." The Act at the same time gave general jurisdiction to all magistrates to try offences of this class wheresoever committed, without the formality of "any Futwa from any law officer." It was impossible that such a law as this should not be productive of salutary effects. The difficulty of conviction of a specific offence was great to a degree not readily appreciable in this country. For these gangs of Dakoits, for the most part, depredated at a distance of some hundreds of miles from their homes; and the necessity of bringing witnesses from remote places to give evidence in our law courts was an evil of so intolerable a nature, that, whatsoever might have been the sufferings of men, whatsoever their hopes of justice or their desire after revenge, they shrunk from the long journey to the distant tribunal, and silently submitted to their wrongs.*

Nor were these the only legal measures adopted for the suppression of the great crime. Dakoitee was not an enormity peculiar to the Company's territories. On the contrary, both Thuggee and Dakoitee had thriven with peculiar luxuriance in the native states. Oude, indeed, had long been the hot-bed of both. It often happened that in these native states prisoners had been tried, convicted, and sentenced, as Thugs and Dakoits, but had subsequently contrived to escape; and, having escaped,

embarrassed the Bengal Government, and compelled the passing of another Act, generalising the application of the former one.—See *post*, page 409.

* "To avoid the great loss and inconvenience which the necessity of this attendance involved, it was found that the sufferers did all in their power to conceal their sufferings, and often denied that they had ever been attacked, when the dearest members of their family had been killed or wounded, and all they had in the world been carried off."—[*Sleeman's Budduck Report*, 1849.]

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had not only returned to their old trade of robbery and murder, but had fearfully persecuted all who had contributed to their previous detection.* An Act was therefore passed, declaring that all prisoners convicted in native states by a tribunal in which an European covenanted servant was one of the presiding judges, might be received into our gaols to undergo their sentence."† It is a feature, indeed, of our English administration in India, that, in all our humanising measures for the suppression of Suttee, Female Infanticide, Thuggee, Dakoitee, and other kindred abominations, we have not stopped short on the borders of the provinces subject to our own regulations. We have exerted our influence to the utmost to indoctrinate the native courts with our own views, and have seldom failed to elicit their acquiescence and assistance. Grudgingly, perhaps, these may have been given. The zeal with which such measures have been prosecuted by the native princes has fallen greatly short of our own. But we have had British officers at their Durbars to see that their promises are fulfilled, and in reality the measures which they have authorised have been practically our own.‡

* "Either," says Sleeman, "from the negligence or connivance of the guards, or the wish of the officers of such courts to avoid the cost of maintaining them."

† Act XVIII. of 1843.

‡ Since the British Government in India have entered more heartily into the great work of extirpating Thuggee and Dakoitee, and have not only issued specific enactments, but appointed an especial and independent Department to carry out these enactments, the native princes and chiefs have rendered us more assistance than they were wont to do, when the detection and apprehension of Thugs and Dakoits was left to the ordinary civil establishments. Indeed, before the adoption of these special measures, it was often found a work of difficulty to obtain the hearty co-operation of a British Resident at a native Court, who felt that to communicate with the Court respecting the contemplated seizure of a gang of Dakoits was to thwart the undertaking (for if the Court knew, the Aumils knew; and if the Aumils knew, the Dakoits knew what was going on), and yet was unwilling to co-operate without the consent of the Court. An example of this is worth giving. In 1822, the widow of a jemadar of Dakoits went to the judge at Cawnpore, and stating that she had been refused her legitimate share of the plunder taken by her late husband's associates, boldly denounced the gang to the British functionary. A certain village in the Oude territory was named as the place in which property captured in several Dakoitees would be found, and the houses of the receivers were indicated by the woman. Immediately afterwards the judge, under cover of a tiger-shooting expedition, visited the village pointed out to him, and the truth of the woman's story was confirmed.

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Thus aided by special legislative provisions, Colonel Sleeman and his colleagues set to work as vigorously for the extirpation of the Budduck, and other professional robber-gangs, as they before had done for the extirpation of the Thugs, and, learned in all the mysteries of the craft, and aided by professional approvers, they hunted down large gangs, culled new approvers from the list of detected culprits, and carried on the war with remarkable success. And whilst in the upper provinces of Bengal these energetic officers were thus vigorously employed, in the lower provinces Mr. Dampier, the Superintendent of Police, with one or two of the old assistants in the Thuggee Department, were about the same excellent work. But although the haunts of a large number of robber-gangs were beaten up, and Dakoits were captured and catalogued by hundreds, Dakoitee was not suppressed. I do not underrate the services of Sleeman and his detective police. Those services were very great. An immense deal of good was accomplished. If they did nothing else, they drew away the veil which shrouded the mysteries of Dakoitee. We have advanced a long way towards the cure of a disease when we have learnt thoroughly to understand it. I believe that Dakoitee is now thoroughly understood. But the "Department" did much more than this—they actually captured (as I have said) and either punished or turned into approvers vast numbers of Dakoits.* But, like all men of earnestness and enthusiasm, they were run away with by an idea. The idea was a new and a striking one. It was

On returning to Cawnpore the judge, eager to turn the information he had obtained to good account, wrote to the Resident at Lucknow, suggesting to him to send out a detachment of local troops to aid the agents of the civil officer in the capture of the gang. The Resident consented not without some scruple, and the Nazir was sent with the woman to accompany the party and point out the offenders. But the detachment had not proceeded far, when the Resident's heart failed him, and after a march or two the detachment was recalled.—[*MS. Notes.*]

* The approvers themselves are convicts. Sentence is passed upon them, but not carried into effect. They are indulgently treated, but of real liberty they have none. They are, in fact, prisoners at large, for life.

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the great idea of the hereditary robber-tribes of India. It was a very important and a deeply-interesting subject, but they gave themselves too exclusively to it. This matter of the professional robber-castes was a great feature of Dakoitee, but it did not in itself constitute Dakoitee. Sleeman and his associates struck at the robber-castes, and I believe that they were well-nigh extinguished. At all events, as great brotherhoods of crime, they were utterly broken up and dispersed.

Still Dakoitee was not suppressed. Subdued in one form and in one part of the country, it seemed to take a new shape and to break out in another place. The general effect of such measures is to urge the evil, against which they are directed, into more remote demonstrations—to drive the offenders into distant parts of the empire, to carry on their depredations beyond the reach of central supervision. Thus, some little time ago, when there was a great outcry against the practices of the London beggars, and these professional mendicants were, for a time, hunted out of the metropolis, it was observed by all dwellers in the home counties that there was a vast increase of rural mendicity. But in Bengal the effect was directly the reverse of this. Dakoitee, like Government, began to centralise itself, and Calcutta was surrounded by banditti. The men constituting these gangs did not apparently belong to the hereditary robber-tribes of India. They seemed rather to make up an indistinct and heterogeneous *posse comitatus* than a great homogeneous guild or brotherhood. Whether these gangs were partly composed of men who had lost their occupation in the provinces, and, unable any longer to preserve their aristocratic exclusiveness, had fused themselves into the general mass of Dakoitee,* and resigned themselves to the usual conditions of that misfortune

* It would appear from Mr. Wauchope's last report, which I had not seen on writing this, that they were.—See p. 412.

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which is said to bring together strange bed-fellows, I do not pretend to know; but I grieve to say that an alarming *increase* of Dakoitee in the lower provinces of Bengal has recently manifested itself, and that only last year gang-robbers were swarming, in a state of intense activity, under the walls of the Supreme Court of Calcutta.

It was at the commencement of the year 1852, that the Superintendent of Police in the lower provinces of Bengal submitted to Government a letter received from Mr. Wauchope, magistrate of Hooghly, "forwarding a list of 287 Dakoits concerned in 83 Dakoitees." In this letter the magistrate reported that the 287 Dakoits mentioned by his approvers were connected with only three gangs; and he added, that he knew at least thirty-five gangs committing similar depredations within fifty miles of Calcutta. Of the Dakoits whom he had catalogued his approvers could give him no detailed account; unlike the Budduck and Khejuck approvers, they seldom knew the parentage or caste of their confederates; but it was ascertained that, for the most part, they had come from some Mofussil village, which they occasionally visited, and located themselves in Calcutta or Chandernagore. To arrest the progress of the evil, it was now suggested by the Superintendent of Police that a Commissioner for the suppression of Dakoitee in Lower Bengal should be appointed, armed with special powers, to operate under the provisions of the Act (XXIV. of 1843) for the suppression of professional Dakoits, belonging to certain tribes systematically employed in carrying on their lawless pursuits. "I feel perfectly convinced," he added, "that unless the Thuggee system is brought into operation against these gangs, we shall fail in putting them down."

Fortunately, it was not difficult to name an officer well qualified for the performance of this important work. The Hooghly magistrate, who had sent in the list of 287

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Dakoits, was just the man for such an enterprise. Mr. Wauchope, an officer of rare energy and intelligence, had studied well the habits and practices of the Dakoits, and had a large acquaintance with the personal composition of the principal gangs in the neighbourhood of his court. On one occasion a notorious Dakoit chief was brought up before him under an assumed name. The man loudly declared his innocence—protested he had never been concerned in Dakoitee of any kind, or even suspected of such an offence. Mr. Wauchope heard him out, and then laughingly replied that the story was doubtless a very good one, but that it was not good enough for him—that he knew something more about the matter; that the man, to his certain knowledge, had been arrested under such a name, as concerned in such a Dakoitee, by the magistrate of the twenty-four Pergunnahs, and again in Howrah, under another name, for participation in another Dakoitee; that his real name was so-and-so, but that, to distinguish him from another Dakoit of the same name, he went by a certain nickname in the gang—and by that nickname Mr. Wauchope called him. Astonished and alarmed by this display of knowledge—all his secret history thus laid bare by one whom he had thought to cozen in the old way, by hard lying—the unhappy man felt that he was at the mercy of the English magistrate, and cried out, "Pardon me, my lord; I am ready to tell you all I know."

It was plain that this was the kind of man to deal with the old Bengal Dakoits, of whom it was truly said that "they would never confess unless they saw that they were in the hands of a man from whom there was little or no hope of escape." So Mr. Wauchope was recommended for the office of Special Commissioner for the suppression of Dakoitee, and Government sanctioned the appointment.* But although the man was ready, the

* The appointment was made on the 26th of April, 1852, experimentally for one year, to be reported on at the expiration of that period.

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Act was not. A question had arisen, in the course of the preceding year, as to whether Act XXIV. of 1843* could be brought into operation against the Dakoit bands of Lower Bengal; for although the wording of the two first sections was of a general character, and seemed to include in their provisions all kinds of Dakoits practising in the Company's territories, the preamble only specified certain tribes of professional robbers; and to these, therefore, the operation of the Act, strictly interpreted, might be limited. The principal judicial authorities were at variance on the subject, and the supreme Government had expressed its unwillingness to alter the existing law unless it were clearly shown by a judicial decision that its provisions were insufficient. It was proposed, therefore, that the legality of the application of the Act in question to the case of ordinary Dakoits should be tested by certain trials in the Hooghly Court, and the decisions of the Sudder thereupon. This, however, did not go far to solve the ambiguity. One man was tried under the doubtful Act, and the Sudder Court sentenced him to be transported for life. But it was understood that the judges were not all of one opinion on the subject; and it was possible, therefore, that the next case might meet with a different fate.

In the mean while, however, the attention of Government had been called, through another channel, to the alarming increase of crime in the lower provinces of Bengal. A petition had been received from several respectable inhabitants of the districts of Burdwan, Hooghly, and Kishnaghur, setting forth that thefts and gang-robberies had increased to such an extent that there was a general feeling of insecurity throughout the country—an evil mainly to be attributed to the inefficiency of the police, and especially the village watch. This was not an appeal likely to be disregarded. An Act

* See *ante*, page 404.

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"for the further repression of Dakoity and other crimes in the lower provinces of Bengal" was drafted, and read for the first time on the 27th of June, 1851. The preamble set forth that, "whereas Dakoitees and other heinous crimes are of frequent occurrence within certain zillahs of the Presidency of Fort William, in Bengal, and whereas it has been doubted whether the laws in force against Dakoits and professional robbers can be put in force, except in the case of those who belong to certain tribes referred to in the preamble to Act XXIV., 1843, and it is expedient that such doubts be removed, and that further provision be made for the more regular and due appointment of the village watchmen;" and the first section decreed that "the provisions of Act XXIV., 1843, shall apply to and be put in force against all persons belonging, or who have at any time belonged to, or robbed in company, with any gang of persons associated for the purpose of practising robbery or extortion, and every such person shall be deemed a Dakoit without reference to the tribe or caste to which he belongs."

The results of Mr. Wauchope's appointment, as far as they are yet apparent, are of the most satisfactory kind. He was appointed provisionally for a year, and ordered to report progress upon the expiration of it. In the mean while the accounts, which he has furnished to his immediate superior, are of the most satisfactory complexion. He reports, within the first six months of his operations, a very large diminution of crime. He has hunted down and broken up some extensive gangs; and the immediate result of his active measures is, that the number of ascertained cases of Dakoitee within his jurisdiction are shown, in 1852, to be only one-half of those which were committed within a corresponding period of the preceding year; and seventy-five per cent. less than those, within a similar space of time, just before his assumption of office in the spring of last year. But there

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is one great impediment to complete and permanent success, which Mr. Wauchope reports to the Superintendent of Police. Speaking of the detailed results of his labors, he says: "In all, about 1250 men have been denounced as Dakoits—131 have been arrested; 47 of them from Calcutta; almost all of these are well-known Dakoits, driven by the Mofussil Police to take shelter there. The arrest of so many criminals in Calcutta has dispersed the gangs in that city, but unfortunately they have not far to go for a place of refuge. The French settlement of Chandernagore is now swarming with Dakoits driven from Calcutta, or the remnants of Mofussil gangs. From the French territory they sally out and commit depredations in the neighbouring districts. They are perfectly safe, because, having for the most part assumed false names, I cannot call on the French authorities to deliver them up. Neither can my people follow them into the foreign territory to discover their places of concealment."*

Here then the matter rests for the present. The result of all our recent efforts for the suppression of Dakoitee seems to be this—that very much has been done to break up, and indeed to exterminate, the great depredational leagues, consisting of members of robber-castes, often entirely composed of men of one caste, which have been from generation to generation governed by fixed laws and observant of ancient religious usages—that the more regular and complicated machinery of predatorial crime which the Budducks and Khejucks, and other cognate tribes, had long kept in vigorous action, now either moves languidly, or not at all. And so far, Sleeman and his associates have done great things, and rendered life and property more secure in the provinces of Upper India. But to

* *Mr. Wauchope to Superintendent of Police, Lower Provinces, December 2, 1852. MS. Records.*

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establish a reign of terror among any class of criminals in one part of a country, is naturally to drive them into another. Many were convicted and punished; many, it is to be hoped, alarmed by the new dangers which surrounded their profession, fell back upon the peaceful calling of the husbandman. But some, it seems, of the scattered fragments of the great leagues which had been broken up in the Mofussil, sought a place of safety under the walls of the Supreme Court of Calcutta. There they were met by a vigorous and experienced Company's officer, who, armed with new powers under a special Act of the Legislature, soon assured them that they had miscalculated their chances of immunity in that part of the world. Another resting-place was, therefore, to be sought; and they found it in the French settlement of Chandernagore. They knew that they were not safe within the Company's territories, and they found a little slip of foreign land whereon to locate themselves out of reach of the Company's officers. Dakoitee seems now to be in a desperate strait, and I doubt whether it will ever be restored to its old vitality and vigor.

Ever since we have had any connexion with the internal administration of India, Dakoitee has been the curse of the country. There is nothing more difficult to ascertain correctly than the statistics of crime. It is almost impossible to discriminate between an increase or decrease of committed offences and an increase or decrease of detected ones. What appears to be the increased criminality of the people may, after all, be only the increased vigilance of the police. I see little room to doubt that throughout the country generally Dakoitee has greatly decreased. Even if there had been no improvement in the police, our improved revenue-systems would by themselves have sufficed to

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diminish Dakoitee. Although there doubtless were gangs of hereditary robbers, who, delighting in their profession, and proud of their descent, were born and bred to be Dakoits, and followed the hereditary calling irrespectively of all the ordinary inducements to crime and of all accidental circumstances, there were many others who were driven to it, in hard famine times, who took to it when agriculture was precarious and provisions were scarce—the relatives or connexions, perhaps, of members of robber-castes, who were easily persuaded in such seasons to adopt a service which could not fail, so long as there was any property to be plundered. And the members of the robber-castes themselves, who were often agriculturists as well as depredators, were roused into unwonted activity when the crops were failing around them. At all events, it has been ascertained, beyond all question, that, in seasons of scarcity, Dakoitee has always increased. Now, as the tendency of our revenue-systems has been to develop the resources of the country and to prevent the occurrence of these seasons of scarcity, it is reasonable to believe that Dakoitee must have subsided, to some extent, under the healing influence of general prosperity. Whatsoever has a tendency to civilise the people must diminish such an evil as this.

That Dakoitee is far less insolent and violent in its demonstrations—far less sanguinary and unscrupulous, and less openly defiant of authority, than in the early days of our administration, is a fact that admits of no dispute. Dakoitee is now in comparatively few cases attended with murder. At the close of the last century it was no uncommon thing for gangs of Dakoits to kill, with brutal torture, the unhappy wretches whom they had plundered, to hack their bodies to pieces, and to hang the bloody trophies of their successful crime on the neighbouring trees, as they passed on

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to commit new atrocities, flushed with victory, and carrying everything insolently before them.

It may be said that, after all, what I have written only goes to show that Dakoitee has not been suppressed. It is very true that we found Dakoitee in India, and that if we were to quit the country tomorrow, we should leave it there. All that I have attempted to show is the increased vigor and policy of our measures, and the symptoms of eventual success which have recently been developed. Much, indeed, has been done, earnestly and wisely, for the suppression of this monster evil, within the last twenty years of our rule. But it is no easy thing to "abolish crime." Even in the best-governed countries, and with the most elaborate detective establishments, the science of crime is perfected under the very eyes of the police. The greatest evils that can exist under the sun are seen, known, and understood by our detective force, and yet nothing can be done to eradicate the disease with which they are so familiar.*

* Take, for example, the following melancholy fact in the last annual report of Mr. Davis, the Chaplain of Newgate:—"It is a fact much to be regretted that the metropolis contains gangs of men who not only live together for the purposes of stealing, but who educate young persons of profligate habits in the most ready and dexterous methods of stealing. Some are instructed how to pick pockets, others how to use false keys and picklocks; some, not far advanced in crime, are induced to give information and to procure impressions of valuable keys. The law against such persons is not yet strong enough. Youth such as I have referred to are clothed by their employers as well as if they were the children of respectable parents. They are fed extravagantly and indulged in vice. Some are taken to all the large towns and places of fashionable resort in the kingdom, and obtain great plunder by their skill in picking pockets. They are so dressed and so taught that in first-class railway carriages, on the platforms, in the pump-rooms, and at concerts, they disarm suspicion. The detective police will readily point out to the magistrates several establishments for such education in different parts of the metropolis, some of which are visited by them almost daily in consequence of their notorious character. In some of them as many as 20 or 30 boys have been, and probably are now, kept in constant occupation, well fed, handsomely clothed, strictly guarded and taken out by the elder offenders, and by them violently beaten if they give any information to others or umbrage to their thievish masters. These persons are frequently seen by the detective police, who know their names and nicknames, and watch their movements, but have no power until some overt act is committed to put a stop to their iniquity. Men and boys of this dangerous character are seldom convicted of great crimes, which circumstance shows that a distinction should be made between great crimes and great criminals."

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There is one great difficulty with which in India, they whose duty it is to endeavour to suppress Dakoitee, have to contend, but of which nothing in these days of a kindred character is known in England —I mean the curse of evil landlords, who harbor and encourage Dakoits, and gorge themselves with a share of the spoil. I cannot help thinking, in this case, of that old mythological simile, which did such good service in my school-boy days—drawn from the story of Hercules and the Hydra. He had no sooner smitten off one head, than another sprung up tauntingly from the bleeding carcase of the monster, and so he might have gone on for ever, if the serviceable Iolas had not cauterised the wound with a hot iron, and burnt out the productiveness of the flesh. It appears to me that if we would thoroughly suppress Dakoitee, so that smitten down in one place it may not spring up in another, we would do well to apply the searing-iron to the productive Zemindars.*

* It must be borne in mind that it has been my design in this chapter to treat of one great series of operations under the Bengal Presidency. What I have written must be regarded rather as an illustration of the subject than as a general treatise on Dakoitee.

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CHAPTER IV.

The Company's Civil Service—Its Rise and Progress—the Cornwallis System Causes of its Exclusiveness—Native Agency—Present State of the Service.

In the early part of this work I have briefly spoken of the rise of the Company's service and its first organisation. I have before me a copy of the first complete list of the Company's civil servants ever sent home to England. It would not occupy half a page of this book. It was compiled in 1615; and it contains thirty-two names. Twenty-one of these were factors, and the rest "attendants on the factory." They were stationed at four different places. The civil servants of the Company are now spread all over the Regulation Provinces of India; and instead of managing the trade of a few petty factories, preside over the internal administration of an immense Empire.

Warren Hastings turned the merchants into revenue-collectors. Lord Cornwallis turned them into judges. The natives of India were thus stripped, little by little, of all the offices they had held under the Moguls. The new men so employed were doubtless better than their predecessors. The system was infinitely better than any which had preceded it. The system, indeed, was better than the men; and it kept the men greatly in check. But, after all, it was only an experiment, and the wonder is that, all things considered, both the men and the system did not turn out much worse than they did.

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There was one thing which, more than any other, secured the gradual improvement of the Company's civil servants. In the old times, their recognised pay was little better than a name. In England it would have been the merest pittance. To think that any man would have taken a six months' voyage, and braved an unhealthy climate to earn it, was simply an absurdity, which no man for a moment entertained. The factor had other means of growing rich. Partly, they were recognised means; partly, they were unrecognised. The privileges which were granted to him he generally exceeded, and he made up for what was wanting in his legitimate profits by practices which are only to be palliated by a reference to the temptations which beset his career.

But all this was in time amended. Clive and Hastings had both recognised the expediency of paying substantial salaries to the Company's servants, so that the temptation to grasp at illicit gains might be diminished, if not wholly removed. The civilians, in those days, were slowly rising out of the pure mercantile state, and assuming some administrative importance. But, under Lord Cornwallis, the administrative character became fully developed. All the most important offices of the State, fiscal and judicial, were held by the covenanted servants of the Company; and it was fitting that they should receive fixed salaries in proportion to the dignity of the offices which they held and the responsibilities entailed upon them. Even under the influence of this saving change, men who had been accustomed to sit loosely to their obligations, were not suddenly braced up into a rigid observance of official propriety; but, as the old men made way for a new race, who had not been stalled in the Augæan stable, the character of the service greatly improved. With the morality of the men their intelligence rose also; they began to take a

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pride in their profession and an interest in the people. They were trained and disciplined, too, for the service. Colleges were established for their instruction alike in the learning of the East and the West; and in time they became not only the best paid service in the world, but one of the most efficient.*

And as the character of the English gentlemen as administrators continued to improve, the debasement of the natives of India became more complete. During the first quarter of the present century they continued in a state of dreary stagnation. There was no awakening of the faculties—no sign of progress within or without. There was nothing surprising in this. The intelligence of the people of India had, for many years, been held in small esteem by their rulers; and they were not likely to rise much above the level which had been practically assigned to them by those who shaped the destinies of the nation. Our system, indeed, had

* Although I think that under the circumstances which had arisen in India, the "Regulations" were much wanted to remedy the prevailing official laxity, I am well inclined to admit that thoroughly good men were likely to get on better without them. I find the following account of the simple style in which old Mr. Forbes, of the Bombay civil service, administered justice in Goozrat about the year 1780, which certainly furnishes a refreshing contrast to one of our Regulation courts:—"I dedicated one day in the week, and more when necessary, to the administration of justice, in which I was assisted by four principal Brahmins; the Cazee and three Mahomedans, conversant in the laws of the Koran; with some respectable merchants, and the heads of other castes. These persons advised me, in doubtful cases, and especially on points relating to the religious ceremonies and customs of the Hindoos. The carpet of justice was spread on the large open hall of the Durbar, where the arbitrators assembled; these I always attended, and, agreeably to ancient custom, referred the decision to a punchayut, or jury of five persons; two were chosen by the plaintiff, two by the defendant, and the fifth by myself, from among these elders. I had by this means the satisfaction of pleasing 100,000 inhabitants, who only made one appeal to the superior Courts at Baroche or Bombay. I was delighted with the simplicity of their mode of proceeding. From having been an alderman and sheriff at Bombay, and for some years worn the black gown as a pleader in the courts of justice at that Presidency, I was not entirely unacquainted with English law; but had I equalled Blackstone in knowledge of British jurisprudence, it would have availed little among a people completely attached to their own customs, and influenced by the prejudices of caste. I was, therefore, happy to accommodate myself to their usages. I believe I may truly say that not a present was ever made to an individual belonging to the Adawlut, nor was a court fee under any description ever exacted."—[*Forbes' Oriental Memoirs*, vol. ii., p. 2.]

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been one of depression. Under the administration of Lord Cornwallis, as I have said, all the higher offices of the State had been conferred on European gentlemen—the Covenanted Civil Service of the Company. The practice thus instituted had been followed by subsequent administrators; and the official condition of the natives, in course of time, had rather deteriorated than improved. In fact, it was not only that the highest offices were conferred on the Europeans, but that none but the lowest were bestowed upon the natives. There may have been, in 1790, some wisdom in this. Perhaps it was not so much that Cornwallis and his advisers mistrusted the native, as that they mistrusted the European, functionaries. Cornwallis found his higher European agency, not in the state which had roused the energies of Clive to the great work of "cleansing the Augæan stable," but very far removed from the purity and efficiency which it has attained in the present day. He saw, doubtless, that the native functionary in the hands of his European colleague, or superior, might become a very mischievous tool—a ready-made instrument of extortion — and he determined, therefore, not to mix up the two agencies so perilously together. It is probable that, at that time, many of the higher European judicial functionaries would have exerted themselves to secure the appointment of their own tools to offices immediately beneath them, and by throwing upon the native judges the actual duty of deciding cases in which their patrons were interested, work the mine of corruption beneath the surface, and so cover the worst abuses. The native agent in such a case never betrays his employer; so the European functionary would have been secure. It may not, therefore, I say, have been mistrust of the natives, so much as mistrust of the Europeans, which deterred Cornwallis and his advisers from mixing up

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the two agencies in the general administration of the country.

But a very different state of things presented itself to the Indian statesman and the British legislator, when, forty years later, the terms of the new Act, under which India was to be thenceforth governed, came to be weighed and considered. The European functionary was then an honest and enlightened English gentleman, who performed a fixed duty for a fixed salary, who had little temptation to yield to besetting influences, and who would not have yielded, if he had been beset. There was no danger then, as far as he was concerned, in bringing him into immediate contact with native functionaries. There was far more likely to be a gulf between the two, than any bond of fellowship between them. It was, at that time, indeed, as expedient as it was just, to give the natives of the country a larger share in its actual administration. The system of exclusiveness had been pushed too far. New opinions, indeed, had taken shape before the Act of 1833, for the better government of India, was hot on the legislative forge. But, in that Act, there was for the first time a specific recognition of the equal claims of all classes of the Anglo-Indian community to employment in the Company's service; and it need not be said how great an impulse such a recognition was calculated to give to the progress of native education.

The 87th clause of the new Act in which this principle was embodied was brief, but emphatic. It went straight to the point:—"And be it enacted," it said, "that no native of the said territories, nor any natural born subject of his Majesty resident therein, shall by reason only of his religion, place of birth, descent, color, or any of them, be disabled from holding any place, office, or employment, under the said Company."

There was nothing in the whole Act, viewed in all

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naked significance, more important than this; but it was something which in effect might have a mighty influence upon the future administration of British India, or it might be a mere nullity. It was obvious that the mere removal of legal disabilities, whatever shape they may have taken before, would not open the higher offices of the State to any class of men, so long as there were other barriers to their admission, just as operative as though they were constructed by an Act of Parliament. The primary effect of the clause was, of course, to place in the hands of the Court of Directors a discretionary power to confer writerships and cadetships on young Rajpoots or Parsees. Everything, therefore, depended upon their practical interpretation of the law. But the Act of Parliament, though it opened the services to men of all colors and creeds, did not remove one other great disability. It did not open the doors of office to incompetent candidates for admission. There were, henceforth, to be no external disqualifications. The disqualifications were to be all from within. It was, in any view of the case, a matter of the gravest importance in the eyes of the Court of Directors, and one to which it was incumbent on them to give the profoundest consideration. They did give it this consideration; and having maturely formed their opinions, they placed them on record, and forwarded them to the supreme Government of India. They decided that if, as they believed they were justified in assuming, the people of India were not yet ripe for employment in the highest branch of the public service, it was clearly the duty of their rulers to render them so with the utmost possible despatch. It was desirable, they said, that by the improvement of the native mind the people of India should be qualified to compete at no disadvantage with their European competitors. This is the language of the Court:

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By clause 87 of the Act, it is provided hat no person, by reason of his birth, creed, or color, shall be disqualified from holding any office in our service.

It is fitting that this important enactment should be understood, in order that its full spirit and intention may be transfused through our whole system of administration.

You will observe that its object is not to ascertain qualification, but to remove disqualification. It does not break down or derange the scheme of our Government as conducted principally through the instrumentality of our regular servants, Civil and Military. To do this would be to abolish, or impair the rules which the Legislature has established for securing the fitness of the functionaries in whose hands the main duties of Indian administration are to be reposed; rules, to which the present Act makes a material addition in the provisions relating to the College at Hayleybury, but the meaning of the enactments we take to be, that there shall be no governing Caste in British India, that whatever other tests of qualification may be adopted, distinctions of race or religion shall not be of the number; that no subject of the King, whether of Indian, or British, or mixed descent, shall be excluded, either from the posts usually conferred on our uncovenanted servants in India, or from the covenanted service itself, provided he be otherwise eligible, consistently with the rules, and agreeably to the conditions, observed and exacted in the one case and in the other.

In the application of this principle, that which will chiefly fall to your share, will be the employment of natives, whether of the whole or the mixed blood, in official situations. So far as respects the former class, we mean natives of the whole blood, it is hardly necessary to say, that the purposes of the Legislature have, in a considerable degree, been anticipated. You will know, and indeed have in some important respects carried into effect, our desire that natives should be admitted to places of trust, as freely and extensively as a regard for the due discharge of the functions attached to such places will permit. Even judicial duties of magnitude and importance are now confided to their hands, partly, no doubt, from considerations of economy, but partly also on the principles of a liberal and comprehensive policy, still, a line of demarcation, to some extent in favor of the natives, to some extent in exclusion of them, has been maintained. Certain offices are appropriated to them; from certain others they are de-

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barred; not because these latter belong to the covenanted service, and the former do not belong to it; but professedly on the ground that the average amount of native qualifications can be presumed only to rise to a certain limit. It is this line of demarcation which the present enactments obliterates, or rather, for which it substitutes another, wholly irrespective of the distinction of races. Fitness is henceforth to be the criterion of eligibility.

To this altered rule it will be necessary that you should, both in your acts and your language, conform. Practically, perhaps, no very marked difference of results will be occasioned. The distinctions between situations allotted to the covenanted service, and all other situations of an official or public nature, will remain generally as at present.

Into a more particular consideration of the effects that may result from the great principle which the Legislature has now for the first time recognised and established, we do not enter, because we would avoid disquisition of a speculative nature. But there is one practical lesson, which, often as we have on former occasions inculcated it on you, the present subject suggests to us once more to enforce. While, on the one hand, it may be anticipated that the range of public situations accessible to the native and mixed races, will gradually be enlarged, it is, on the other hand, to be recollected that, as settlers from Europe find their way into the country, this class of persons will probably furnish candidates for those very situations to which the natives and mixed race will have admittance. Men of European enterprise and education will appear in the field, and it is by the prospect of this event that we are led particularly to impress the lesson already alluded to, on your attention. In every view it is important that the indigenous people of India, or those among them who by their habits, character, or position, may be induced to aspire to office, should, as far as possible, be qualified to meet their European competitors. Hence there arises a powerful argument for the promotion of every design tending to the improvement of the natives, whether by conferring on them the advantages of education, or by diffusing among them the treasures of science, knowledge, and moral culture. For these desirable results, we are well aware that you, like ourselves, are anxious; and we doubt not that, in order to impel you to increased exertion for the promotion of them, you will need no stimulant beyond a simple reference to the considerations we have here suggested.

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While, however, we entertain these wishes and opinions, we must guard against the supposition that it is chiefly by holding out means and opportunities of official distinction, that we expect our Government to benefit the millions subjected to their authority. We have repeatedly expressed to you a very different sentiment. Facilities of official advancement can little affect the bulk of the people under any Government, and perhaps least under a good Government. It is not by holding out incentives to official ambition, but by repressing crime, by securing and guarding property, by creating confidence, by ensuring to industry the fruit of its labor, by protecting men in the undisturbed enjoyment of their rights, and in the unfettered exercise of their faculties, that Governments best minister to the public wealth and happiness. In effect, the free access to office is chiefly valuable when it is a part of general freedom.*

Ever since this admirable letter was written, the natives of India have had a larger and a larger share in the administrative agency of the country, and have been better qualified to maintain their official position. The system, as now established, is this. The lowest grade of judicial officers is that of the "Moonsiff." He is selected from among persons who have passed an examination before a local Committee, and is approved by a Sudder Committee at the Presidency. He is empowered to try suits to the amount of 30*l.* His salary never amounts to more than 200*l.* a year.† From these Moonsiffs the next higher grade of judicial officers—the Sudder Aumeens—are chosen. Their jurisdiction extends to suits of 100*l.* Their salary ranges from 240*l.* to 420*l.* a year. From these Sudder Aumeens the principal Sudder Aumeens are chosen. There is, at present, no limit to the jurisdiction of this latter class.

The administration of civil justice is at present almost entirely in the hands of these native officers. Appeal lies from the lower to the higher grades. But in respect of all suits above 500*l.*, whether tried by

* *The Court of Directors to the Government of India, December, 1834.— MS. Records.*

† The salaries of the Moonsiffs, however, are likely ere long to be raised.

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the Principal Sudder Aumeen, or by the European Zillah judge,* the appeal is only to the Sudder Court, or chief tribunal. The Principal Sudder Aumeens are thus placed on a level with the highest European functionaries, except the Sudder judges, with this reservation, however, that the European judge has the power of withdrawing any suits from the native courts, and trying them in his own.

In the dispensation of criminal justice the natives of India have less share, but they are not wholly excluded from it. A class of deputy magistrates has been established, the members of which are sometimes vested by the local Governments with the same powers as are possessed by the European magistrates. In this capacity they are competent to pass sentences extending to imprisonment for three years.

Beyond this the power of the European magistrates does not extend. All cases demanding severer punishment are sent to the Sessions judge, who is empowered to sentence to 14 years' imprisonment. If this extent of punishment does not appear to meet the criminality of the case, it is sent, with a written letter from the Sessions judge, stating his opinions, to the chief criminal court, or Sudder Nizamut Adawlut. If the Sudder judges concur in the opinions of the lower court, and the offence is not one demanding the punishment of death, it is sufficient for one judge to try the case. If he dissents from that opinion, or capital punishment seems to be demanded, the case is heard by two judges on the bench.

On the whole, it may be said that the extended em-

* In all such cases, whether original suits or appeals, the European judge is competent to withdraw the case from the court of the principal Sudder Aumeen, and dispose of it himself—but in either case the appeal lies only to the Sudder. Very few original suits, however, are decided by the European judges. It would appear from official statistics, that under the Government of the North-Western Provinces, in 1849, only 20 original suits were so decided, whilst nearly 45,000 were decided by the native judges.

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ployment of native agency in the administration of justice has worked as well as there was reason to expect —but not so well as to lead any unprejudiced observer to believe that in not throwing open the doors of office more unreservedly to them any great mistake has been committed.* It appears to me that nothing can be sounder in theory, or more beneficial in practice, than the system by which a people, long deprived of power, are gradually restored to it. The process of restoration can hardly be too gradual. We need look for no better proof that the Court of Directors, when reviewing the famous 87th clause, did not look too disparagingly upon the qualifications, and too grudgingly upon the claims of their native servants, than the fact that the passage I have quoted, though written twenty years ago (and those years have witnessed great improvement in the moral and intellectual character of this class of Government *employés*), is as applicable to the present state of things as if it had been written to-day.

The admission of the natives of India to the highest offices of the State is simply a question of time. "I believe," said a distinguished member of the Company's service,† before the Committee of the House of Commons, "that our mission in India is to qualify them for governing themselves. I say, also," he continued, "that

* Mr. Halliday, who has had the best opportunities of observing the working of this system of native agency, and whose testimony is entitled to great weight, when asked by the Committee of the House of Commons "Is the impression upon the minds of the natives of India generally, that the law as it is, is impartially and honestly administered by the authorities who administer it?" replied, "Speaking of the native courts, that is to say of the courts presided over by natives, without desiring to attribute to them faults, I must say that at present, owing to the long experience of the natives of the corruptibility of their own countrymen, and their great want of confidence in them as compared with the confidence they have acquired in the Europeans, there is not generally in the minds of the natives such a complete reliance upon the impartiality and incorruptibility of the courts under native judges as could be wished; but I believe it will grow up in the course of time, especially as the courts themselves within my observation and knowledge have manifestly improved in regard to integrity and trustworthiness, and as the natives know and see them to improve, their suspicions of course will be lulled, and they will gradually acquire in them the same confidence that they have in the courts presided over by Europeans."

† Mr. Halliday.

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the measures of the Government, for a number of years past, have been advisedly directed to so qualifying them, without the slightest reference to any remote consequences upon our administration." Long before it became their duty to review the clauses of the Act of 1833, the Court of Directors had continually exhorted their servants in India to prepare, through the agency of improved systems of education, the natives of the country for higher official positions than they had yet been qualified to hold. And these exhortations had not been thrown away. What the ultimate effect of these great educational measures must be, it is not difficult to conjecture. Our mission will be fulfilled sooner or later. The only question is a question of time.

In the mean while, though the administrative agency to which the internal management of the country is entrusted is not without inherent defects, it seems to be a matter of extremest difficulty to suggest a safe substitute for it. There has been an outcry raised of late against the Company's courts and the Company's judges; but some of the best authorities are of opinion that the natives of the country have unlimited confidence in both.* There may, perhaps, be some local exceptions, and instances of occasional malversation have from time to time been made public. But in almost every case in which a civil servant of the Company has been charged with corrupt practices, a brother civilian has been the accuser. There is no effort to screen the delinquent, but rather an

* Take, for example, the following passage from Mr. Halliday's evidence before the House of Commons:—"Have they (the natives) complete confidence in the administration of justice in those (the Company's) Courts by the English judges? As far as regards the integrity of the judges, their confidence is complete; they have little or no notion of the possibility of corrupting an English judge; it scarcely ever enters into their imagination. They may, perhaps, have sometimes a difference of opinion as to the acuteness and intelligence of some of the judges; and I dare say that, as compared with the acuteness and intelligence of the native judges, those qualities in the English judges are often in the minds of the natives at fault; but in the integrity, and in the honest and earnest desire of the English judges to do justice impartially between man and man, the natives have the highest possible confidence."—[*Mr. Halliday's Evidence.*]

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earnest desire, on the part of the general body of the service, to bring his offences to light. As to those judicial inconsistencies and other *bêtises* which have been cited so freely from the records of the Company's Courts in Madras, it appears to me that nothing could be easier than to cite from the records of any courts an equal array of unintelligible decisions. I have a great respect for the English Bench, and the utmost faith in the honesty and ability with which justice is administered in this country; but if incomprehensible decisions, startling sentences, and furious inconsistencies are to be cited as proofs of incapacity and corruption, it would not be difficult to fill a volume with such proofs culled from the Assize Intelligence contained in a twelvemonth's file of a London journal.*

It is admitted that there are many defects in the existing system—that justice is administered by men wanting in judicial training, perhaps with no legal habits of mind, and sometimes deficient in ordinary acumen. But there are, probably, even greater wants than these —a want of knowledge of the people—knowledge of their character, of their language, of the habits of their every-day life. There is always, more or less, an imperfect acquaintance with these things. A right knowledge of them is not easy to attain—we only see the outside of the natives, disguised for better or for worse. But this is an evil not peculiar to the condition of the exclusive service of the Company, but inseparable from our position as strangers and aliens in the East. Under the existing system, indeed, it is less felt than it would be under any other. If a young man expressly educated for the service, taught perhaps from early boyhood to

* The fact is, that the printed report of a case seldom fairly represents its merits, even when it is given with much amplitude of detail for the amusement of newspaper readers. Every man has read reports of cases which he has heard decided, and admitted that he should never have known the reason of the decision if he had not been himself in court.

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look forward to an Indian career, proceeding to India at an early age, perhaps to a home whither his father and brothers have preceded him, cannot sufficiently enlace his interest and his affections with the realities of Indian life, how much less likely is one, coming at a comparatively mature age, fresh from the Inns of Court, to acquire a competent knowledge of the things in which, with all his advantages, the young writer is avowedly deficient ?*

It was said by Canning, during the debates on the India Charter of 1813, that there could not be anything radically wrong in the system which had produced all the able Company's servants who had given their evi-

* I think that Sir Edward Ryan's evidence regarding the appointment of English barristers to Indian judgeships is quite conclusive on the subject. "Do you believe that the administration of justice would be improved in India by the selection of barristers from England and from India for that purpose?—I do not think so; barristers from England, I presume, could not go out until perhaps of the age of twenty-five; they would hardly be barristers till that time. I do not know what would tempt many barristers of that age to proceed to India, because it is quite clear that upon their first arrival in that country they would be quite incompetent to fill the offices of judges in the interior. The first thing they have to learn, of course, is the native languages, which would not be so easily acquired at that age as at the earlier age at which civil servants proceed to India; they would have no opportunity of acquiring that species of judicial training to which I have before alluded; namely, becoming familiar with the natives in the transaction of business in the various ways in which civil servants obtain that familiarity in the office of the collector. Not possessing this knowledge of the languages, nor this familiarity with the manners, and usages, and habits of the natives, I do not see how they could become efficient judges in the interior of the country, especially with reference to this; it is not the knowledge of the science of the law which is so much required in the Mofussil Courts, it is the administrative art which is so required, and that can only arise from familiarity with the people, and a knowledge of the people themselves. It is facts that the Court have to deal with; in dealing with facts in a country like that, you are surrounded with infinitely more difficulties than you are here. In the Supreme Court the opportunities and power of dealing with facts are greater than in the Mofussil Courts in one respect; the judge in the Supreme Court, indeed, is unacquainted with the native languages, the greatest part of the witnesses are natives, speaking the native language; but before a witness is produced in that Court he is carried to the office of the attorney, the attorney has under him a principal native manager, that native manager is familiar with the English and the Vernacular languages; he sifts the witness in the office, and he communicates the result of that to the attorney; the attorney communicates it to the barrister. The witness is called in Court after all this preliminary lifting, he is then examined in Court in his own language, by interpreters, who in my time were men of extraordinary ability, he is cross-examined of course in the same way; and after that sifting from the commencement at the attorney's office, and his examination and cross-examination, the judge has very constantly the greatest possible difficulty in coming to a conclusion upon the evidence so sifted. Now what would be the position of an English family in the Mofussil, totally devoid of all those aids, and without the information which the civil servants acquire by the species of training to which I before alluded ?"

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dence before the Parliamentary Committees. Forty years later the same remark might be made,—with this pungent addition: The system cannot be radically wrong which has produced the able Company's servants whom the Queen's Ministers have selected from time to time, not merely to govern the Crown colonies, but to extricate them from difficulties into which they have been thrown by the intemperance or incapacity of men who have not been trained in the Indian service. When great colonial embarrassments arise—and they do arise sometimes—it is commonly to the talent, to the temper, to the discretion, to the firmness, and to the integrity of some servant of the Company, that the perplexed Minister looks for the saving hand that is to extricate him from his dilemma.

Yet these men are said to be the minions of a corrupt system. The patronage of the East India Company, it is sometimes alleged, is at the bottom of all this vile mess of administrative uncleanliness. Justice is put to the most miserable shifts that the friends of the thirty magnates of Leadenhall-street may draw so many thousands a year from the territorial revenues of India; and the conclusion is, that therefore the doom of the Court ought to be sealed without hesitation or delay. I am told by the Chaplain of Newgate that the reason why, if I send a bank-note, or a ring, or a watch-chain in a letter, it runs no small risk of being stolen by a letter-carrier, is that "the vacancies in the Post-office are filled up by parties recommended to the Postmaster-General by members of Parliament."* To this system Mr. Davis attributes the

* I may as well quote the passage to which I refer, in Mr. Davis's last annual report:—"The watchful care of masters over their servants, to inquire, from time to time, into their habits of life and pursuits in private, should apply to the public establishments of the country. The moral reputation of public servants ought to be taken into consideration, but that branch of the public service where we meet with most failures is the Post-office. Post-office cases, involving, as they do, not merely a serious breach of public trust, but cases of domestic misery that baffle description, have engaged my most earnest attention. In more than one little pamphlet I have addressed the dishonest parties among those employed by the Post-office, in the hope, by some

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frequent occurrence of a crime "involving cases of domestic misery that baffle description." From this we may learn the great lesson, that a mischievous administration of the patronage of the State may not only be co-existent with, but be fostered and encouraged by, an institution on which the liberties of the country are mainly dependent. And if letter-carriers' appointments are so jobbed between Ministers and Members of Parliament—and to turn to another case of recent notoriety—the great Conservative scandal of the spring of 1853—if Dock yard appointments are bartered for votes by ministerial underlings, with the knowledge of their chiefs—how would writerships and cadetships fare in the same immaculate hands?

such appeal to their better feelings, to correct their errors, and if possible prevent the crime. I should like still more to be done in this way, so far as it can, without offence and with hope of success; but I greatly fear that some portion of this unenviable distinction in servants of the Post-office, namely, that a greater number are convicted and transported in that than any other department, arises in some measure from the manner of their appointment. As far as I can learn, but I speak only from rumour, the vacancies in the Post-office are filled up by parties recommended to the Postmaster-General by members of Parliament. It is easy to imagine that for services rendered to these gentlemen they are glad of any opportunity of doing a kindness for great zeal and activity in serving them. Hence there may not be such a rigid inquiry into the past life and habits of the men recommended as seems essential in a duty so important."

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PART IV.

CHAPTER I.

The Non-Regulation Provinces—Civil and Military Administrators—Evils of Exclusiveness—Sindh—Defects of the purely Military System—Sir Charles Napier's Government—Arracan—Improvement of the Province—The Punjab—The Board of Administration—The Lawrences—Mr. Mansell—the Subordinate Administrative Machinery—Settlement of the Revenue—Financial and General Results.

I HAVE done with the Regulations. I have said enough of the manner in which the affairs of those provinces, which have long been subject to our fixed Revenue and Judicial systems, are administered by the civil servants of the Company. There are provinces, more recently brought under our rule, which do not bow down to the letter of the Regulations, but are governed after a ruder and simpler fashion—by an executive composed partly of civilians and partly of soldiers, upon a mixed system, into which the spirit of the Regulations is infused in such a manner as to cause it to harmonise and blend itself with all that is good in the spirit of native institutions, and to be respected in the local usages of the country.

The Non-Regulation Provinces are these:—Under the Bengal Presidency are the Saugor and Nerbudda territories; Jaloun and Jhansi; Mairwarra; Assam, Arracan, and the Tenasserim provinces; Goalpara; the districts on the South-Western frontier, as Sumbulpore, Ramgurh, &c.; the Cis-Sutlej states, including Umballah,

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Loodhianah, Khytul, Ferozepore, and the territory recently held by the protected Sikh chiefs; and the whole country of the Punjab. These are subject to the controlling authority of the Governor-General, or the Governor of Bengal, and are administered by officers appointed by them. Under the government of the North-Western Provinces are the Dehra Doon; Kumaon and Gurhwal; the Butty territory; Ajmere; Nimaur; Jaunsar and Bawur. Under the Madras government are Ganjam; Vizigapatam; and Kurnool. And under the government of Bombay are Colaba, Sindh, and Sattarah.

The system under which the affairs of these provinces are administered has generally worked well. It has been as successful in the North-West as in the South-East. In Arracan we have tried it for a quarter of a century, and the results have been as advantageous to the governed as they are honorable to the Government. In the Punjab we are only beginning to try it—we are in the first stage of the experiment; but the brightness of the dawn promises a brilliant meridian success.

It must not, however, be assumed that, because this less elaborate and less costly administration has answered every purpose of government in the provinces to which it has been applied, that therefore the more elaborate and expensive machinery which we have set at work in the Regulation provinces has been altogether a mistake. The fact is, that the extension of our empire has brought us closer and closer to the outskirts of civilisation, and that having to do with a ruder people, we have expediently subjected them to a ruder system of government. Bengal had been a quarter of a century in our hands before Cornwallis and Barlow framed their famous Regulations. But imagine what Napier in Sindh, Lawrence in the Punjab, Dixon in Mairwarra, Bogle in Arracan, or any other British officer among a rude people newly brought under our rule, could have made of those Regu-

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lations which the ablest lawyers in India pronounced to be worthy of Justinian. What a people suddenly finding themselves under the sovereignty of a new set of rulers most requires, is a government very little in advance of that from which they have been transferred. All abrupt and violent changes are as injurious to the constitution of a nation as they are to the constitution of a man. If you find a creature dying from inanition, and begin to gorge him, you are sure to kill him outright. If you take a drunkard suddenly from his stimulants, the chances are that you cure him of his drunkenness only by sending him to his grave. Changes for the better must be gradual, or they are likely to be changes for the worse. If we find a people groaning under a despotism, we must be despotic ourselves. A little tyranny is absolutely necessary at such times to the welfare of the people, and it is not to be doubted that, on the whole, a military government is best suited to such a state of society. Doubtless the rough ways of Sir Charles Napier were better adapted to the feelings and habits of the Beloochees, after the conquest of Sindh, than the refined tendernesses and the judicial niceties of the gentlest and wisest statesman that ever loved and toiled for a people. "Unsophisticated human nature," it was truly written by the conqueror of Sindh, "and military nature, must both be studied in dealing with barbarians; they would not bear from a civilian arrangements suited to civilisation, but crossing their prejudices; yet to the stern behests of a soldier chief they would bow in submission."*

But we must be careful, in such cases, that we do not rush from one extreme into another equally dangerous. The quick eye of Sir Charles Napier saw at once that too much civilianism would be the ruin of Sindh; but, having seen this, he let down before those quick eyes a

* *Sir W. Napier's "History of Sir Charles Napier's Administration of Scinde."*

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shade of strong prejudice, and he did not see, or would not see, that there might be danger in too little civilianism. He took into his hands the whole Revenue and Judicial management of the country, and, with all his energy and all his ability, it was too much for him. In the Judicial department he may not have greatly erred, for he had to deal with men who were little accustomed to technical formalities, and who could better appreciate summary justice than legal delays. Few clear-headed and impartial men will go very wrong, when honestly endeavouring to administer justice among a people not utterly vitiated by the contiguity of venal courts, and taught to rely on falsehood and corruption. But the settlement of the landed revenue of a country is a very difficult matter; and our new military judges had often to decide upon complicated Revenue cases. It was in the adjudication of these cases that they most frequently erred, for, as they were utterly inexperienced in Revenue matters, they were not likely to be very competent to decide upon them. It was indeed a strange thing to see these "military commissions" sitting in judgment on disputed land-tenures. "I have sat on scores of them," writes one of the Sindh officials, "and have repeatedly been compelled to swear on the Gospel that I would adjudicate and decide on disputed titles to lands 'according to the custom of war in like cases.'"*

Sir Charles Napier did not choose his subordinates unwisely. Such men as Brown and Goldney, for example—I speak of them because I knew and loved them, but there are others, doubtless, well worthy of honorable mention—were suited, no less by their talents than by their energies, to further the efforts of their gallant chief. But neither they, nor their colleagues, were experienced in the work of civil administration. A few covenanted officers of the civil service had been sent down to Sindh,

* *MS. Notes.*

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on the first annexation of the province, to assist in the details of its revenue and judicial administration; but Sir Charles Napier, who had an equally low opinion of old and of young civilians,* very soon obtained their dismissal, and the entire management of the country was transferred to the hands of the soldiers. They were zealous and for the most part able men—but they had to transact business that was new to them, and it is no discredit to Sir Charles Napier and his assistants, whose experience as financiers extended little beyond the management, under the tuition of a pay-havildar, of the accounts of a company of Sepoys, that they should have failed in the revenue administration of such a country as Sindh.

It is true that these military administrators, from Sir Charles Napier downwards, being men of no common energy and ability, might have made themselves proficients in the civil duties entrusted to them, but that they had the work of war to do, no less than the work of peace. The restlessness of the predatory hill tribes demanded vigorous coercion, and Sir Charles Napier, pushing aside the portfolio of the civil Governor, mounted his horse, and took the field against the robber clans. He was not a man to delegate such work as this to another. Nor was it likely, when he heard from afar the first mutterings of

* It is hard to say whether Sir Charles Napier thought a young civilian or an old civilian the more dangerous person to meddle with a newly-conquered country. Of the former, he said: "Young, and often very incapable, men are sent to acquire experience and fortunes at the expense of the proprietors' dividends by misgoverning newly-conquered countries. Unknowing how to rule even a settled country, they have to create every branch of administration, and must necessarily manipulate roughly, and, as it were, with horny hands, when the nicest touch is essential—meddling arbitrarily and ignorantly with social and financial affairs, where error may give mortal offence, where parsimony may be folly, and extravagance madness." Of the old civilians, he says: "Length of residence and sensual indulgence weaken body and mind, and give only aptness for official details without enlargement of ideas; and most of these persons generalised as *Old Indians*, because they have worn out originally vigorous appetites and feeble minds whilst enjoying large salaries and the adulation of black clerks, who do all their duties, imagine that they only know the East." —[*Sir C. Napier's Letters in Sir W. Napier's "Administration of Scinde."*] *Utrum horum mavis accipe;* and it is clear that in the estimation of Sir Charles Napier no civilian is fit to take a part in the administration of a new country.

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the coming storm on the Sutlej, that he would remain glued to his desk. Where, then, at such times, was the civil Governor? And where were his collectors and deputy-collectors? Sir Charles Napier was at the head of his men, and his military civilians were exerting themselves to collect supplies, and to forward them to the troops moving through the country. Such distractions were not favorable to the progress of civil administration in Sindh. The necessary European superintendence was withdrawn, and the native officials were left, in many places, to carry on the work by themselves. And how it was carried on may be gathered from the statements of a writer, thoroughly acquainted with all the details of British administration in Sindh, who declares that the system in force at this time might not unfaithfully be described as "the retention of all that was oppressive or evil in the old system, the discarding of all that was useful, and adding much evil of our own; whilst experience and honesty were exchanged for inexperience in the superintendence, and fraud and oppression in the subordinate branches."* The fact is, that a slight infusion of civilianism was required, and this Sir Charles Napier had impetuously rejected. All the evil is here traceable to the exclusiveness of the system. The administrators were not merely military men in civil capacities. They were military men distracted from the performance of their civil duties by demands made upon them in their military character. They were not permitted, quietly and uninterruptedly, to accommodate themselves to their new duties; but whilst they ought to have been peacefully settling the country, they were maturing measures for the coercion of refractory tribes.

But although Sir Charles Napier, being like most earnest, energetic men, imbued with strong prejudices,

* *Calcutta Review*, No. xxvii. Art.: "British Administration of Scinde"— a paper which seems to be written with remarkable fairness and impartiality.

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fell into this extreme of anti-civilianism, and erred accordingly, I believe that he really had the good of the Sindhians sincerely at heart. He professed himself to be anxious, "whilst fastening on the country a strong military gripe, to apply all softening and healing measures to the vanquished race—all protective and encouraging measures to the liberated population;"* and I do not doubt that he was. Slavery was abolished by a stroke of the pen. It had not existed, among the Sindhians, in any very intolerable shape, but it was well even that the name of such an evil should cease to have legal sanction. Infanticide was very common among the Sindhians. He exerted himself to suppress it. Female life, infant or adult, was held of so little account among them, that men murdered their wives with impunity, and believed that it was as lawful as the killing of sharks. When Sir Charles Napier talked of hanging the murderers, the chiefs asked with astonishment if he would hang a man "for only killing his wife;" but he did hang them, and the gallows in time abated the evil. Then he disarmed the people, and curbed the frequent arbitrement of the sword, and the blood-spillings of private strife. "He also," says Sir William Napier, "put down the practice of Suttee, which, however, was rare in Scinde, by a process extremely characteristic. For judging the real cause of these immolations to be the profits derived by the priests, and hearing of an intended burning, he made it known that he would stop the sacrifice. The priests said it was a

* "To meet the requirements of these different races in the present circumstances my policy must be, whilst fastening on the country a strong military gripe, to apply all softening and healing measures to the vanquished race, all protective and encouraging measures to the liberated population—to make strong even-handed justice be universally felt—to draw forth the abundant natural resources of the country, and repair the terrible evils of the Ameers' misgovernment. The trading Hindoo will then attach himself to a system which protects his calling, and opens a wider scope for its exercise. He will, for his own sake, give timely intelligence of designs to restore the oppressive yoke of the Beloochees, and the rich Banians have a wonderful knowledge of all that is passing."—[*Letter of Sir Charles Napier, quoted in Sir William Napier's "Administration of Scinde."*]

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religious rite which must not be meddled with—that all nations had customs which should be respected, and this was a very sacred one. The general, affecting to be struck with the argument, replied, 'Be it so. This burning of widows is your custom. Prepare the funeral pile. But my nation has also a custom. When men *burn* women alive we hang them, and confiscate all their property. My carpenters shall therefore erect gibbets on which to hang all concerned when the widow is consumed. Let us all act according to national customs.'" "No Suttee," adds the historian, "took place then, or afterwards."* It may be questioned, indeed, whether many had taken place before. The population of Sindh is, for the most part, a Mahomedan population, and Suttee is a Hindoo rite.

On the subject of the taxation of the people of Sindh the historian must enter with caution. It has been said, on the one hand, that Sir Charles Napier abolished all the oppressive taxes which he found in operation; and on the other, that he not only greatly increased them, but, moreover, collected them in the most vexatious manner. It has been said, indeed, that the very courtesans of Hyderabad paid a portion of their earnings to the collector. It does not, however, appear impossible to reconcile these conflicting statements. Sir Charles Napier, on his first assumption of the Sindh government, seems to have resorted to all the existing sources of revenue; but at a later period some injurious imposts were abolished which pressed heavily on the industrial energies of the people. These were, firstly, a tax upon shops, which fell with some severity on the Mahomedan artificers; secondly, a tax upon fishermen; and, thirdly, a tax upon Hindoo communities, levied in the aggregate on towns and villages, and divided into individual portions by the tax-payers themselves. By the abolition of these taxes a

* *Sir William Napier's "Administration of Scinde."*

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considerable source of revenue was abandoned where revenue was much wanted; but it did much to secure the confidence of the people. It was after Napier's return from his hill campaigns that these imposts were abolished.

To the great subject of artificial irrigation, also, Sir Charles Napier applied the energies of his vigorous mind. He was eager to increase the productiveness of the country by an improved system of water supply. Beyond the tracts of country watered by the Indus itself, this could be effected only by canal-irrigation, and in some parts by the sinking of wells. He had this sincerely at heart, but the results did not keep pace with his desires. There was a scarcity of money, and a scarcity of labor; and such works demanded an abundance of both.* There were adventitious circumstances, too, inseparable from the character of the local government, which rendered it impossible that the benevolent impulses of Sir Charles Napier should ever bear the desired fruit. The element of failure lay in the accident of his position.

It is greatly to be deplored that this question of the Administration of Sindh has been overlaid with such a superincumbent mass of controversy, that the truth is to be seen with difficulty glimmering beneath it, let us dig and scrape as we may. Perhaps, however, if leaving the antagonistic writers on either side, we turn to Sir Charles Napier's own official letters, we may attain to something like an approximation to the fact. "I will now conclude," he wrote to Lord Ripon, "by saying that, though the officers with me and myself might have done more and better, no one will deny that we have had many and

* For the same reasons, perhaps, the work of road-making proceeded slowly, or not at all. It was reserved for Sir Charles Napier's successors to give effect to a scheme for the improvement of the land communications of the province. More has been done within the last year or two than throughout the previous years of our occupation of Sindh. A good road between Sukkur and Shikarpore is now in course of construction; its completion will be attended with excellent results. See Appendix I, at the end of the volume.

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great difficulties to struggle with—war and pestilence in its utmost virulence, the destruction of a whole harvest by locusts, and the greatest part of another by a sudden and unprecedented fall of the inundation before the grain was mature, have been amongst the evils afflicting Scinde since 1843. In the midst of an extensive military command, I have had to construct the entire machinery of a civil government, assisted by young officers who had at first starting little or no experience, but whose zeal and abilities have enabled them to serve me well; and by diligence they have overcome the great obstacle of total want of experience, which was at first almost insuperable in the collection of the revenue. How we have succeeded we must leave the world to decide."* The world, doubtless, will decide that in this paragraph Sir Charles Napier has candidly set forth the inherent defects of the system under which he administered the affairs of this important province. When we consider that the civil government was conducted "in the midst of an extensive military command," and that the collection of the revenue was entrusted to young military officers, whose qualifications for such duties consisted in "a total want of experience," the only wonder is, that the experiment should have been half as successful as it was.

The administration of the Arracan provinces has been almost exclusively in the hands of military men; but it has not been an "essentially military" government in the sense that Sindh was to be so regarded under the rule of Sir Charles Napier. The chief magistrate of the province has never been, at the same time, the Commander of the Forces. The civil and military authorities

* *Sir Charles Napier to Lord Ripon, quoted in Sir William Napier's "Administration of Scinde."*—The reader may advantageously compare this passage with one quoted in a note, at page 437, where Sir Charles Napier, speaking of young civilians, complains that "young, and often very incapable, men are sent to acquire experience and fortunes at the expense of the proprietors' dividends by misgoverning a newly-acquired country. Not knowing how to rule a settled country, they have to create every branch of administration, and must necessarily manipulate roughly," &c., &c.

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have been distinct from each other, and never have the latter had the least control over the former. It has been all governing and no fighting; and thus far circumstances have favored the development of the system. But if such had not been the case, the necessity of coercing any refractory tribes would not have suspended or impeded, in so far as related to adequate European superintendence, the entire civil administration of the country.

When the pestiferous jungles of Arracan became a component part of the British Empire in the East, the province which it was our new duty to govern was little better than a howling wilderness. Thinly inhabited, scantily cultivated, it presented to the outward eye of the administrator only a discouraging prospect of mortifying failure. It was the very reverse of a land of promise. In 1825, Mr. Robertson was appointed Agent in Arracan, but the Burmese war then entailed upon him pressing duties, from the performance of which he could not turn aside; and all that he could do in the way of internal organisation was to maintain the heads of villages or tribes, known as "Moosoogrees," in their several posts, and to place some portion of the country under the old chiefs, who, after many years of exile spent under our government at Chittagong, now returned to their native land, eager to render good service to the British.* Clearly perceiving the importance at such a time of conciliating the Mug chiefs, Mr. Robertson abstained from anything like a vexatious meddling with details. But upon his departure from Arracan, the superintendence of the province was made over to Captain Paton—a man of gigantic stature, largely acquainted with the native languages—especially the Bengallee—but slenderly endowed with administrative talent and discretion. He had been summoned round from Calcutta,

* They rendered important service to our army, not only by procuring ordinary supplies, but by furnishing us with the means of housing the army.

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where he had held the office of police magistate; but he talked better than he ruled, and amidst so much to dispirit and to discourage—for the troops were dying like sheep with the rot, and there was a general impression that the province would be abandoned—it was little likely that the work of internal administration should proceed with any good effect. The treaty of Yandaboo was concluded, and then a Commission, of which Captain Paton and Mr. Richard Hunter of the civil service were the members, was appointed for the civil government of the country. It did not work well. Mr. Hunter was a man of those ordinary business qualifications which make useful public servants in settled offices, the duties of which are clearly defined and well understood. But something more than this was required. Everything went wrong. The Commissioners irritated the chiefs, whom Mr. Robertson had placed in authority, and upon some rumor of disaffection disbanded the Mug levy which he had raised.* But Paton died, and Hunter left the country; and Captain Dickenson, who had commanded the first Mug levy, and was employed, I believe, in its reconstruction, was then appointed Commissioner. He was a man of good parts, but of a quick temper; and an unhappy dispute with a subordinate aggravated his natural irritability, and added nothing to his efficiency as an administrator. Little progress was made during his rule. But better times were beginning to dawn upon the province.

About the year 1835-36, Captain Bogle, who had been in political charge of an extensive district in Assam, was appointed to the Arracan Commissionership. At this time the unhealthiness of the province still continued

* This levy had done good service at a time when both our European and native troops were prostrated by the pestilence. It furnished employment, moreover, to some of the more turbulent natives of the country, who otherwise might have given us some trouble, and who, indeed, on the disbandment of the corps, became regular Dakoits.

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to be a proverb. It was no uncommon thing, at certain seasons of the year, to find more than half the European officers attached to the civil and military establishments either prostrate on their beds, or cruising about the Bay of Bengal in a state of doubtful convalescence. I have heard it said, that in one year half the European population died during the rains. The deadly fevers of the country, too, struck down the natives of Hindostan—soldiers and servants, by scores. An order to embark for Arracan was held to be little better than a death-warrant. A few days often did the work. A single ride along the skirts of one of those pestiferous jungles would send a young man, in the full flush of youthful health and vigor, to his grave within a week of his arrival in the province.

But within the space of a very few years Arracan acquired a new reputation. Men who had narrowly escaped with their lives from the influence of the destroying climate, or who remembered how their friends, one after one, had returned, gaunt scarecrows, from that deadly coast, after a few months, or perhaps a few weeks of absence, were startled when they read in the Calcutta papers that English gentlemen and ladies in the vice-regal city were making up pleasure parties to proceed by steam to Arracan, for the sake of the fine sea-breezes. Many went; and all returned strengthened and exhilarated. The province, under Bogle's management, had lived down its bad reputation, and was actually growing into a fashionable sanitarium.

This was only one of the results of the activity and good management of our military administrators. The pestilent jungles in the neighbourhood of our principal stations had been hewn down, and burnt out of the soil; but much more than this had been done. They who had seen the wilderness which passed into our hands in 1825, were delighted on visiting the country some fifteen years

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afterwards, to find themselves in one of the most prosperous and well-governed provinces under the Presidency of Bengal. Arracan, indeed, was fast earning for itself the name of the "granary of Southern India." A large export trade in rice was established, and the ports, which had before been well-nigh deserted, were soon all alive with shipping. The prosperity of the cultivators continued to increase. Every man's rights were clearly determined; and every man knew precisely the amount which was due by him to the Government. Many carried a memorandum of their liabilities, written on a scrap of palm-leaf, rolled up into a small cylinder, and fastened into a hole through the lobe of their ears.

The vast improvement which has been effected in the internal condition of Arracan is the work entirely of military administrators. No civilian has been officially employed in the province since the time of Mr. Richard Hunter. In Bogle and Phayre the Government of India possessed two officers of strong natural sagacity and unwearying perseverance; and they were not suddenly taken from their regiments to be turned into judges and collectors. The former had served for some years in Assam, under one of the ablest civil administrators in India, and something at least of his efficiency may be attributed to the advantages of that training. His success clearly shows, that under the government of military officers, the civil administration of a province may be so conducted as to confer extensive benefits both on the Government and the governed; but it does not show that it is safe to place untrained men, clever captains and active adjutants, fresh from their troops or companies, in responsible offices, demanding administrative experience such as is not acquired from the study of the order-book, or the Articles of War.

But of all the experiments of government which have recently been made, the greatest is that which has for its

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seat the country beyond the Sutlej. When that great artillery battle of Goojrat had been fought—when the Sikh Empire lay prostrate at the feet of the Governor-General of India, and an order had gone forth declaring the kingdom of Runjeet Singh then and for ever effaced from the catalogue of Indian principalities, it was no insignificant problem which presented itself for the solution of our Indian statesmen. No tract of country, so vast and so important, had been annexed to our British dominions in the East since, at the dawn of the present century, those "North-Western Provinces," which now form so flourishing a part of our Indian Empire, were first brought under our rule. The Punjab, being conquered, was now to be "settled." We had tried, in other parts, various kinds of "settlement." We had subjected new provinces to different forms of administration, from the purely civil to the purely military, and we had recognised more or less of defectiveness in all the great experiments which had been made, and with an amount of success shedding no faint honor upon the character of our Indian administrators. But the difficulties encountered had been great, and errors had, doubtless, been committed. It was now to be seen how far our Indian statesmen would profit by the lessons of a century of varied experience, and turn to fruitful account the legacies bequeathed to them by their predecessors.

If this were a great work now to be undertaken by Lord Dalhousie, it is certain that he addressed himself to it with unusual advantages on his side. The Punjab was not to us a new country; the Sikhs were not a new people. A considerable tract of country, known as the Jullindur Doab, the lands lying between the Sutlej and Beeas, had been under British administration ever since our first triumphant entry into Lahore. And over the large expanse of territory still left nominally in the hands of the infant son of Runjeet Singh, our British officers

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had been exercising that kind of influence which every Englishman of the right stamp may derive from his official position at a native Court, and which, in the present instance, far exceeded the ordinary extent to which the dominion of superior intelligence is asserted. A Council of Regency had been established at Lahore, and a British military officer, well versed in diplomacy, had been appointed nominally to assist its deliberations, but substantially to control its acts. This officer was Henry Lawrence, a captain of the Bengal Artillery, who had been for some years graduating in the school of diplomacy, and had, on the death of Major Broadfoot, in the murderous conflict of Ferozshahur, been summoned by Lord Hardinge from Nepaul, where he was then Political Agent, to conduct our negotiations with the Sikhs. I shall come presently to speak more in detail of his character and qualifications. It is enough now to say, that by a British officer, aided by a staff of assistants, young and enterprising men of both services,* from the commencement of the year 1846 up to the time of the final dissolution of the Sikh Empire, the civil affairs of the Punjab had been chiefly administered. Ill supported by a corrupt and selfish Durbar, Lawrence and his associates had been gradually compelled to come forward, far more than they desired, in the character of administrators. Instead of confining themselves to the work of advising and instructing the Sikh officers, and preparing them to take, on the withdrawal of the British, the entire government into their own hands, our English officers had often been necessitated, in spite of their honest endeavours to remain in the background, to assume a more prominent position in the actual direction of affairs. The formality of the Sikh Durbar was there, but the real administration was

* I must not deny myself the pleasure of naming such men as George Lawrence, Herbert Edwardes, James Abbott, Lumsden, Taylor, Nicholson, Pollock, &c., of the military service; and Messrs. Melvill, Cocks, Vans Agnew, Bowring, &c., of the civil.

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our own ; and the broad stamp of British beneficence was upon it. After the maintenance of general tranquillity, the development of the resources of a neglected country was the chief thought of the English officer, and he worked as strenuously towards the attainment of this great end as though the country had been actually our own.*

Therefore I say, when the "settlement" of the Punjab became, by our actual possession of the country, a matter of primal concernment to the Governor-General, he addressed himself to the task under such advantages as have been seldom enjoyed by his predecessors. To use a vulgar but expressive phrase, he had "something to go upon." He had not to commit the government of the country to the manipulation of unskilled hands. It was not altogether a vague experiment on which he was about to enter. There were British officers at his disposal, with Lawrence at their head, who knew the country well, and had already initiated a system of internal administration which promised the best results. The men, who had already done so well in connexion with the Sikh Durbar, were obviously those to whom he might, with safety, entrust the further government of the country, openly and independently, as the recognised rulers of the land. The training which they had undergone was of the best kind. They knew the country ; and they knew the people. And already, under their

* "The whole country had been surveyed, and the system of taxation laid down on fixed principles; the fiscal and excise systems had been re-adjusted, and oppressive duties and Government monopolies of all sorts abolished. A census had been made, and the population and trades of Lahore determined; and the Durbar had sanctioned the outlay of 30,000*l.* on roads and bridges, to be increased to 60,000*l.* when the state of the country allowed." —[*Buist's Annals of India for the Year* 1848.] To this it may be added, that Colonel Lawrence, anxious to have a very simple code of laws, founded on Sikh customs, reduced to writing and administered by the most respectable men from their own ranks, assembled for the purpose at Lahore some fifty Sikh heads of villages, grey-beards of good local reputation, under the immediate superintendence of Lena Singh ; and they had actually prepared the code before ill health compelled Colonel Lawrence to proceed to England.—[*MS. Notes.*]

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benign influence, the land was beginning to recover from the exhausting effects of years of continued misrule.

Lord Dalhousie had no prejudices, for or against any particular class of Company's officers. He recognised the merits and the claims of both services. And he believed that the form of administration best suited to the Punjab would be one embracing a judicious intermixture of the civil and military elements—one in which civilians and soldiers might meet on equal terms as executive officers, and the qualification for employment should be simply the individual capacity of the officer seeking to be employed. It was necessary that at the head of such a body of administrators there should be some supreme authority, combining the advantages of local knowledge, military energy, and experience in civil details. But to find such a man was more than difficult. It was impossible. Colonel Lawrence had local knowledge and military energy. He had more civil experience, too, than most soldiers, for he had been long employed in the Revenue Survey, and, as a political officer, had attentively watched the systems of government in the Native States. But something more than this was needed to place so great an experiment beyond the risk of failure. It seemed fit, therefore, to Lord Dalhousie to place the government of the Punjab not under the entire control of a single functionary, but to appoint a Board of Administration, combining in the persons of its several members all the necessary administrative qualifications. At the head of this Board was placed Colonel—then Sir Henry—Lawrence, who knew the Sikh country, the Sikh chiefs, and the Sikh people well; a man of rare energy and ability, sagacious in council, prompt in action, and of so brave a resolution that all difficulties vanished before his unconquerable will. He had almost everything to fit him for his post but physical health; and in the untiring discharge of his duties, in his eager, restless beneficence, of

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this want he took little account. Often was he moving from place to place, far away from all the appliances of civilised life, at a time when his weakened frame required the comforts and restoratives of a well-ordered home. His friends often trembled for his safety; but he never thought of himself. He had work to do, and he would do it. He knew how much depended on his own personal energies, and whilst there was any need of his activity, he was not one to be still.

But what rendered Lawrence so peculiarly fitted for the post was this. Though largely endowed with that ready vigor — that self-reliant promptitude of action, which is alarmed by the presence of no responsibility, and deterred by the intervention of no false scruples—though he was prepared to strike suddenly and effectively, and was quite the man in an imminent conjuncture for a great and successful *coup*, his desire ever was to evoke, not the fear, but the gratitude of the people, to elevate and encourage them, not to coerce and repress. His benevolence was of the right kind. He knew that a strong Government is in the end a merciful Government—that want of vigor is want of kindness and want of sense—that in such a country as the Punjab a ruler must do something more than study Bentham in an easy-chair. But whilst ever on the alert, ever ready to crush any dangerous manifestations of disaffection, his mind was continually brooding over the means of advancing the happiness of the people. He knew that what the country most needed was repose, and that this could only be secured by a display of vigor at the right time; but it was towards a kindly paternal government that his impulses were ever directing him, and the welfare of a long-oppressed people was the thought dearest to his heart. He disarmed the population of the Punjab; but he opened out to them new fields of peaceful employ-

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ment, and gave back to them the long alienated right of cultivating their rich lands in security and peace.

Associated in the Board of Administration with this large-minded captain of artillery, were two Bengal civilians. Mr. Mansell had long been favorably known, throughout the Presidency to which he belonged, as one of the ablest financiers in the country. He was a man of a thoughtful nature, and, I am inclined to think, of an original turn of mind; but he was not one to put his ideas, with much promptitude, into action. He was somewhat wanting, indeed, in energy and activity, and his abilities, though of a very high order, found more congenial employment in a settled than in a new country. He was not quick enough and enthusiastic enough for the work that lay before him; and he was, doubtless, glad after a time to be relieved from duties better suited to men of a more sanguine temperament and less abhorrence of responsibility. His colleague, Mr. John Lawrence, had been in charge of the administration of our first territorial acquisition in the Punjab—the Jullindur Doab—and he had acquitted himself, in that capacity, with remarkable address. He was a first-rate civil officer. The extensive experience which he had acquired in the North-Western Provinces of India had been stored up in his mind, as something too precious to lose, and was now ready to be turned to the most profitable account. He understood both the Revenue and the Judicial systems of the country well. He knew the native character; was familiar with native institutions; and thoroughly versed in all those matters of agricultural detail which are the very life itself of a rural population. A "settlement" was to him nothing new or mysterious. He knew how the boundaries of estates were determined; how their productiveness was to be increased; how revenue was to be raised in a manner most advantageous to the State,

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and least injurious to the people. And with all this extensive knowledge were united energy and activity of the highest order. He had the enthusiasm of youth with the experience of age; and envy and detraction could say nothing worse of him than that he was the brother of Sir Henry Lawrence.

Of such materials was formed, on its first institution, the Lahore Board of Administration. In communication immediately with the Governor-General, and aided by a staff of civil and military assistants, of whom I shall presently speak more in detail, these three members of the Lahore Board conducted the entire internal administration of the great country conquered by our arms. They worked together—separately and collectively. In respect of detail work there was a division of labor; but all official papers were circulated to the three members of the Board, and each member recorded his opinion on every question that came before them. The result was that all matters of importance were well and carefully considered by the entire Board, whilst each individual member brought his own particular experience to bear upon the illustration of administrative details.

The system of administration introduced by Lord Hardinge into the Cis-Sutlej and Trans-Sutlej states in 1846, was followed in 1849, when the entire country was subjected to our rule. The great province was divided into four commissionerships, and each of these commissionerships were divided into four or five districts.* The Deputy-Commissioners, who are placed in charge of these districts, perform all the functions of magistrates and collectors, and are invested with some of the offices of the Judge. To each district, moreover, are attached one or two assistants, chosen from the cove-

* The districts of Hazareh and Peshawur were, until the commencement of 1852, kept directly under the Board; but they have since been created into an independent commissionership under Colonel Mackeson.

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nanted services, and also an uncovenanted extra assistant, all of whom are employed in the courts, civil, fiscal, and police. To these last-named appointments natives are eligible; and it has been greatly the desire of the Board to induce the Punjabees to accept employment of this kind, and also to take service as Tehsildars, Thannadars, &c.; but hitherto no great success seems to have crowned our efforts at the employment of native agency in the Punjab. The Punjabees are not very expert in the use of rules and regulations, and though these are pressed into the service, much less in this part of the country than in the provinces of India, it may still be questioned whether they are not too extensively employed.

It may be doubted whether any men in any part of the world ever addressed themselves to the great work of governing a conquered people, so as to make the yoke easy and the burden light, with more singleness of purpose and benevolence of aim than Lawrence and his gifted associates. It was their desire "to make the basis of their rule a light and equable assessment; a strong, vigorous, though uninterfering police; and a quick hearing in all civil and other cases."* And they set to work with an untiring energy, a resolute perseverance, and a disregard of all selfish considerations, with scarcely a parallel in the history of Indian Government. The Revenue Survey was pushed forward with all possible despatch (Henry Lawrence, as I have said, had once been a Revenue surveyor), and the revision of the settlement, which few men in India were more competent to superintend than John Lawrence, advanced with rapid strides towards completion. The term of years for which the assessment was settled varied according to the nature of the land. The contracts were principally made with the village communities, which exist in a more perfect state

* *MS. Correspondence.*

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in the Punjab than in any other part of our Eastern possessions. In tracts of country already brought into a high state of cultivation, the settlement has been made for thirty years, but where the tract embraces considerable breadth of waste land, and is readily improvable, the assessment has been fixed only for a period of ten years. The amount of the assessment is considerably lower than it was under the old Sikh Government. The reductions, varying from five to fifty per cent., may be set down at an average of about twenty-five per cent. on the whole, or a total amount of thirty lakhs of rupees.

The difficult and delicate question of the resumption of rent-free tenures had to be dealt with by the Board of Administration. They found in the Punjab large tracts of Jagheer land, of the annual value of twenty-five lakhs of rupees. Much of this had been held by the chiefs on the condition of their furnishing certain quotas of troops to the Durbar; and now that this contingency no longer existed, it seemed that the claims of the Jagheerdars to this kind of immunity was gone. But there has been no hasty resumption. These rent-free tenures are inquired into and reported upon, and not until a thorough investigation has been instituted, and the justice of the measure clearly ascertained, is any Jagheerdar deprived of his lands. Even then the resumption is generally so ordered as to press with as little severity as possible on the privileged classes; though, doubtless, whilst the great bulk of the industrial population gain mightily by our innovations, the aristocracy of the Punjab are sufferers by the change. This, however, is inseparable from a system which has for its object the emancipation of the industrial classes from the wretched thraldom to which they had been reduced by the tyranny of the Sirdars. We could not elevate the many without depressing the few.

In the mean while the efforts of the Board for the suppression of crime, and the protection of life and

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property, have been at least partially successful. A vigorous, well-organised detective police has already done good work in the Punjab. Dakoitee is said to be well-nigh suppressed. We have hunted down these robber gangs, brought them to justice, and made quick work of their punishment. During the first year of our independent administration, nearly a hundred Dakoits were publicly executed, some six or eight at a time. And such terror did these vigorous measures strike into the profession at large, that Dakoitee is now said to be more rare in the Punjab than in any part of the Regulation provinces. In the suppression of minor offences it is admitted that we have been hitherto less successful; and in the dispensing of civil justice the Punjabee Courts have not achieved all that was desired. Earnest endeavours, however, are being made to simplify the law, to expedite its administration, and to render justice accessible to the meanest cultivator in the land. These are stereotyped expressions, often meaning nothing; but in the mouths of such earnest-minded men as the Lawrences there is a real significance in them. The Punjab, as I write, has been less than four years under our rule. I should think less hopefully of the ultimate result if its administrators insisted upon the perfect success of their experiments in every department of the state. But they claim for themselves no such extraordinary merit. They honestly acknowledge that they have not been uniformly successful, and are candid enough even to drop a hint that perhaps they have attempted too much.

Of the external signs of progress in this newly-acquired country, I have already spoken. But the Lawrences are not men to attempt the regeneration of the Punjab only by strivings from without. The great agency of education is being brought to bear upon the inner life of the people. Not that much has yet been done in this direction. These are too early days, indeed, for us reasonably to expect

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that anything should have been done. But we know that already a good English and vernacular school has been established at Umritsur, and that the Board of Administration are devising measures for the extension of their educational machinery, especially with a view to the practical training of the Punjabees for the public service, and their instruction in those useful sciences which will fit them for employment as engineers and medical practitioners.

Of the financial results of the annexation of the Punjab something should be written in this place. For many years the bare mention of the possible acquisition of the dominions of Runjeet Singh kindled a fever of expectancy in the minds of the English in India. Their imaginations grasped the grand idea of a country of inexhaustible wealth, whose annexation to our own territories would supply a general remedy for all our financial diseases, and strike the word "deficit" for ever out of the vocabulary of Indian Chancellors of the Exchequer. *Omne ignotum pro magnifico.* Much had been related of the exceeding splendor of the Sikh Court—of the almost fabulous value of the gems which shone upon the gorgeous head-dresses of the Sikh chiefs, and of the indescribable splendor of the jewels and gold which glittered upon the trappings of their horses. But we knew little of the natural resources of the country, or brought anything but our grosser senses to bear upon the consideration of its reputed wealth. Otherwise we might have reflected that it was hardly in the nature of things that a country so governed should be a rich country. The dream, however, was one from which the reality of a hostile collision soon awakened us; and when the annexation of the Punjab became something more than an object of vague cupidity, the gorgeous El-Dorado dissolved before our eyes, and a

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ruder reality looked us in the face. It was then openly doubted whether such an extension of empire would not rather aggravate than relieve our financial embarrassments—whether with a frontier extended to the Indus we should not be poorer than before.

And such, indeed, judged by present results, is actually the case. The Punjab is not yet remunerative. Some little time must elapse before the revenues of the country can be made to exceed the cost of its protective and administrative establishments. The estimated amount of revenue for the years 1851-52 is 130 lakhs of rupees,* with about four lakhs of additional receipts in the shape of proceeds of confiscated Sikh property and refunded charges. The total expenditure is estimated at about 120 lakhs of rupees. This leaves only a surplus of 14 lakhs for the maintenance of the regular troops posted in the Punjab; and, as a large reduction of the army might have been—indeed, would have been, effected but for the annexation of the Sikh states, it cannot be argued that the military expenditure is not fairly chargeable to the province. It is true, of course, that the possession of the Punjab has enabled us to withdraw a considerable body of troops from the line of country which constituted our old frontier, and that a deduction, on this score of frontier defence, must be made from the gross charges of the regular military

* Of this more than a hundred lakhs is derived from the land-revenue. I may as well set down the several items as contained in the Company's last general finance letter :

	Rupees.
Land Revenue	1,03,00,000
Sayer, Abkarree, Salt, Customs	23,00,000
Post Office	1,50,000
Stamps	1,00,000
Judicial fees, &c.	90,000
Sale of Presents	10,000
Miscellaneous Receipts	55,000
Total	130,05,000

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establishment employed beyond the Sutlej. Still, the cost of the regular troops fairly chargeable to the Punjab absorbs the estimated surplus, and leaves a balance against the newly-acquired states.

It is necessary, however, to a right understanding of the financial results of the acquisition of the Punjab, that a more minute examination should be made of the last balance-sheet. Although the cost of the regular troops is not set down among the charges, there is a considerable defensive establishment—an establishment of those Local Corps and Military Police which Lawrence so judiciously established—charged against the province. Under the heads of "Civil and Military Police" and "Local Corps," there is an entrance of 40 lakhs of rupees.* To this extent, therefore, it pays for its own defence and protection. This is a charge which I hardly think can be further reduced without burdening the Indian treasury to a larger amount for the maintenance of regular troops.

Under the head of "Political Pensions, &c.," there is an entrance of 18½ lakhs of rupees.† As these pensions are principally, if not entirely *life* pensions, terminable with the present recipients, this item of expenditure will gradually disappear. The charges of revenue collection amount to 17½ lakhs of rupees, and the judicial charges to nearly 14 lakhs. The latter, it is probable, cannot be advantageously reduced. The former, at first sight, appears to be somewhat immoderate, and altogether irreconcileable with our knowledge of the generally simple and uncostly administrative machinery of the Punjab, for the cost of collection

* In the estimate for 1850-51, the amount set down, under these heads, is little short of 47 lakhs. I conclude that this is to be accounted for by a reference to the incidental expenses incurred by the levying and equipment of new corps.

† The estimate for the preceding year had been only 15 lakhs. The increase is probably the result of the Resumption operations of the Board. The absorption of large tracts of Jagheer land has compelled them to grant compensation to the Jagheerdars, in many cases, in the shape of life pensions.

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amounts to about one-seventh of the land-revenue, whilst in India generally it is less than one-ninth. But it is to be remembered that hitherto in the Punjab we have had not merely to collect, but to settle the revenue.

But there are other items which, as time advances, will undergo a gradual process of reduction in the ordinary course of events. The "extraordinary charges" will be greatly diminished, for many of them are incidental to the occupation of newly-acquired territory. Sixteen lakhs and a half are set down as the estimated cost of "Buildings and Works" for the last financial year. This is not to be regarded as current expenditure, but as an outlay of capital on reproductive works; and it would be false economy to desist too soon from such profitable expenditure as this. It is to such a wise outlay of the public money that we must look for the permanent blessing of a surplus revenue. But the years of such necessary expenditure are not many, and we may look forward to a not very remote period when the outlay on public works will diminish as the revenue increases. A niggardly policy at such a time would be an erroneous—indeed, an extravagant one. The Punjab has vast capabilities, but it has suffered, and is still suffering, from the effect of long years of misrule, and it demands all the fostering care of a wise and benevolent Government to repair the waste of vital energy resulting from a system which struck in its greed of present gain at the very sources of productiveness, and paralysed the industry of the country.

Returning to the administrative results, I think I am justified in saying that they have hitherto presented a most satisfactory appearance; and that no purely civil administration, like that which obtains in the Regulation provinces—no purely military government like that

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which Lord Ellenborough established in Sindh—would have accomplished so large an amount of good within so limited a space of time. The success of the experiment is to be attributed partly to the system, and partly to the men. Under no other system could so many rare administrative qualities have been fused into one governing body—could so many excellent parts have been combined into one excellent whole. No system of agency will work well where the agents themselves are deficient in the qualities which contribute to success. Indolence and dulness will render inoperative the best-devised schemes of Government. But there are, on the other hand, modes of administration so faulty in themselves that no amount of energy and ability can wholly overcome their inherent defects. Lord Dalhousie was, doubtless, fortunate in his men; but it was only because he recognised the expediency of establishing a system of administration, to be carried out by a mixed civil and military agency, that he was enabled to associate these men in the Government of the Punjab. He brought the two services into friendly competition with each other—and such men as Henry and John Lawrence—Mansell and Mackeson—Montgomery and Macgregor—Edwardes and Cocks—Lake and Melvill—Abbott and Bowring—all found scope for the exercise of their several qualities, and each, after his kind, contributed to the "full force and joint result" of the entire success.

But we must not, therefore, as I have said, hastily assume, that because this system of administration has worked well in these newly-acquired countries, the more costly and exclusive system which obtains in our old Regulation provinces is altogether a mistake. Two very important considerations are necessary to the right understanding of the matter. The one is that the military administrators, both of the past and present generation, who have distinguished themselves so greatly in all

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the Presidencies of India, have been and are the *élite* of the service. We should err if we were to regard the Munros and Malcolms, the Sutherlands and the Lawrences, only as average specimens of the class to which they belong. And the other consideration to be kept steadily before us is this: that it is one thing to administer the affairs of a newly-conquered country, where population is meagre, wealth scanty, and rights simple; and another to deal with those more complicated relations to which property in its accumulation and transmission has given birth in the more settled and thickly-peopled districts which have long been under our rule. The Punjabee system is admirably suited to the Punjab, but it would be a dead failure in Bengal.

Moreover, in these settled districts, we have got the "Regulations" for better or for worse, and they are to be handled skilfully only by men who have been trained, from their youth upwards, in the use of them. Whether any other system than that now in force, if adopted a century or half a century ago, would have conferred greater benefits on the country, it is now of little use to inquire. I have my opinion on the subject, and elsewhere I have expressed it. But if I had taken an opposite view of the question, I should still perceive plainly, and admit freely, that it is one thing to apply a tentative system to a new country, where virgin soil presents itself for our experiments, and another to pull down an existing system, and to introduce a new one which might have been adapted to the people as we found them, but certainly is not to the people as we have made them. The idea of turning clever adjutants into Zillah judges, and hoisting dashing majors into the Sudder, is a conception worthy of the man who made a consul of his horse.*

* Since this chapter was written, the Lahore Board has been dissolved, and Sir Henry Lawrence has left the Punjab. But the benefits conferred on the country both by the system and the man will live long after them.

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CHAPTER II.

Progress of Civilisation—Humanising Efforts of British Officers—Mairwarra—Dixon and the Mairs—Candeish—The Bheels—Outram and the Bheel Corps—Ovans and the Bheel Colonies—Reclamation of Savage Tribes—Augustus Cleveland—General Results.

THEY are good things of which I have spoken in the preceding chapter. I do not think, indeed, that there is any reason to doubt that the transfer of these provinces to the dominion of the British has been attended with substantial benefits to the people. Our English rulers are not now chargeable with obliviousness of their obligations as representatives of Christianity, and agents of Civilisation. Every year they address themselves with greater earnestness to the good work of social regeneration; every year they bring their solemn convictions—solemn convictions of the duty of responsible men, loaded with a weight of obligation, of the due discharge of which, to the utmost tittle, they will have to give strict account—to bear more forcibly and effectually upon the practical consideration of their measures for the government of the nations brought under their rule.

I wish that the necessities of this work did not restrain me from dwelling at a length commensurate with the importance and the attractiveness of the subject upon these civilising measures—upon the successful efforts which have been made, on the acquisition of new tracts of country, to reduce the people thus newly brought under our rule to a state of civilisation unknown to

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them under their native masters. It is to be feared that very little of all this is known in England. It is to be feared the general impression is, that in India, when the work of subjugation is done, we think only of the work of taxation—that war and revenue are the only two things earnestly considered by the British officer in the East—and that, so long as we can successfully prosecute the one and make a good show of the other, he is happy and content in himself, and vastly applauded by his masters.

But there can be no greater error than this. The history of India, truly and sufficiently written, would contain many a chapter, full of cheering facts, illustrative of the brighter side of English conquest in the East. The "Victories of Peace" and the "Triumphs of Civilisation" are not the stereotyped promises of florid orators at home, but the substantial performances of men, striving and toiling under the fiery skies of India, and sacrificing often life itself in their efforts to elevate the social condition, and to increase the daily happiness of the people by whom they are surrounded. In such chapters of Indian history would be found many pictures not to be dwelt upon without feelings of national pride and Christian gratitude—pictures of English gentlemen in the deep recesses of a strange country, isolated from their kind, devoting themselves to the noble work of reclaiming the savage people of a newly-acquired province, and making their way, slowly and painfully, through jungles of ignorance and barbarism, folly and superstition, to the great reward of full success. Such success is often the only reward which these good deeds secure to the man of peace and the agent of civilisation. He may win the approbation and the confidence of his employers, but I only utter a threadbare commonplace when I add that a brilliant charge of horse, or an assault on a petty fortress, will secure for him more popular renown, and achieve for him, by the unpremeditated act

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of a casual half hour, more honorary distinction than can be acquired by years of philanthropic toil. It is the glory of such men as Cleveland and Wilkinson, Dixon, Ovans, and Macpherson, that they have labored on in the cause of humanity, without any of the ordinary encouragements and incentives to exertion, unknown to their brethren at home, almost forgotten by their brethren in India, without the stimulating and sustaining aid of a single note of popular applause.

And yet what great things have been done in India by a few European officers—perhaps by a single European officer, located in the heart of a newly-acquired province, and surrounded by rude barbarians, slaves to the most degraded superstitions, and habitual practisers of almost every vice! Look at the case of Mairwarra.* Thirty years ago we found in that country a race of savage marauders—with little or no regard for human life or liberty—murdering their daughters, selling their mothers, committing every kind of atrocity without shame and without remorse. They were many of them fugitives from other states — men whom society had spued out—the rugged elements of a fearless race of bandits. They were robbers, indeed, by profession and by practice. Everywhere they took what they could, and kept what they could, and lived in continual strife with their neighbours. Their vicinage was always uncomfortable — often dangerous — and when we came into contact with them we swallowed them up. In 1821 we subjugated the country, and brought these freebooters under British rule.

No sooner had the act of absorption been accomplished than the British officers, to whom the "settlement" of the

* The untravelled reader must look for Mairwarra in the map of India, between the Chumbul river and the Arabala hills, which stretch almost from Delhi to Goojrat. It is under the Government of the North-Western Provinces, and contiguous to Ajmere. "It is bounded," says Colonel Dixon, "by Ajmere to the north, and separates Meywar in the east from Marwar on the west; to the south are the hill possessions of Meywar."

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new country had been entrusted, began to address themselves to the work of humanising these wretched people. "The duty to be performed was of no ordinary cast; it was one of considerable anxiety and difficulty. The people had been conquered without calling for the exercise of any extraordinary force or much solicitude. This had proved a matter of comparative ease. We had now to gain their affections, to command their good will in following the path pointed out to them, to win them over to habits of industry, and to habituate them to customs of civilised life. We had to prove to them that, in subduing them, our chief source of solicitude was to improve their social condition, and in all respects to administer to their comfort and welfare." To effect this, it was necessary, in the first instance, to put down the open violence of these marauding clans by an imposing display of force. When we first took charge of the district, authority was openly set at defiance. Armed bands paraded the country, or occupied the passes. The servants of Government were cut off; prisoners were rescued. There was no safety on the public ways. To control these desperate banditti it was necessary to show that on the side of constituted authority there was a power stronger even than their lawless ferocity. And this was speedily done.

It is the rule of the British Government, in these cases, to make the rude barbarians themselves the agents of their own civilisation. We abstain, whenever such forbearance is possible, from a display of foreign force. In Mairwarra, as elsewhere, it was deemed expedient to raise a local battalion, composed of the people of the country, and to employ their energies in the suppression of crime, and the support of the civil authorities. By the establishment of such corps another object is attained. It opens a field for the exercise of a world of restless energy —it reduces to discipline, and holds out objects of honor-

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able competition, to men who have hitherto warred against their neighbours on their own account, and lived in a constant state of predatory strife.

The Mairwarra local battalion was placed under the command of Captain Hall, of the 16th Bengal Native Infantry—an officer who, in the quartermaster's department of the army, had exhibited considerable ability and force of character—and who, now virtually invested with the political charge of the country, brought all his energies to bear upon the reclamation of these savage tribes. The Mairs, disciplined after our European fashion, proved themselves to be good and loyal soldiers, and the criminal combinations, which had thrown the whole district into confusion, were suppressed by the brethren of the men who constituted the robber-gangs. And this primal measure accomplished, Captain Hall took the next great step along the road of civilisation, and addressed himself to the permanent protection of life and property by the introduction of a judicial system in keeping with the character and the requirements of the people.

The Mairs had always had the most primitive ideas of justice. It had been of the wild kind which degenerates into revenge—or else it had ascended only to the scale of trial by ordeal. Either the contending parties, backed by their sympathising kinsmen, resorted to the arbitrement of the sword; and blood-feuds were handed down among them from sire to son; or the accused was challenged to prove his innocence by thrusting his hand into boiling oil, or grasping a red-hot shot. But under British government a new and better system was introduced. Except in the highest class of offences, resort was had to the *Punchayut*, or arbitration system—a system well adapted to the temper and condition of the people, which worked with the best results; and was one of the most important remedial agents applied to the cure of all these social ills. "It is a strong argument,"

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says Colonel Dixon, "in favor of this system of dispensing justice, that during the last twenty-six years, the period of our rule in Mairwarra, no appeal has been made beyond the superintendent of the district."

But the plough was the chief civiliser. Hitherto the land had been so difficult of cultivation that no one cared to possess it. Mairwarra is a mountainous district, and, without artificial means of retention, the rain that fell was soon lost. The falls of rain, too, were uncertain. Sometimes the water supplies totally failed; and cultivation was at a stand-still. In 1832 there had been a great drought, and the country had been nearly depopulated. The industrial energies of the people were paralysed by this calamity. They lost all faith in agriculture as a means of subsistence, and fell into their old marauding habits. This, indeed, in a greater or a less degree, was the result of every drought, and droughts were of frequent occurrence. To remedy this evil, it plainly appeared would be not only to increase the financial prosperity of the people, but to open out the sources of moral reformation, and to reclaim them from their lawless ways. Nothing could be more readily comprehensible than this, or seemingly more easy of achievement.

Compelled by ill-health to abandon his post, Hall was succeeded in 1835 in the charge of Mairwarra by Captain Dixon, an officer of the Bengal Artillery, whose zeal in the cause of humanity, evinced when in no responsible political employment, had secured for him the good opinion and confidence of Sir Charles Metcalfe, who now selected him for a post in which his benevolence might have free scope for active expression. The trust could not have been confided to better hands. Dixon entered upon his new duties with all the energy and zeal of a man whose heart is in the good work. He saw at once what was the great want of the country. Eager to develop the productiveness of an unyielding soil, and to stimulate the industry

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of an unsettled people, he addressed himself to this great matter of the water-supply, and left untried no effort to secure it. He appealed to Government. He appealed to the people. Money and labor were both soon at his disposal; and the great want was supplied. By a judicious management of the water-supply, by the digging of tanks and wells, and the construction of embankments, the wasted jungle was soon reclaimed. The plough was in active operation. Every man was encouraged, by small advances of money, to apply himself to agricultural pursuits. The financial results of the experiment were highly favorable. The moral results were more favorable still. A large number of professional robbers were converted into industrious farmers, and peace smiled upon the land.*

Having thus created, by his exertions, a class of peaceful agriculturists, Dixon's next effort was to settle a community of busy traders in this neglected land. Hitherto the Mairs had depended principally upon Ajmere and Nusserabad† for their supplies. Itinerant dealers visited the neighbourhood at times, but their transactions were confined to the Sepoys of the local battalion. With the general population they had no commerce. They seemed to mistrust the Mairs. The object, however, was a great one, and to Dixon it appeared of no very difficult attainment. It seemed to him that if a city were built there would soon be found traders to inhabit it. So a city with a spacious bazaar sprung up at his bidding. It rose with the rapidity of magic. Three months after the laying of the first stone the bazaar was

* "During the last eleven years the sums expended on works of irrigation amounted to 2,41,112 rupees; whilst during that period the excess of revenue beyond the summer of the first year of the present incumbent's superintendence in 1835-36 is 6,41,234 rupees. After reimbursing ourselves for the outlay on public works, there is a surplus given of 4,00,121 rupees. This large amount is our gain in a pecuniary point of view; as far as affects the moral improvement of the people, the advantages are beyond calculation."

† Distant thirty-two and thirty-six miles from Mairwarra.

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opened for traffic. At first the Mairs had looked coldly and mistrustfully at the proposal. They thought that the location among them of a party of foreign traders would only have the effect of subjecting them to unaccustomed exactions. But they soon found the advantage of the undertaking, for it supplied them with profitable employment; and they learnt in time that the settlement of capitalists among them, and the centralisation of trade, must be beneficial to indigenous producers. By the Mahajuns, or traders themselves, this want of confidence was reciprocated. As they brought in their merchandise to the new city, they began to tremble for its safety. The very quiescence—the seeming forbearance of a race of men habituated to plunder, roused their suspicions; and they argued among themselves that the Mairs were only holding back until a richer spoil had been accumulated within the circle of the new city. In this conviction, the trading classes asked that a wall should be built around the town for their protection; and what they sought was granted to them. The Government of India had watched, with lively interest, this worthy experiment, had approved and applauded the noble efforts of the superintendent, and were in no case slow to listen to his suggestions. Now, therefore, the present "proposition received the same favorable attention that had characterised the Government in all measures referring to the improvement and happiness of the Mairs." And so the city of Nyanuggar was built, and a wall was built around it, and the Mahajuns brought in their goods, and in a short time it was reported that nearly two thousand families, engaged in various manufacturing and commercial operations, were located within the wall.

In the mean while, the agricultural improvements were going on bravely. Tanks were being dug; wells were being sunk; and a regular supply of water was being secured to the fields. The jungle was being cleared;

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the people, many after an absence of years, were returning to their native country, drawn by the report of our ameliorative efforts. To one village ninety families had returned, after the lapse of four generations, to occupy the lands of their progenitors. A general spirit of improvement was possessing these long-degraded Mairs. When money could no longer be advanced by Government, they cast about for the means of raising it for themselves; and by the sale of cattle and the betrothal of their daughters, sometimes acquired the necessary capital for the prosecution of the reproductive works, from which they had been taught to look for such ample returns.

And with all these great commercial and agricultural changes, the moral improvement of the people was advancing with prodigious strides. As early as 1827 Colonel Hall had reported "the complete and voluntary abolition of the two revolting customs—female infanticide, and the sale of women."* The re-marriage of widows was also provided for, and the worst forms of slavery abolished. The predatory habits of the people disappeared. They had once been beyond measure lawless and intractable. They now became docile and obedient, and there was something of child-like confidence in the reliance which these untutored savages began to place in the wisdom and kindliness of the European superintendent.† They had, indeed, an overflowing faith in the man; and he was worthy of their veneration. What

* For a fuller notice of this see the chapter on *Infanticide*.

† "The high degree of prosperity which it (Mairwarra) has now attained, arises, however, from the system introduced by Captain Dixon. He may be said to live amongst the people. He knows minutely the condition of each village, and almost of its inhabitants individually; is ready to redress not only every man's grievances, but to assist them to recover from any pecuniary or other difficulty in which they may be involved. . . . Captain Dixon has no European assistance; but his native establishment is so admirably disciplined and controlled, that whether in the construction of tanks, in the assessment of the revenue, or the administration of justice amongst this simple and primitive people, these establishments conduct all matters to almost as happy an issue as he could do himself." —[*Report of Colonel Sutherland, March* 17, 1841.]

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Colonel Dixon did, he did single-handed; he had not one brother-officer to aid him. He worked alone in Mairwarra; and, assuredly, it was no light work that he undertook. The success of the great experiment entirely hinged, in his own words, on the untiring zeal and vigilance of the superintendent. "To carry through his projects, it would be necessary that he disengage himself from all private pursuits and pleasures, and devote his entire undivided energies to the fulfilment of the object. His presence would be essential to inspect every large and small work in each village, and to encourage the people in the undertakings on which they were engaged. He must be constantly in camp, without reference to burning heat or drenching rain; in a word, until all difficulties were overcome, all works of irrigation completed, and permanent prosperity secured, he must be a slave to duty. It remained with him to choose whether he would seek personal comfort and ease in restricting himself to ordinary duties, as is done by some public officers, or whether he would face the difficulties and undergo the toil which must be inseparable from an undertaking of such magnitude, continuing through a long vista of years. Happily, little consideration was required in making his election. He chose usefulness at the expense of personal comfort."* And his name will live as the regenerator of the Mairs. It is no small privilege to the compiler of such a work as this, to chronicle, even in a few imperfect pages, the recent annals of Mairwarra, and to show how a wild and lawless people were reclaimed by a single European officer taken from an Expense Magazine.†

* *Dixon's Mairwarra.* This very interesting quarto volume, with abundant maps, plans, and graphic illustrations, was published at the expense of the East India Company, and has not, I believe, found its way extensively into general circulation.

† It has been hinted to me, from more than one quarter, but always in a friendly spirit, that in a former work I displayed something of a tendency to over-rate the achievements of officers belonging to the Bengal Artillery. Perhaps the same charge may be

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In the mean while, in the same western regions, but many miles lower down to the south, in that part of the country with which the English in India first made acquaintance—in the province of Candeish, where one of our earliest settlements was located—another great experiment was going on.* Candeish, in the old days of Mahomedan rule, and during the first half century of British sovereignty in the East, was a great and flourishing province. But in 1802 the Mahrattas had ravaged the country; and in the following year a great famine had desolated the land. What Holkar and God's providence commenced, the mis-rule of the Peishwah's officers completed. The province was reduced to a state of anarchy and desolation not easily to be described. It was, indeed, for some years, almost depopulated; and when the people began slowly to return to their old possessions, a new calamity descended upon them. The Pindarrees ravaged the open country, and some Arab tribes, establishing themselves in the hill fortresses, laid the neighbouring country under heavy contribution.†

In this province of Candeish were located certain Bheel tribes, constituting in all about an eighth of the population.‡ When the country was in a settled and flourishing state, these people had been principally employed as village-watchmen; and village-watchmen have

brought against me with reference to this work. I confess that I do not record the doings of Colonel Dixon in Mairwarra with less pleasure because he belongs to that distinguished regiment (though he is personally as much a stranger to me as if he had fought under Lord Clive), but the praises which I have bestowed upon him fall short of those which have been lavished upon him by his official superiors, and confirmed by the general voice of all who have ever given a thought to the subject.

* Candeish — an extensive province in Western India, through the northern portion of which the river Tapty runs, will be readily found in the map to the south of the Sauthpooree Hills. It is, however, not to the entire province, but to a district, consisting of various portions of it, acquired in the Mahratta war of 1818, and formed into a collectorate under the Bombay Government, that my remarks, in so far as they relate to our operations for the civilisation of the Bheels, mainly refer.

† *Captain Graham's Historical Sketch of the Bheel tribes, inhabiting the province of Candeish.* See, also, *Reports of Colonel Robertson and Mr. Giberne. MS.*

‡ *Report on the Bheels of Candeish, by W. S. Boyd, Esq.*, 1833. *MS.*

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in no part of India been celebrated for the regularity of their habits or the honesty of their pursuits. In the best of times it does not seem that these clans were other than a lawless and unscrupulous people. Political disorder and social confusion were, indeed, greatly to their taste. They now rejoiced in the convulsions which rent the province. Their legitimate calling was at an end, and they took readily to the open exercise of a profession, which before they had secretly practised under cover of their recognised pursuits. For many years they existed merely as a group of robber-gangs—either aiding the depredational excesses of more powerful marauders, or working independently for themselves. Heavy retribution often descended upon them. They knew what was the penalty, and they were prepared to pay it. They lived without law, and they often perished without law. It was no uncommon thing, under native rule, for them to be massacred by hundreds. Sometimes, however, a combined effort of the different clans enabled them to beat down constituted authority. On one occasion ten thousand of the Guicowar's troops, sent to coerce them, were driven back defeated and disgraced.*

It was in 1818, at the close of the Pindarree war, that certain parts of this once thriving province of Candeish were brought under British rule. They had been regularly ceded to us by Holkar; but the Arab colonists had occupied a great part of the country, and they could be driven from it only by force. The subjugation of the district, therefore, became necessary. And it was easily subjugated. The Arabs submitted. But the Bheels, who had never been elevated to the dignified position of a recognised enemy, still remained unconquered and unreclaimed. They had suffered too miserably at the hands of other governments to have any faith in the new rulers, who now called upon them to enrol themselves as their

* *Captain Graham's Historical Sketch.*

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subjects. They believed that if they came in, they would be massacred without remorse. Native governments would have dealt with them in this way; and they thought that the English troops were only waiting for an opportunity to shoot them down or bayonet them to a man.

So, although the British flag was hoisted in Candeish, and British rule proclaimed, the Bheels held possession of the hill-tracts, defied all authority, and violated all law. It was vain to think of settling the country until these people were coerced. There was little protection for life or property in Candeish beyond the range of our guns. Various measures were attempted without success. Conciliatory proclamations were of no avail, for the Bheels would not believe our promises. Recourse was had to arms; but the country and the climate baffled the gallantry of our troops. The Political Agent, Major Briggs, a man of comprehensive knowledge and enlarged humanity, proposed to pension the marauding Bheels; but the plan was not officially sanctioned.* Liberal landed settlements were offered, but this attempt also failed. The Bheels clung to their old habits. Long oppressing, and long oppressed, they were suspicious and mistrustful; and it seemed that they were neither to be subjected nor reclaimed. The effect of that great civiliser, the gibbet, was tried; some summary executions were ordered; vigorous measures, for a while, took the place of conciliatory schemes—but they were equally unsuccessful.†

* *Captain Graham's Historical Sketch. Reports of Colonel Robertson and Messrs. Giberne and Boyd. MS.*

† The Court of Directors were inclined to think that Major Briggs threw too much severity into his measures; but it does not seem that he betook himself to violence until conciliation had failed. Colonel Robertson, in his Report on the Bheels of Candeish, 1825, nobly vindicates the character of his predecessor. "I will only, on taking leave of the Honorable Court's observations, suggest," he says, "that should a tabular picture be formed from the correspondence regarding the Bheels, of the measures of Major Briggs on the one hand, and of the repeated rejection of all advances, the frequent breaches of engagements, the reiterated aggressions of the Bheels, and the consequent sufferings of the people on the other—

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It was time now, after some years of continued ill-success, to look the matter steadfastly in the face. The Court of Directors had earnestly addressed themselves to the consideration of the subject, and, taking a most humane and liberal view of the question, had recommended the continued prosecution of conciliatory measures. They could not bring themselves to believe that these Bheels, who, if they had been much sinning, had also been much sinned against, were altogether irreclaimable; and there were British officers on the spot who entertained the same opinions. It required, it is true, that a large amount of knowledge and sagacity—of patience on the one hand, and energy on the other—should be brought to bear upon the work. It was, indeed, no easy task that lay before them. The Bheels of Candeish might not be wholly irreclaimable; but we knew enough of their character to feel assured that the civilisation of such a people could only be accomplished, under Providence, by such a combination of wisdom and vigor, in planning and achieving, as had seldom been displayed before. They were a wild and predatory people, without laws, without ritualities, almost even without a rude sense of natural religion. Reckless and migratory, they passed from one place to another, throwing up a cluster of rude huts in the course of a few hours, and delighting not in more permanent habitations. Anything like honest industry they abhorred. Indolent and improvident, they lived as they could, from hand to mouth; they hunted down the game in the jungles; collected wild berries and roots; or, by a successful border foray or marauding expedition, secured a sufficiency of plunder to feast them sumptuously for a while.

carefully, in all instances, marking the dates—it would prove that we begun with conciliation, and, though one-half of the crimes of the Bheels are not recorded, continued it longer, it is probable, than was prudent."—[*MS. Records.*] The Court, as the sequel proved, were right in recommending conciliatory measures; but conciliatory measures are never so potential before, as after we have shown our ability to punish.

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A few days were spent in dissipated idleness, and then the exhaustion of their stores sent them forth after new pillage. They were the Ishmaelites of that part of the world. Their hands were against every man, and every man's hand was against them. Murder and robbery were habits which sat easily upon them. They streamed down from their mountain-homes, sacked and fired the villages on the plains, drove away the cattle of the villagers, and carried off their head men for the sake of the ransoms they would fetch. Drunkenness, too, was one of their favorite infirmities. They delighted in long debauches. They maddened themselves with burning spirits. It would have been hard to find a more licentious or unscrupulous race, or one with fewer redeeming qualities. It seemed a matter of almost utter hopelessness to reclaim such savages as these.

But there were, fortunately, men in Western India at this time whom the seeming hopelessness of the task only inspired with courage, and roused to vigorous action. It was assuredly a great and worthy experiment that was now to be made. The more irreclaimable these savages, the greater the glory of reclaiming them. The oppressions of the native governments had driven these people to desperation, and made them the reckless criminals they were. The reformatory measures of our benevolent predecessors had consisted chiefly of a number of dreadful massacres. The wells had been choked up with the trunkless heads of the offending Bheels. Whole families had been hewn down and extirpated. They believed that the curse of God had descended upon them, and that it was their fate to be hunted and destroyed—hunted and destroyed like the wild beasts of the forest—and therefore, like the wild beasts, they turned and stood at bay before civilised men. To dispel these delusions, and to win their confidence, was therefore the first step towards

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the great reformation which our English administrators yearned to achieve.

Mountstuart Elphinstone was, at this time, Governor of Bombay. Bringing all his quick intellect, his sound sense, his warm benevolence to bear upon this great matter of the reclamation of the savage Bheels, he soon worked his way to the conclusion that, if a few English gentlemen could be brought into intimate relations with the barbarous tribes—if they could acquaint themselves with the habits, study the feelings, and in time win the confidence of the Bheels, by familiarly associating with them, and proving that the British Government were eager only to do them good, success might be eventually accomplished. It was his desire to turn them from their lawless pursuits by finding other employment, alike more pleasant and more profitable. If, for example, we could convert them into disciplined soldiers and peaceful colonists, not by proclamations and vague offers of reward, but by the immediate influence of English officers living among them, it seemed that we might overcome the barbarism of the tribes in the manner most in accordance with the suggestions of reason and the dictates of humanity.

It seemed to him, in the first place, that if we could induce the Bheels to enter our military service—if we could raise a corps of these savage men, under the command of British officers—we might win the confidence of a few, and through them of many, and, in time, make the Bheels themselves the agents of their own civilisation. He had recommended this course both to Colonel Briggs and his successor, Colonel Robertson; but the political agents, thinking perhaps that the arms which we put in the hands of these lawless men would be turned against ourselves, had not furthered the suggestion. But events soon developed themselves which strengthened

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Elphinstone's conviction of the wisdom of the measure, and an order went forth for the formation of a Bheel corps.

This difficult and dangerous duty was entrusted to an officer who has since earned for himself one of the brightest names in the recent history of India. It was entrusted to James Outram, then a lieutenant in the Bombay Native Infantry, who had already foreshadowed those fine soldierly qualities which a quarter of a century of continued action have ripened and refined. He was then a very young man, full of animal spirits, active and courageous; but with all his energies and activities, tempered with strong sense and sound judgment; and he went about his work eagerly, and yet thoughtfully, measuring its difficulties aright, but resolute to overcome them. And he soon had practical proof of their nature and extent. The Bheels were at this time* in the very height of their lawlessness. They were carrying on their depredations up to the very picquets of the British camp, and sweeping off our cattle in triumph. A strange belief held possession of them, that we shrunk from encountering their robber bands, or following them to their mountain homes. And they thought that all this pretence of raising Bheel corps, and offering their people regular pay in the service of the Company, was only a snare to draw them into our camps, and to cut them off in detail. And so the enlistment of the Bheels was, for some time, only a thing talked of and desired. The people would not come at our call.

It is characteristic of Outram that he should have desired to show the Bheels at the outset, what our troops were willing and able to do, and to convince them that in no part of the country were they secure from the vengeance of the British Government. He longed to attack them on their own hills; and he soon found fitting opportunity

* In 1825.

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