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Pp. Eng. Lds. 1859 (Sess 2)
18

THE
SESSIONAL PAPERS
PRINTED BY ORDER
OF
THE HOUSE OF LORDS,
OR PRESENTED BY ROYAL COMMAND,
IN THE
Second Session, 1859,
(22° & 23° VICTORIÆ,
ARRANGED IN VOLUMES.

Vol. XVIII.

REPORTS FROM SELECT COMMITTEES OF THE
HOUSE OF COMMONS, AND EVIDENCE.

COMMUNICATED TO THE LORDS.

(Two Volumes.)

SUBJECT OF THIS VOLUME :

Colonization and Settlement (India).

1859.—Sess. 2.



REPORTS FROM SELECT COMMITTEES OF THE
HOUSE OF COMMONS, AND EVIDENCE.

COMMUNICATED TO THE LORDS.

1859.—Sess. 2.

(TWO VOLUMES.)

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COLONIZATION AND SETTLEMENT (INDIA).

REPORT from the SELECT COMMITTEE of the HOUSE OF COMMONS ON COLONIZATION AND SETTLEMENT (INDIA); together with the PROCEEDINGS of the COMMITTEE, MINUTES OF EVIDENCE, APPENDIX, and INDEX. (121.-I.)	-	-	-	page 1
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R E P O R T

FROM THE

SELECT COMMITTEE

ON

COLONIZATION AND SETTLEMENT (INDIA) ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX, AND INDEX.

[COMMUNICATED FROM THE COMMONS TO THE LORDS.]

1859.

R E P O R T

FROM THE

SELECT COMMITTEE

ON

COLONIZATION AND SETTLEMENT (INDIA);

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX, AND INDEX.

(SESS. 1. 1859.)

[COMMUNICATED FROM THE COMMONS TO THE LORDS.]

Ordered to be printed 13th August 1859.

(121.—I.)—Sess. 2.

Martis, 8° die Februarii, 1859.

Ordered, THAT a Select Committee be appointed to inquire into the Progress and Prospects, and the best Means to be adopted for the Promotion of European Colonization and Settlement in India, especially in the Hill Districts and Healthier Climates of that Country, as well as for the Extension of our Commerce with Central Asia.

Mercurii, 9° die Febuarii, 1859.

Ordered, THAT the Committee do consist of Eighteen Members.

Committee nominated of,—

Mr. William Ewart.
Mr. Baillie.
Mr. Campbell.
Mr. De Vere.
Mr. Gregson.
Mr. Kinnaird.
Mr. Knight.
Mr. Lowe.
Mr. Lygon.

Mr. Arthur Mills.
Mr. Nisbet.
Sir Erskine Perry.
Mr. Richardson.
Mr. Danby Seymour.
Mr. John Benjamin Smith.
Mr. William Vansittart.
Mr. Villiers.
Colonel Sykes.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the Committee.

Jovis, 7° die Aprilis, 1859.

Ordered, THAT the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, to The House.

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R E P O R T.

THE SELECT COMMITTEE appointed to inquire into the Progress and Prospects, and the best Means to be adopted for the Promotion of EUROPEAN COLONIZATION and SETTLEMENT in INDIA, especially in the Hill Districts and Healthier Climates of that Country, as well as for the Extension of our Commerce with Central Asia, and who were empowered to report the Minutes of the Evidence taken before them to The House:—
HAVE proceeded with the Examination of the matters to them referred, and have agreed to the following REPORT.

THE sudden Dissolution of the present Parliament has prevented your Committee from concluding its inquiries and making its final Report.

Your Committee recommends the formation of another Committee with these objects in the approaching Parliament.

In the meantime, it lays the Evidence taken during this Session before the House.

7 April 1859.

PROCEEDINGS OF THE COMMITTEE.

Mercurii, 10^o die Februarii, 1859.

The Committee met.

MEMBERS PRESENT :

Mr. William Ewart. Mr. Baillie. Mr. Richardson. Sir Erskine Perry.		Mr. Arthur Mills. Mr. Gregson. Mr. Campbell. Mr. Kinnaird.
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Mr. WILLIAM EWART was called to the Chair.

Committee to meet Mondays and Thursdays at One o'clock.

[Adjourned to Monday next, at One o'clock.]

Lunæ, 14^o die Februarii, 1859.

MEMBERS PRESENT :

Mr. EWART in the Chair.

Mr. J. B. Smith. Mr. Gregson. Mr. Richardson. Sir Erskine Perry. Mr. Villiers.		Mr. Kinnaird. Mr. Nisbet. Mr. Campbell. Colonel Sykes. Mr. Wm. Vansittart.
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Mr. Jos. Dalton Hooker, LL. D., Mr Thos. W. Atkinson, and Colonel Henry Blois Turner, examined.

[Adjourned to Thursday next, at One o'clock.]

Jovis, 17^o die Februarii, 1859.

MEMBERS PRESENT :

Mr. EWART in the Chair.

Mr. J. B. Smith. Colonel Sykes. Mr. Arthur Mills. Mr. Richardson. Mr. Gregson. Mr. Kinnaird. Mr. Wm. Vansittart.		Mr. Nisbet. Mr. Campbell. Mr. Villiers. Mr. Baillie. Mr. Knight. Sir E. Perry.
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Colonel Henry Blois Turner, further examined.

Mr. George Howard Fenwick, examined.

Mr. Thomas Atkinson, further examined.

[Adjourned to Monday, 21st, at One o'clock.]

Lunæ, 21^o die Februarii, 1859.

MEMBERS PRESENT:

Mr. EWART in the Chair.

Mr. Arthur Mills.	Mr. Wm Vansittart.
Mr. Nisbet.	Colonel Sykes.
Mr. J. B. Smith.	Mr. Baillie.
Sir Erskine Perry.	Mr. Campbell.
Mr. Villiers.	Mr. Kinnaird.
Mr. Gregson.	Mr. Richardson.
Mr. Lowe.	

Mr. *Ross Donnelly Mangles*, a Member of the Council of India, and Mr. *Henry J. Baillie*, a Member of the House, examined.

[Adjourned to Thursday next, at One o'clock.]

Jovis, 24^o die Februarii, 1859.

MEMBERS PRESENT:

Mr. Charles Villiers	Mr. Nisbet.
Sir Erskine Perry.	Colonel Sykes.
Mr. J. B. Smith.	Mr. Richardson.
Mr. Vansittart.	Mr. Arthur Mills.
Mr. Gregson.	Mr. Lowe.
Mr. Campbell.	Mr. Kinnaird.
Mr. De Vere.	

Mr. VILLIERS was called to the Chair.

Mr. *Ross D. Mangles*, a Member of the Council of India, further examined.

[Adjourned to Monday next, at One o'clock.]

Lunæ, 27^o die Februarii, 1859.

MEMBERS PRESENT:

Mr. VILLIERS in the Chair.

Mr. A. Mills.	Colonel Sykes.
Sir E. Perry.	Mr. Campbell.
Mr. Gregson.	Mr. De Vere.
Mr. J. B. Smith.	Mr. Nisbet.
Mr. Wm. Vansittart.	Mr. Kinnaird.
Mr. Richardson.	

Mr. *Ross D. Mangles*, a Member of the Council of India, further examined.

[Adjourned to Thursday next, at One o'clock.]

Jovis, 3° die Martii, 1859.

MEMBERS PRESENT :

Mr. EWART in the Chair.

Mr. Villiers.
Mr. A. Mills.
Mr. Baillie.
Mr. Gregson.
Mr. J. B. Smith.
Mr. Wm. Vansittart.

Mr. De Vere.
Sir Erskine Perry.
Mr. Kinnaird.
Colonel Sykes.
Mr. Nisbet.

Mr. *Ross D. Mangles*, a Member of the Council of India, further examined.

[Adjourned to Monday next, at Half past Twelve o'clock.]

Lunæ, 7° die Martii, 1859.

MEMBERS PRESENT :

Mr. EWART in the Chair.

Colonel Sykes.
Mr. Lowe.
Mr. Gregson.
Mr. Villiers.
Sir Erskine Perry.

Mr. Kinnaird.
Mr. De Vere.
Mr. Wm. Vansittart.
Mr. Baillie.

Mr. *Alexander Forbes*, examined.

[Adjourned to Thursday next, at One o'clock.]

Jovis, 10° die Martii, 1859.

MEMBERS PRESENT :

Mr. EWART in the Chair.

Mr. Villiers.
Mr. Wm. Vansittart.
Mr. De Vere.
Mr. A. Mills.
Mr. Gregson.
Colonel Sykes.

Mr. Kinnaird.
Mr. J. B. Smith.
Mr. Campbell.
Mr. Baillie.
Sir Erskine Perry.

Mr. *Alexander Forbes*, further examined.

[Adjourned to Monday, at One o'clock.]

Lunæ, 14° die Martii, 1859.

MEMBERS PRESENT :

Mr. EWART in the Chair.

Mr. A. Mills.
Mr. J. B. Smith.
Colonel Sykes.
Mr. Villiers.
Mr. Campbell.

Mr. Nisbet.
Mr. De Vere.
Mr. Kinnaird.
Mr. Wm. Vansittart.
Sir Erskine Perry.

Lieutenant-Colonel *Hamilton Vetch*, examined.

Motion made, "That Mr. Warden be recalled and re-examined" (Sir *Erskine Perry*):—
Amendment proposed to leave out from the first word "that" to the end of the paragraph,
for the purpose of inserting the words, "a written statement by Mr. Warden be printed in
appendix in answer to Captain Cowper's document" (Mr. *Kinnaird*), instead thereof:—
Question, "That the words proposed to be left out stand part of the question" put;—The
Committee divided:

Ayes 2.
Mr. Villiers.
Sir E. Perry.

Noes 8.
Mr. A. Mills.
Mr. J. B. Smith.
Mr. Kinnaird.
Colonel Sykes.
Mr. Campbell.
Mr. Nisbet.
Mr. De Vere.
Mr. Vansittart.

Question, as amended, put:—The Committee divided:

Ayes 8.
Mr. A. Mills.
Mr. Villiers.
Mr. Kinnaird.
Colonel Sykes.
Sir E. Perry.
Mr. Campbell.
Mr. Nisbet.
Mr. J. B. Smith.

Noes 2.
Mr. De Vere.
Mr. Wm. Vansittart.

Resolved, "That a written statement by Mr. Warden be printed in appendix in answer to
Captain Cowper's document."

[Adjourned to Thursday next, at One o'clock.

Jovis, 17^o die Martii, 1859.

MEMBERS PRESENT:

Mr. EWART in the Chair.

Mr. Arthur Mills.
Mr. De Vere.
Mr. Gregson.
Mr. Villiers.

Colonel Sykes.
Mr. J. B. Smith.
Mr. Wm. Vansittart.
Mr. Kinnaird.

Lieutenant-Colonel *Hamilton Vetch*, further examined.

Mr. *John Boyle Barry*, examined.

[Adjourned to Monday, 21st March, at One o'clock.

Lunæ, 21^o die Martii, 1859.

MEMBERS PRESENT:

Mr. EWART in the Chair.

Mr. J. B. Smith.
Mr. Campbell.
Mr. Arthur Mills.
Mr. Richardson.
Mr. Gregson.
Colonel Sykes.

Mr. De Vere.
Mr. Wm. Vansittart.
Mr. Kinnaird.
Mr. Villiers.
Mr. Knight.

Mr. *Paterson Saunders*, junior, examined.

[Adjourned to Thursday next, at One o'clock.

Jovis, 24^o die Martii, 1859.

MEMBERS PRESENT :

Mr. EWART in the Chair.

Mr J. B. Smith.
Mr. De Vere.
Mr. A. Mills.
Mr. Wm. Vansittart.
Mr. Richardson.

Mr. Villiers.
Colonel Sykes.
Mr. Kinnaird.
Mr. Gregson.
Mr. Campbell.

Mr. *Charles Atkinson*, Mayor of Sheffield, and Mr. *Robert Jackson*, Master Cutler of Sheffield, examined.

Mr. *Ralph Moore*, examined. .

[Adjourned to Monday next, at One o'clock.

Lunæ, 28^o die Martii, 1859

MEMBERS PRESENT :

Mr. EWART in the Chair.

Mr. Baillie.
Mr. Richardson.
Mr. De Vere.
Mr. Kinnaird.
Colonel Sykes.

Mr. J. B. Smith.
Mr. Gregson.
Mr. Villiers.
Mr. Arthur Mills.

Mr. *Ralph Moore*, further examined.

Mr. *James Dewar* and Captain *Felix Haig*, examined.

[Adjourned to Thursday, at One o'clock.

Jovis, 31^o die Martii, 1859.

MEMBERS PRESENT :

Mr. EWART in the Chair.

Mr. Arthur Mills.
Mr. Gregson.
Mr. J. B. Smith.
Mr. Wm. Vansittart.
Mr. Villiers.

Colonel Sykes.
Mr. Kinnaird.
Mr. Richardson.
Mr. De Vere.

Captain *Felix Haig*, examined.

[Adjourned to Monday next, at One o'clock.

Lunæ, 4^o die Aprilis, 1859.

MEMBERS PRESENT:

Mr. EWART in the Chair.

Mr. Arthur Mills.
Mr. Gregson.
Mr. J. B. Smith.
Mr. Wm. Vansittart.
Mr. Kinnaird.

Mr. Villiers.
Colonel Sykes.
Mr. Richardson.
Mr. Baillie.

Captain *Felix Haig*, examined.

[Adjourned to Thursday next, at One o'clock.]

Jovis, 7^o die Aprilis, 1859.

MEMBERS PRESENT:

Mr. EWART in the Chair.

Mr. J. B. Smith.
Mr. Kinnaird.
Mr. Gregson.
Sir Erskine Perry.
M. De Vere.

Mr. Richardson.
Mr. Arthur Mills.
Colonel Sykes.
Mr. Villiers.

Mr. *Edward Bean Underhill*, examined.

Mr. *Edward Neeves Hudson*, examined.

Proposed Report read as follows:—

“The sudden Dissolution of the present Parliament has prevented your Committee from concluding its inquiries, and making its final Report.

“Your Committee recommends the formation of another Committee, with these objects, in the approaching Parliament.

“In the meantime, it lays the Evidence taken during this Session before the House.”

Report again read and agreed to.

Ordered to Report.

LIST OF WITNESSES.

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MINUTES OF EVIDENCE.

Lunæ, 14^o die Februarii, 1859.

MEMBERS PRESENT.

Mr. Campbell.
Mr. Ewart.
Mr. Gregson.
Mr. Kinnaird.
Mr. Nisbet.
Sir Erskine Perry.

Mr. Richardson.
Mr. John Benjamin Smith.
Colonel Sykes.
Mr. William Vansittart.
Mr. Villiers.

WILLIAM EWART, Esq., IN THE CHAIR.

Joseph Dalton Hooker, Esq., M. D., F. R. S., called in ; and Examined.

1. *Chairman.*] YOU were so good as to give evidence last year ; I understand that you wish to add something in extension or elucidation of that evidence?—I have some further information especially with regard to the products that European settlers might raise in the territory of Darjeeling, and the expediency of establishing a trade with Tibet through the Himalaya.

*J. D. Hooker, Esq.,
M. D., F. R. S.*

14 Feb. 1859.

2. Will you have the goodness to give the Committee the information you have received?—With regard to the products of Darjeeling there was nothing said in my former evidence about the suitability of the climate for the cultivation of European and tropical grains.

3. You did not then go into the Indian products?—No.

4. Will you extend your observations upon those subjects?—In the territory of Darjeeling there is land suitable for cultivation at all elevations between 1,000 feet and 8,000 feet. All the cereals and common vegetables of India are grown in the lower parts, and those of Europe may be successfully cultivated in the higher elevations. Potatoes, for instance, are already raised in considerable abundance, and if there were facility of access to Calcutta, they would have as ready a market there as those of the Khasia mountains have.

5. *Mr. Nisbet.*] Are you not aware that potatoes are grown all over Bengal?—Yes ; but not at such seasons, nor so good as in the Khasia mountains, from whence Calcutta was mainly supplied.

6. *Chairman.*] Is there not a project for making a railway from Darjeeling towards the line which runs to Calcutta?—There is a project for a line of railway from Darjeeling to Calcutta.

7. Is not Tibet a country very deficient in wood?—There is no wood whatever in any part of Tibet.

8. Where do they procure their wood from?—Wholly from the Himalaya.

9. Therefore that would become an important article of interchange?—Yes ; it is already a very important article of interchange, and the export might be indefinitely increased by European skill and capital.

10. From whence does the rice come that is consumed in Tibet?—Almost entirely from the plains of Bengal or from the Himalaya.

11. Does it pass through Sikkim?—A great deal used to go from Sikkim before we seized that part of the country which produced it in sufficient quantity for export.

12. Do the Tibetans use tobacco?—Yes, largely ; it chiefly comes from Bengal ; though it is also cultivated in Western China.

o.25.

A

13. From

J. D. Hooker, Esq.,
M. D., P. R. S.

14 Feb. 1859.

13. From whence do they get their madder and dye stuffs?—Wholly from the Himalaya.

14. Are dye stuffs used extensively for dyeing woollens?—Yes.

15. You stated in your former evidence that the Tibetans were very desirous of being supplied with woollens, Tibet being a cold country?—Yes; they want the finer woollens of European manufacture.

16. Do you think British woollens would find a ready sale in Tibet?—Yes; British woollens used to be imported through the Himalaya previously to 1780.

17. Do they use bamboo and rattan canes?—Very largely.

18. You think that articles of European manufacture would be bought?—Very largely.

19. Should we have to cross over the frontiers themselves, or would the goods be conveyed by the Tibetans?—We should not require to cross the Tibet frontiers, provided we established *entrepôts* on the frontier.

20. Are there any other wants that could be supplied by intercourse with India or with Europe?—No doubt many other wants exist, and others would be created and supplied accordingly.

21. You gave some evidence before the Committee last year of the state of disorder existing in Bhotan; does that prevent trade in that quarter?—Entirely at present; they are amongst the most lawless people in Asia; they are continually committing assaults and murdering our subjects, and taking our cattle and elephants.

22. Do you think there is any hope of establishing improved intercourse with them?—Not until after coercion, which must come sometime.

23. With regard to Nepal, do we carry on much traffic through the Nepalese with the Tibetans?—None whatever; that is carried on by the Nepalese themselves.

24. You have stated that the present Minister of Nepal has obtained a monopoly of trade?—Jung Bahadoor has, I believe, the monopoly of the trade.

25. Is there any probability of our carrying on trade in future through Nepal?—I cannot speak from my own authority of that; Mr. Hodgson, who was many years resident in Nepal, sees every probability of it.

26. What is the state of the Rajah of Sikkim?—The Rajah of Sikkim at present is independent: we had a treaty with him, the terms of which were broken, and which ended in our taking all that part of his territory which borders on the plains of Bengal; we therefore cut him off from all access to the plains of Bengal; that, of course, prevented his carrying out any trade between Tibet and Bengal, except through our own territory. Since that period, I have been given to understand by Dr. Campbell, that the Rajah has been exceedingly anxious to establish relations with the British Government, either by giving up his country for a pension, or in any other way that would facilitate his being raised above his present condition of abject poverty.

27. Mr. Nisbet.] Is not the Rajah of Sikkim the person who took Dr. Campbell prisoner?—Yes; he was blamed for it; but it was not done by him personally, or by his orders; he knew nothing of it whatever; it was done by his dewan, who monopolised all the trade of the country, and who was extremely jealous of the terms of our treaty with the Rajah being carried out: the terms of the treaty were that they were to refrain from making slaves, and we were to have unrestricted commercial intercourse with Sikkim.

28. Chairman.] In what other articles do you think a trade could be carried on with the inhabitants of Tibet?—All articles of cutlery would be extremely valuable to them; glass articles, and porcelain articles; woollen cloths and silks.

29. Do they make use of rifles and guns?—Very largely indeed; they are great hunters and sportsmen, but have only matchlock guns.

30. Could gunpowder be imported to any extent?—It would be very largely bought indeed.

31. Is their present supply of gunpowder bad?—It is extremely bad, and they have no shot or lead for bullets.

32. Mr. Nisbet.] Are not the people of Tibet very poor?—They are a poor people at present, but they have very ample resources in their gold, cattle, sheep, shawl-wool, musk, jewels, salt, borax, mules, and ponies, if they were only encouraged to traffic in them.

33. You

33. You think they would have the means of buying European articles?—*J. D. Hooker, Esq., M. D., F. R. S.*
They have abundance of means in the gold alone.

34. *Chairman.*] I think you have already stated that the consumption of tea, in Tibet, is very considerable?—Tea is universally consumed by all classes at all times of the day; it is the drink of the country.

14 Feb. 1859.

35. I think you are of opinion that at some future time we can introduce a great deal of tea, the produce of the Himalayas, into Tibet?—My impression is, that that is the legitimate outlet for a great part of the Indian tea, especially the coarser kinds, and that we should thus supply all Central Asia, and even Russian Asia.

36. Do you think that the Chinese, who at present govern Tibet, would allow the importation of tea there from our dominions?—I do not think they would offer any objection to it, nor could any obstacle be availing against English enterprise.

37. Is there no prohibitory duty?—There would be a legitimate duty raised upon the frontier on tea as there now is upon all articles carried across the Himalaya.

38. You think that would not be sufficient to exclude Indian grown tea?—No; we could supply tea so very much cheaper and better, and in so much greater quantity, than they can get it from the seaboard of China. We grow tea within 80 miles of Tibet, and the tea the Tibetans at present drink is brought from Eastern China, over many ranges of mountains, and is excessively bad.

39. Do not you think it desirable that an article should have been inserted in the treaty with the Chinese with respect to intercourse with the Chinese empire across the Himalayas?—I think it is most important that we should insist on having commercial relations with Tibet, and, if possible, a resident agent at Lassah.

40. That has not been secured in the late treaty, I believe?—Not that I know of; I have seen no notice of it, I believe it to be most desirable.

41. Do you think we could negotiate with Jung Bahadoor to allow us to extend our trade across Nepal?—Mr. Hodgson thinks that he would readily listen to any suggestion of the kind; I do not speak from my own authority.

42. Have you the means of knowing whether the Russians trade at all with Tibet?—In North Western Tibet they trade extensively to Yarkand, whence these articles go to Eastern Tibet; they have no means of trading with Eastern Tibet except through Western Tibet.

43. Do we get free access into Nepal?—None, except by favour, and only to Katmandoo, where a British resident resides.

44. How is the British resident treated there?—He is almost a prisoner.

45. Is he turned away now?—I believe Colonel Ramsay was withdrawn, but is going back.

46. Have you stated the principle articles of Sikkim that might be consumed by the inhabitants of Tibet, and also the articles of European produce or any others?—I think so; I may add that, as we raise improved European seeds and vegetables, these would be imported into Tibet, the Tibetans being great agriculturists, and very good horticulturists, and are anxious to get good seed.

47. *Sir Erskine Perry.*] Is not Sikkim a very little place up the hills?—It is about 100 miles long by 60 or 70 miles broad; there is a very great space indeed from the height of the mountains and the size of the valleys; it is completely cut up into a succession of slopes not adapted for very large agricultural operations, but well adapted for farms and settlements of Europeans.

48. It is not a rich valley like that of Nepal; is it?—It is not to be compared with the great valley of Nepal; the great valley of Nepal, and the valley of Kashmir, are the two most considerable valleys in the Himalayas.

49. Do not the mountain passes of Tibet take at present very many days to traverse by beasts of burden; how many days, for instance, would the pass from Nepal, which is a rich valley, into Tibet, take a laden bullock?—There are several passes, and each takes one day to cross; but the whole country is mountainous on each side of the passes. I think by the Khatang Pass it takes about 12 or 14 days from Katmandoo to Tibet.

50. Must not all merchandize be conveyed on bullocks' backs?—At present the merchandize is conveyed by bullocks, ponies, sheep, or men. The roads

J. D. Hooker, Esq., are purposely kept in a bad state; but there is no reason why far shorter and better roads should not be made.
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51. The Himalayas being the highest mountains in the world, would not the expense of making a good carriage road across them be very great?—There is no necessity of making a good carriage road, but better roads might easily be made over the Himalayas than now exist over many parts of the plains of Bengal. The question is, however, how far we can best supply the existing demand of Tibet for Indian and Himalayan necessities, and how we can re-introduce European goods into Tibet; and the facts are indisputable, that England and India can supply Tibet incomparably easier, quicker, and cheaper than any other country can, and that the Himalaya is the only route.

52. Do you think the communication between India and Tibet would be very large, considering the nature of the country and the poverty of the inhabitants?—I think so, because the demand of the Tibetans is for the positive necessities of life, by the introduction of which at a cheaper rate the inhabitants would be enriched very soon, and there must then be a very large trade in these alone; when we consider that all the tea drunk in Central and Russian Asia is brought from China over a country as lofty and mountainous as the Himalaya, and far more difficult, being desert for many miles, and taking far more time than we should take to send it up over 80 miles of country; and that all the houses built in Eastern Tibet are built partly of wood, which is taken up from the Himalayas as it is; and if people in such a state of abject poverty as those of Sikkim and Bhotan are, and so depressed by their rulers, can drive a considerable trade in supplying Tibet with necessities, there is no doubt that that trade might be extended indefinitely by European capital and energy.

53. Does that wood all come from the Himalayas?—I have no doubt that it all comes from the Himalayas; some may come from Western China, which is even further off.

54. Are not the inhabitants of Nepal, excepting those who are in the valley of Nepal, extremely poor?—No; in that part of Nepal where I was, some of the landholders were very wealthy.

55. Are you speaking of the land below the hills?—No; of land which is all hill and valley.

56. What valleys were you in besides Nepal; were you in the valley of Katmandoo?—I was not in that valley; I was in several valleys of the Tambur river.

57. Are they not very small?—They are small, but numerous, and many miles long, and there is a great deal of space for cultivation; the people are extremely well off in Nepal, and are not in a state of poverty; we know very little of Nepal except those valleys visited, and that of Katmandoo; in the valleys next to Sikkim I found the people to be extremely well off.

58. I am aware that the people are far more thriving at Katmandoo than in most parts of India, because they are landowners, and have hereditary succession, and are subject to a very small assessment. Is not the greater part of the country of Nepal, going up to the westward, a very mountainous country, containing a very poor mountain population?—I am not aware of it; on the contrary, I believe that some of the valleys to the westward are considerable, and very richly cultivated; no doubt it is not the interest of the Nepalese to represent their country as too well worth our attention.

59. *Mr. Kinnaird.*] How long were you in Nepal?—About two months altogether in Nepal. I was two years in Sikkim, which is part of the same mass of mountains; only under a different government.

60. Had you any facility for travelling in Nepal?—Yes; Jung Bahadoor sent a party to escort me.

61. You think that the state of the ryots in those countries, as far as you could judge, contrasted favourably with some in our own dominions?—There is no comparison whatever between the state of comfort of the inhabitants of Nepal and those of Sikkim.

62. Or with those in our states?—I could not compare them at all, any more than I could compare the inhabitants of the mountainous parts of Scotland with those in the plains of Lombardy; the two countries and their peoples are totally dissimilar.

63. To what do you attribute their better state?—Very much to the better government under the Nepal Rajah than under the Sikkim Rajah, or under his

his dewan, who was a foreigner, and whose object was to impoverish the country, which he did very successfully. J. D. Hooker, Esq.,
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64. Was there anything in the tenure of the land which had to do with the improved condition of the people?—They have a better tenure of land in Nepal than in Sikkim; the tenure of land in Sikkim was in such a precarious state under the dewan that it was difficult to judge of the matter.

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95. From what you saw were you inclined to consider that the Nepalese Government was a vigorous and effective government?—It was very vigorous certainly. I think it might be improved very much, though I do not understand in what sense the word “effective” is used.

66. You have stated that the poorer classes in Nepal are better off than the poor of some other states?—They are very much better off than those of Sikkim or Bhotan. I think Nepal might be extremely improved by a more liberal policy on the part of the rajah towards his people.

67. Sir *Erskine Perry*.] And also by opening commerce to the country?—Yes.

68. Mr. *Kinnaird*.] What suggestions would you make for opening up the commerce in Nepal?—The only suggestion with regard to Nepal is that made to me by Mr. Hodgson of a treaty with Jung Bahadoor, which he, who knows Jung Bahadoor extremely well, thinks would be well received. Sikkim may be said now to be at our disposal. We had a commercial treaty with Sikkim which lasted for 20 years, under which we were to have had unrestricted commerce with the natives and access to the country; the terms of that treaty were broken by the servants of the dewan, who himself monopolised all the trade and commerce of the country. Since 1850 we have been upon no terms of any kind with the rajah; we then took what territory he had to the south of Darjeeling, and shut him up between Tibet and Darjeeling, and he was thus prevented from carrying on what little trade he had through Sikkim and Tibet, because the territory we took was the most productive he had. I have been repeatedly told by Dr. Campbell and others, that he is extremely anxious to come to any terms with the British Government.

69. Such a treaty, you think, would result in a greatly-improved trade?—Yes; any treaty that would result in our being allowed to have entrepôts upon the northern frontiers of Sikkim, so that we could there trade with Tibet.

70. With regard to Nepal itself, do you think any trade could be opened up with the Nepalese?—Mr. Hodgson says so, and I see no reason to doubt what he says; he was resident there for many years; he is strongly of opinion that Jung Bahadoor would gladly enter into a commercial treaty with us for the furtherance of the trade in British manufactures with Tibet; we of course bringing European goods to Nepal and he furthering them on to Tibet.

71. Are there any articles of export from Nepal itself?—Some of the chief articles of export from Nepal into Bengal are what the Nepalese themselves get from Tibet; shawl wool, musk, jewels, gold, and many woollen articles.

72. Mr. *J. B. Smith*.] Is there any interruption to the import of any articles from Nepal into our territory?—Not that I am aware of; I know nothing of the trade between Nepal and Bengal.

73. *Chairman*.] There is no free trade in Nepal, is there?—None with us; we are debarred access.

74. I presume the trade is in the hands of some few persons?—Jung Bahadoor, I suppose, takes care of that; the trade is usually in such countries in the hands of the authorities.

75. Mr. *Gregson*.] You have stated that the great difficulty in the way of trade is the want of access to Calcutta; what is the nature of the route from Calcutta to Darjeeling?—The only cheap access for goods is by boat.

76. What is the distance?—Between 400 and 500 miles.

77. Is there any railroad, or branch railroad in contemplation?—A branch railway is proposed from the Grand Trunk; I forget where it leaves the Grand Trunk.

78. You have referred to Mr. Hodgson as knowing these details; is Mr. Hodgson in this country?—He is at present in this country, but he is in bad health.

79. Mr. *Kinnaird*.] Is Mr. Hodgson in such bad health as to be unable to give evidence before this Committee?—I am afraid he would not be able to come at present, for this and other reasons.

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80. Mr. *Richardson*.] How are the crops watered in Sikkim?—In Sikkim there is no occasion for irrigation, or very little indeed; the climate is damp; it rains at intervals all the year: the irrigation is carried on by the streams from the hills. Rice is hence grown upon the apparently dry hill sides; a little irrigated rice is also grown in the flat-bottomed hollows: the great crops of the land are not irrigated as in the plains of Bengal.

81. What is the summer temperature?—At about 7,500 feet the mean temperature is very nearly that of London.

82. In the plains it is very warm, is it not?—In the plains at the foot of the hills the temperature is much the same as at Bengal; but more equable.

83. Sir *Erschine Perry*.] Katmandoo is about 5,000 feet above the sea, is it not?—Between 4,000 and 5,000.

84. Mr. *Richardson*.] Have you seen water-power applied there in any way?—I have seen water-power used to grind corn, but chiefly to turn the praying machines; they pray by putting their prayers into a cylinder, and having a man or water-power to turn it for them. I once saw an old water-mill in Sikkim, also, which had been employed for grinding flour; it was said to have been erected when the Chinese were in that part of the country.

85. You think that was left by the Chinese in former times?—Yes, they settled there, and had very fine crops in Sikkim, up to 12,000 feet; under a treaty with the rajah they left the country, and the cultivation was discontinued.

86. Have you seen any flax growing?—Yes, plenty, in Nepal and Sikkim.

87. Cultivated, or natural?—Cultivated entirely.

88. You have mentioned that there was gold in Tibet; does it come from the streams, or is it procured from mines?—It is dug from the soil in great abundance.

89. Is it procured by washing?—It is also procured by washing in the rivers; but most is dug in the soil in the form of nuggets.

90. Is there any export of flax?—None whatever; because it is abundantly cultivated in Bengal.

91. Is there any flax manufactured into linen or yarn?—None in Sikkim or Darjeeling.

92. Then the flax which grows there is not used?—It is cultivated for oil, chiefly; there is hand-weaving inside the houses, but they chiefly use cotton.

93. Have they hand-loom for weaving linen of their own native flax?—Their fabrics are chiefly woollens, cotton, and silks; comparatively very little flax is used because it is a wet climate.

94. Could flax be cultivated there to a large extent?—Yes, but I do not think it would be worth the while; much more profitable crops would be grain.

95. Flax could be grown in that country if it was wanted?—Yes; but there is abundance of land in Bengal, where far finer crops of flax could be raised than they could raise on the hills.

96. Mr. *Villiers*.] Have you any information at all upon the subject of our inquiry, as to the facilities or advantages of Europeans or English settling in this country?—I think I have shown that it is an extremely desirable thing that more Europeans should be encouraged to settle in these hill states; already we have been in Darjeeling nearly 20 years; the population has rapidly increased and is now very considerable; our settlement has been in every respect successful, and has civilised the country to a very great extent.

97. Europeans have already settled there?—Yes.

98. What business have they carried on, or what have they done?—They began by being builders, agents and traders, and now they are cultivators to a very large extent indeed.

99. Do Europeans possess land?—Yes.

100. Is there any difficulty in acquiring land?—None whatever.

101. Are the natives disposed to encourage the European settlers?—The natives have nothing to do with Darjeeling; it is entirely our own; and native labour is obtained in abundance for carrying on the cultivation.

102. Do you think this colonization could be extended with advantage?—With very great advantage to ourselves, to the natives, and to the inhabitants of Central Asia.

103. Has it been increased of late?—Very considerably since I left, which was seven years ago; we are now going to establish dépôts for European troops, and

and barracks are being built for three or four European regiments at 7,000 or 8,000 feet elevation.

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104. Have you dwelt at Darjeeling at all yourself?—It was my headquarters for two years.

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105. Can you describe the climate?—The climate of Darjeeling and Sikkim, between 7,000 and 8,000 feet, has very nearly the same mean temperature as London; there are all climates from 1,000 feet at the base of the hills, up to 10,000 and 12,000 feet, where there are residents of some sort, both native and European.

106. Are not the persons who have brought capital Europeans alone?—Yes; until very lately. Latterly some natives have brought capital there, but only to a limited extent.

107. Is tea consumed much in that country?—A great deal; it is the staple drink of all the mountaineers in that part of the Himalayas.

108. Is any exported?—None whatever: all at present is imported, for the tea cultivation is only just commenced.

109. Do you think it would be possible to export tea to any extent?—Very largely, when the plantations which have existed now for two years, and are most flourishing, shall begin to yield. We only commenced cultivating within the last three or four years.

110. Would it be possible to carry on an exportation of the produce of that country to any great extent?—Yes, if we possessed Sikkim or had access through it to the frontier of Tibet; the population of Sikkim itself is not at present large enough to consume any very large quantity of tea.

111. At present you think it would be impossible to export any produce from that country?—Not impossible; but in the present state of communication with Sikkim, there would be difficulties in getting tea from Darjeeling into Tibet.

112. Could the tea be sent from our other territories, to Calcutta for instance?—Perfectly well; in the meantime the Assam, Kemaon, and the North Western teas go to Calcutta.

113. Is Kemaon tea superior to the Assam tea?—It is not the same kind; it is superior in one respect because it is a finer kind, and it is inferior in another sense, because it has not the strength of Assam tea.

114. Has it been tried in any foreign markets?—Kemaon tea has been most favourably reported on in England, but it is fetching such a high price among the residents in India that it has never reached this country in any quantity. They only began to grow tea in Darjeeling about three or four years ago, and there is no reason why it should not be as lucrative a crop there as the Kemaon and Assam are. The plantations in Kemaon are about 14 years old.

115. Is there any disadvantage to settlers in the nature of the government there?—None whatever in Darjeeling.

116. What are the natives?—There are hardly any aboriginal natives at all. There are Hindoos, and immigrants of most of the native tribes of the Eastern Himalaya. There are a few of each in that part of the hills, but below 2,000 feet the mass of the people are Bengalees.

117. *Sir Erskine Perry.*] Are not these aborigines very black?—No; many are lighter coloured than the Nepalese; the aborigines, called Lepchas, are a Tibetan race, but there were very few in the territory when we bought it from the Sikkim Rajah.

118. In fact they were Mongolians?—Yes.

119. *Mr. Villiers.*] How long ago did we buy it?—I think it was about 1830.

120. *Sir Erskine Perry.*] Has not it recently been determined to build barracks for invalid troops, who are to be sent there for the recovery of their health?—It has long been used as a sanatorium for troops, and it is now the intention of the Government to send European troops up there at once on their arrival at Calcutta, so as not to expose them to the influences of the Calcutta climate.

121. *Mr. Villiers.*] Is the country productive naturally; is it a good soil?—A very good soil.

122. Are the supplies of necessities abundant?—There are abundance of fowls, European and tropical vegetables, fruit, and cattle; besides, all the European and native cerealia of India can be grown.

123. Who is it that produces those?—The European settlers, those Bengalees and other natives who have settled in the country at the base of the hills, and the native hill tribes who have immigrated from Sikkim, Nepal, and Bhotan, since we purchased Darjeeling.

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124. Can you give any idea of the population?—I mentioned what it was five years ago in my former evidence.

125. You have alluded to Mr. Hodgson; who is he?—He resided there as a private gentleman; he had an estate there.

126. Had he been in the civil service?—He was in the service of the Company, and a very eminent civil servant, and political resident in Nepal for many years.

127. Did he buy property there?—He bought property at Darjeeling soon after we made the settlement.

128. Did he cultivate his land?—He laid out his estate as a gentleman's pleasure ground; he did not concern himself with trade, or in any attempt to grow crops for profit; he merely took a piece of ground, perhaps 20 acres, which he converted into one of the most beautiful villa residences I ever saw; he had an excellent house, garden, lawn, &c., at an elevation where the climate is, as to mean temperature, that of England. But other Europeans have purchased land there for profit, and have been extremely successful.

129. Was that land purchased of the East India Company?—Yes.

130. Mr. Nisbet.] You talk of Europeans cultivating the land; do you mean land belonging to Darjeeling Proper or Sikkim?—Land belonging to Darjeeling Proper, in contradistinction to Sikkim, of which it was once a part, but Europeans should be allowed to settle in Sikkim too.

131. Is not Darjeeling Proper a very limited space?—It is as far as length and breadth are concerned, but you must consider that there are 8,000 or 9,000 feet of vertical height to cultivate, and proportionate extent of hill slopes and valleys.

132. What is the extent of acreage?—I have no idea.

133. I have understood that it is about 300 acres; is that correct?—It is more like 300,000 acres.

134. That could be cultivated?—Not all of it.

135. In what state is it now?—Very much is under forest, but there is infinitely more than 3,000 acres under cultivation at present; I think that one person has more than 300 acres in tea alone.

136. Is not the climate of Darjeeling very wet; does not it rain almost every day?—No, not every day, but very often. The seasons are very variable in this respect, and the climate has been very much improved since the removal of the forest.

137. Can Europeans cultivate out of doors?—They do; one of the best settlers, a Mr. Stoelke, a German, has cultivated out of doors for 20 years.

138. How long were you at Darjeeling?—I was two years on those hills, Darjeeling being my head quarters.

139. Was not it found after 12 months' residence that people who went up as invalids got no benefit?—Quite the contrary; the statistics of the sanatorium are most satisfactory. The number of Europeans repairing there annually increases rapidly. The European children born there are as healthy as in England. Dr. Campbell's whole family was born there, consisting of nine or ten children.

140. Chairman.] What sort of health did they enjoy?—Admirable health; they were entirely like European children, and not Asiatic born children.

141. Mr. Nisbet.] Could you get any extent of land?—Yes; I may observe that I was constantly out of doors for two years, that I travelled all over that country during the day, and I hardly ever travelled on horseback. I was never a day unwell in Sikkim or Darjeeling.

142. Is not the sun very hot?—Very hot in the low valleys, which are unhealthy; that is, when you get down in them to 2,000 feet.

143. Mr. Villiers.] You referred to a treaty of commerce that we had for 30 years, that was broken or disregarded. Was that with Nepal?—With Sikkim. We interfered at one time between Sikkim and Nepal. The Nepal rajah had overrun Sikkim, and driven out the rajah. I think this was during the Nepal war in 1817; we thereupon interfered and took Sikkim from the Nepalese, and set the rajah, who had been dethroned, upon his throne. At the same time we drew up a treaty, to the effect that we were to have commercial intercourse throughout his country, and he was to give us information of everything that happened; and we, on our part, guaranteed to protect him against Nepal on the west, against Tibet on the north, and Bhotan on the east, provided only that he would guarantee us this free-trade and intercourse.

144. That

144. That treaty lasted 30 years?—Yes, in this form the treaty lasted many years; but the terms of it were never kept by the rajah. In 1830 we desired to have a portion of these hills for a sanatorium, because of its great proximity to Calcutta. We then bought the territory, now called Darjeeling, from the rajah. We gave him double what he asked for it, and we founded the sanatorium, which has flourished ever since.

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145. Has the trade continued ever since?—The trade between Darjeeling and Bengal commenced then and has continued increasing ever since.

146. Between us and Sikkim?—No, certainly not. The treaty of commerce, from the very first, was never observed at all.

147. Then we cannot tell the effect of free trade between Nepal and Sikkim?—The trade to be established is between Bengal and Tibet, *via* Darjeeling and Sikkim: there has always been some trade between Bengal and Sikkim, and between Sikkim and Darjeeling, but none between Darjeeling and Tibet, or Bengal and Tibet, for which there are abundant resources. We can only tell what the trade was previous to 1780, when we had a trade with Tibet, through Bhotan, of which there is an account in Turner's Tibet, and in the records of Captain Bogle's mission, which are in the archives of the India House.

148. You say that there was quite restricted intercourse between the territory that we had and Sikkim?—Most restricted intercourse, because the leading man in Sikkim was most anxious to hold the commerce in his own hands.

149. Then you have no grounds to go upon as to the amount of commerce we might introduce into that country?—None whatever, except from my knowledge of the products of the countries and wants of the people.

150. In historical records, you find that formerly the British had a considerable trade with Tibet?—Yes; it was considered so important that the Indian government, between 1780 and 1790, sent up two missions to further that trade. Unfortunately the Nepal war broke out, and frightened the Tibetans, and put a stop to any further trade whatever along the Himalayan frontier of Tibet.

151. Is there any smuggling going on?—There is a good deal of smuggling between the Tibetans and Nepal. A considerable trade goes on still. A vast deal of wood goes from Sikkim. I have seen as many as 70 cattle, loaded with wood alone, going in one day over passes 18,500 feet high.

152. What do they take from Tibet?—Gold, wool, ponies, sheep, curd, salt, borax, jewels, musk, wheat and barley, flour, pottery, and many Chinese articles.

153. Have you any idea that they would consume any amount of the produce of this country there?—Good English broadcloths, cutlery, fire arms, glass, and iron ware they are extremely fond of; they questioned me more about broadcloth and cutlery than anything else.

154. Are any of those goods smuggled now?—Very little indeed of these.

Thomas W. Atkinson, Esq., called in; and Examined.

155. *Chairman*] YOU are the author of the well-known travels in Siberia?—Yes.

*T. W. Atkinson,
Esq.*

156. You were a long time in the central parts of Asia, were not you?—I was seven years in those regions.

157. How far did you go to the eastward?—To the sources of the Lena.

158. How far did you proceed to the south towards India?—To Tchín-si, a Chinese town in about 42°.

159. Is that in the Chinese empire?—Yes.

160. Below Tarbagatai?—At the end of the Syan Shan mountains, considerably south of Tarbagatai.

161. Did you go as far as Kashgar?—No; I went up to the Muss-tou mountains, within 70 or 80 miles of Kashgar. I did not cross them; I went to the sources of the Jaxartis.

162. Did you approach anywhere to that part of Chinese Tartary to which the German gentlemen, Messrs. Schlagentweit, whom we examined last year, went?—They were at Khoten; that would be about 200 miles more to the south.

163. Did not one of them go to Yarkand?—No; they did not go to Yarkand.

164. Will you have the goodness to say how far the Russian trade with

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Central

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Central Asia has increased in amount?—It would be impossible for me to tell you; that would be easily obtained from Russian sources.

165. Can you say whether it has increased or not?—Since 1821 it has increased very considerably.

166. From your observation, in what articles principally has that increase taken place?—In calicoes, iron, copper, hardware, and leather; those are the principal things.

167. Did you meet with any articles of English manufacture on your travels?—I met with English calicoes which had been brought from Khokan.

168. How did they find their way to Khokan?—My impression is that they were most probably brought from the Indus through Kashmir to Yarkand. I should think that is the only route.

169. By what routes do British manufactures penetrate into Central Asia?—That is the only way, except by small caravans coming through Persia.

170. Then they would come through Trebizond?—Yes.

171. Were the calicoes that you noticed dyed or undyed?—They had been sent undyed to Khokan, and there they had been printed or dyed by the people in a manner peculiar to themselves, in broad stripes, in exceedingly vivid colouring.

172. Do not the Russian caravans come to the Chinese frontiers?—There are three points where the Russian caravans start from: one from Orenburg, at the southern end of Oural; one caravan starts from there and goes to Khiva and Bokhara, Tashkend, and on to Khokan; another point for them to start from is Petropavlovsk, that is still more to the eastward, that is a Russian town on the frontiers of the Khirgis Steppes not very far from Omsk. The caravans go from there to Bokhara, to Khokan, and some of them to Yarkand; the time it takes a caravan to go from Petropavlovsk to Bokhara is 90 days; then there are other caravans starting at Semipalatinsk, they principally trade with the Chinese towns of Kuldja and Tchoubachack; those caravans go with camels provided by the Kirghis; the Chinese caravans come with the tea from the tea provinces to Kuldja.

173. Have not the Russians lately opened another route of communication with China besides Maimatchin?—Yes, they wish the Chinese to bring the tea to Tchoubachack; as it is so much further to the west they would be able to take it down the Irtysh, and so by water almost the whole way to Russia.

174. Is not the place you last mentioned two or three degrees nearer to Russia than Maimatchin?—It is at least 2,000 miles nearer, and saves them all that land carriage; Maimatchin is on the Chinese frontier, and Kiakhta is the Russian town.

175. Do you think English goods, if great facilities were opened possibly from Persia, would have a chance of competing with the manufactures of Russia in Central Asia?—I should think they would; much would depend upon the price; the price in England is less in the production of the article, and the freight to India is far less than the land carriage from Russia, where she has to put them on the caravans.

176. Railways being projected from the Indus towards the Bholan and Gundava passes, do you think that by those increased facilities being given English manufactures might find their way much better than they do now into Central Asia?—I should think so; I do not know much of that portion of Central Asia; I can only tell you the routes into Khokan and Yarkand, or into that region.

177. Are the people in Khokan, Yarkand, and Bokhara well enough off to consume European produce?—Yes; there are other tribes in Central Asia where the people are very well off; in the Kirghese hordes they are rich.

178. Mr. Richardson.] What is the population?—Somewhat more than 3,000,000.

179. Chairman.] Do you think there is a reasonable prospect of that country being opened to British manufactures in future?—I should think so.

180. Are calicoes the principal thing you have seen?—Yes; woollen cloths would be worn if they could be obtained.

181. You think woollen cloths would be taken?—Yes, but they must be of particular colours; dark colours would not sell, but vivid colours, red, crimson, yellow, green, or light blue are much admired; dark blue would not sell.

182. Did you bring any specimens of manufactured articles from that country?—I had several costumes, but unfortunately they were left behind. I found things

things accumulated so fast, that having to travel on camel and horseback, it was impossible to bring as many things as I desired.

183. Had you any specimens of calico?—Yes, which I promised to send to Mr. Potter, of Manchester, who takes some interest in the matter.

184. Have the Russians taken great pains to push their trade in Central Asia of late years?—Yes, and they are doing so now.

185. Can you give the Committee a more exact account of the articles furnished by the Russians to that part of Asia?—Principally calicoes, leather, copper, iron, hardware; tea of course they have none to send, and gunpowder is prohibited.

186. Are not the inhabitants of the whole of Central Asia very large consumers of tea?—Very large indeed.

187. In what shape does the tea go to that country?—The wealthier classes drink excellent tea, but the poorer classes drink brick tea.

188. How is the brick tea made up?—Brick tea consists of the last gatherings of the tea crop, the leaves and stalks and all the refuse; instead of its being dried as other teas are, it is moistened and mixed up with bullocks' blood; afterwards it is put into a mould and pressed, hence its name brick tea. It is so solid, that you have to cut pieces off with an axe; after that it is rubbed in the hands and put in the vessel in which it is boiled; then smetanka, a species of clotted cream, with a handful of millet meal, is added; those are the ingredients which form the tea, as it is always called; it is not pleasant to hear it described, but I have very often found it an excellent supper.

189. Sir *Erskine Perry*.] What is that brick tea sold for a pound?—It is bought by the brick, weighing from 4½ to 5 lbs. For this 3 s. 2 d. is paid, so that it is about 8½ d. a pound.

190. *Chairman*.] Do you think that if good tea were grown on the range of the Himalaya mountains there might be some chance of supplying Central Asia with it?—Yes, I think so; the quality used by the wealthier people is excellent, such as we scarcely ever meet with in England.

191. From what part of China does it come?—It is bought in Kuldja.

192. Sir *Erskine Perry*.] What does it sell for a pound?—Three shillings and twopence; a silver rouble is about the price: money you cannot use; you give a sheep for a pound of tea; a sheep is worth 3 s. 2 d.

193. *Chairman*.] Are sections of the brick tea used as a sort of currency in that part of the world?—Yes, that was an article I carried with me. I have had as many as 100 of those bricks to travel with: it was the only money; but there is a tea brought into that region of a very fine quality that costs 25 s. a pound.

194. Sir *Erskine Perry*.] Is not that caravan tea sold in most of the cities on the continent for 40 francs, or 1 l. 12 s. a pound?—The highest priced tea that comes into Russia is about 25 s. a pound; there are other qualities, but these can scarcely be called an article of commerce; they come in small boxes, and are generally given as presents.

195. *Chairman*.] How many miles do you think the tea travels to arrive at Bokhara from China?—The Chinese bring it to Kuldja; from Kuldja to Bokhara would probably be from 800 to 1,000 miles.

196. Is not the nearest point of the Indus to Bokhara very much shorter than from Kuldja to Bokhara?—I think not.

197. Sir *Erskine Perry*.] Is it not the case that English commodities with the Russian mark find their way into Central Asia?—Sometimes I have seen Chinese goods in the centre of Siberia that have been brought from London, and sold cheaper than the Russians could bring them from Maimatchin.

198. That is with respect to Chinese goods with the Chinese mark; with regard to Russian goods, it has been stated in this country that many of the articles supposed to be of Russian manufacture were, in point of fact, manufactured at Manchester with the Russian mark; does that accord with your experience?—I am not aware of it.

199. In the case of calicoes, do you think you are sufficiently acquainted with their manufacture to be able to distinguish at a glance between Russian and English calicoes?—I think I understand the difference between the two.

200. Do not you think it is possible that the manufacturers of this country, in order to suit the tastes of the people, may have assumed the Russian appearance in their goods, in order to get a sale for them?—Probably; but Russia

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has an advantage over the English manufacturer, being immediately near the Asiatic tribes, whom she has long supplied with printed calicoes,—therefore knows the style and colour which suits their taste. The white English calicoes are undoubtedly preferred, and if printed and glazed like those produced in Khokan, they would secure a preference in the market.

201. Are you inclined to disbelieve the statement that has been made, that very often what are considered Russian manufactures are English manufactures with the Russian mark?—I think it would be very difficult to get them into Russia; the duty on English goods is almost prohibitory.

202. Is it not quite probable that our goods might go by Persia from the Indus, and find their way to Central Asia by Bokhara?—If the caravans crossed the Indus they never touched upon Russia at all.

203. I am suggesting what I have heard stated; in point of fact English goods find their way into Central Asia with the Russian mark upon them to please the customers, and satisfy their tastes?—The caravans which bring the English goods into Central Asia obtain them, I presume, at Yarkand. Then the Tartar merchants disperse them all over the hordes of Central Asia without touching upon Russia at all, or coming near a Russian custom-house; there would be no advantage in putting a Russian mark upon them; what is required is the pattern and the colour.

204. Mr. *Kinnaird*.] Were you enabled to give Mr. Potter, of Manchester, a sample of cotton of this peculiar colour?—Yes; I saw him this morning, and I promised him that I would enclose a strip to him.

205. Are you at all aware what are the taxes levied upon the caravans after they pass the Russian frontier?—That is optional with each sultan; a few pounds of tea or a piece or two of calico satisfies, and the merchants understand these matters. At present Russia is making rapid strides in that direction; she is now trying as far as possible to make the whole of the great plains of Central Asia a portion of the Russian empire.

206. You think that is evidently the policy of Russia at this time?—It is not only the policy; it is the fact.

207. Is Russian interest among all those tribes very great?—She has great influence, and is surrounding those tribes.

208. Is she able, by her existing means, to protect the caravans in their transit with goods?—To a certain extent she is; in the little and middle horde completely so, but in the great horde not always. The Tchornie or Black Kirghis, who inhabit the mountains to the west of the Ili, are a warlike race, and more difficult to manage. They form an immense body of irregular cavalry, and sometimes make a descent on to the plains, carrying off men, women, and children, and vast numbers of horses, camels, and cattle. The caravans, however, contrive to keep clear of them; still accidents do happen.

209. The general supposition is, that the Kirghis are nothing but a vast horde of robbers; you describe them as something better?—To a certain extent they are robbers, as they often plunder each other; the different hordes are continually at warfare amongst themselves.

210. You think they are capable of consuming a considerable quantity of goods?—They consume a vast quantity of goods; it is not at all uncommon to find a Kirghis sultan who has 10,000 horses; he will have probably 2,000 camels, 50,000 oxen, and sheep innumerable.

211. In fact some of them are very wealthy indeed?—Very wealthy indeed; I have frequently seen herds of horses belonging to one man containing as many as 9,000 or 10,000.

212. With improved communications by the Indus, do you think we shall be able to compete in those markets with the Russians to great advantage?—Certainly, with hardware; that is very important; needles and all sorts of things of that kind; there is a population in the plains of Central Asia of probably 5,000,000 people, who would be very glad to get those things; Russia finds it to her advantage to send them; and they know the difference between English hardware and Russian.

213. Do the Russians supply arms to the natives?—No.

214. On principle?—On principle.

215. Do you think that the Russians will be able eventually to compete by means of the Amoor for the Indian trade?—That is too far to the east to convey Indian merchandise by this route into Russia; still it may benefit Siberia materially,

materially, as the mineral wealth of these regions is enormous. This is a route by which English goods might find their way into Daouria and Mantchooria; the Americans are now forcing a trade that way; they have establishments on the Amoor.

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216. *Chairman.*] The Amoor is frozen for a great part of the year, is it not?—For six to seven months in the year, but the time is not far distant when Russia will have other ports in this region than the mouth of the Amoor.

217. *Mr. Gregson.*] You speak of the chiefs owning 10,000 horses and 50,000 oxen; are those chiefly employed for agriculture or in the transit of goods?—They have no agriculture; the horses and oxen are sold to Siberia, to China and Persia.

218. Are those horses of considerable value?—Certainly; they are worth about 25 s. each; but they have a breed which they value at 300 l. each.

219. Those are exceptions?—Yes; they are a very fine race; but the general value is from 25 s. to 50 s.; this is caused by a difference in the races.

220. What are the oxen worth?—An ox is not worth more than 30 s.

221. *Mr. Kinnaird.*] Is any leather manufactured in that country?—No; they manufacture horse trappings from Russian leather.

222. What becomes of the skins?—They are all sent to Siberia, and then into Russia.

223. And then are re-sent as manufactured leather?—Yes.

224. *Mr. Richardson.*] Is any gold found there?—Yes.

225. *Chairman.*] Whereabouts is the gold found?—In most of the small mountain ranges, south of the Altai.

226. *Mr. Richardson.*] Is the gold found in the rivers?—No; the gold has been found in the mountains, where it is usually deposited in the ravines and valleys.

227. Is it in the earth or washed out?—It has been disintegrated from the quartz rocks in the higher regions, and then carried down by the torrents. They obtain it by washing the sand in which it has been deposited. Even in the Kirghis steppes gold is found, and some exceedingly rich silver mines.

228. Is it found in nuggets or dust?—It varies; in some places it is found in grains, in others in nuggets.

229. What sized nuggets have you seen?—The largest I have seen was about 84 lbs. in weight; it was considered the largest nugget in the world for a long time; 10 lbs. is quite common in some of the mines.

230. You have mentioned that gunpowder is prohibited; by whom is it prohibited?—By the Russians, who will not allow it to go over their frontier.

231. Is there any other way it could be got than through Russia?—They get it from China and Persia: but it is very bad indeed.

232. Do they use linen there at all?—Not much; they have wild flax in abundance.

233. They do not cultivate it at all?—No.

234. In what part does the flax grow?—In the regions to the east of the Jaxartis or Sihon, and in the vicinity of Khokan; it grows to a very large extent on the steppes; it is indigenous; so is madder, of a particularly fine quality.

235. Does any kind of hemp grow there?—None, that I am aware of.

236. *Mr. Villiers.*] How do you call these people of whom you have been speaking?—Kirghis.

237. Are they in the tribe state?—Yes; there are sultans in most of the tribes, but no independent monarch amongst them.

238. Are they living in a civilised state?—They are nomades, never remaining on the same place more than eight or ten days; theirs is a life of constant migration.

239. You have been amongst them, have not you?—I lived a long time amongst them.

240. You have stated that you think they would prefer our goods to the Russian goods?—Yes, I know they would, because they understand the difference in the value of the material.

241. Then they have had an opportunity of comparing them?—They have but only a small quantity comes to them.

242. How does any come to them at all?—Across the mountains from Kashmir to Yarkand.

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243. Have any of our merchants speculated upon sending goods?—I am not aware; the Tartar merchants of Central Asia bring the goods by caravans.

244. What are the articles you suppose they would prefer of ours?—Printed calicoes if they were printed in the way that suits their taste; woollen cloths and velveteens; velveteens they would buy; it would be an article of great consumption, as they all wear very wide trousers; some are made of velveteen, but it is so expensive that it is only the wealthy that can obtain it; whenever you see a sultan or a chief you find him in velveteens very richly embroidered with silk; this is done in Khokan, and his velveteen trousers become a matter of great cost to him.

245. Do they wear a costume of that sort generally?—Yes.

246. Are they well dressed?—They are well dressed; frequently in silk.

247. Not only the sultans but the people?—Yes, they wear garments of most vivid colours; and when seen together they make the most picturesque groups of people it is possible to imagine.

248. Is their wealth obtained by robbery or by trade?—By breeding cattle.

249. Are the cattle exported to different countries?—Yes; in exchange they get tea and silks from China; other goods they get from Russia, such as printed calicoes, leather, and hardware; those are paid for in sheep; the sheep are taken to Petropavlovsk and Ekaterineburg. Formerly the tallow was sent into Russia; now it is smelted into stearine, and supplies the whole of Siberia with stearine candles.

250. Is agriculture much advanced?—They have none.

251. How can they feed their horses, of which some, you say, have 10,000?—They feed on the plains.

252. The horses are sent to market after they have been allowed to rove on the plains for a certain time?—Yes, their horses are never put under cover.

253. Do these people know anything of the English?—They may have heard of them from India; but they had no knowledge of an Englishman till they saw me. I was a very great curiosity amongst them.

254. How came you to be resident amongst them?—I spent seven years in travelling over these regions.

255. What is the precise title of your work?—*Oriental and Western Siberia, and Chinese Tartary*; but that contains only a small portion of my travels.

256. Have these people any religion?—Some of them are Mahomedans; there are other tribes that are Budhists.

257. Were there any missionaries amongst them?—No.

258. They have no prejudice against us, you think?—No; if we leave them to their own religion they can be managed easily.

259. Colonel *Sykes*.] What are the parallels of latitude to which the observations which you have just made apply?—Kaldja is in about 42 deg. 46 sec. of latitude, and longitude 82 deg. 48 min.; Tchoubachack is in 46 deg. 40 min. latitude, and 83 deg. longitude. Then I extended my journey eastward to 115 deg., and westward to the shores of the Jaxartis. About 41 deg. was the furthest point that I got south. I believe I was within 600 miles of Pekin; and if the winter had not set in, and I had arrived a little earlier, I should have pushed further; but I found I should be cut off in the great desert of Gobi.

260. Then your observations apply to localities extra tropical?—Yes; I have rambled over almost the whole of Siberia.

261. In reference to a question which was put to you by Sir Erskine Perry, I presume, from the answer that you have given, you are not aware that in a collection of manufactures, made at Shikarpoor by the late Sir Alexander Barnes, it was found that some of the manufactures, with the Russian mark, had an English origin?—I am not aware of it.

262. With regard to the cost of tea of which you have spoken, of course the very high price at which it sells in Russia must be owing to the extensive land carriage, and not to its intrinsic value?—No; you cannot buy tea at Maimatchin of the lowest quality for less than a silver rouble, or 3*s.* 2*d.* Tea is an article of great consumption amongst all these tribes. They grow no corn; they eat animal food, horse flesh and mutton, and drink koumis, made from mare's milk. They have hyran (cheese), made from the milk of cows and sheep, which is dried in the sun till it becomes as hard and very like limestone; when used it is broken into small pieces, and then softened in water. I have sat down at a brook and made an excellent meal of it.

263. *Chairman.*]

263. *Chairman.*] Do not they eat any grain at all?—No, they have none; they get a little rice from China, but that is a luxury.

264. *Colonel Sykes.*] You have stated your opinion that European manufactures now sold in Central Asia, coming from the Baltic, could be sold at a very much cheaper rate if they were sent up the Indus, and so to the westward?—I think so.

265. Therefore, it is a great object, is it not, to open up the Indus and the passes of Afghanistan to that trade?—Yes; if you can get any roads to bring goods to Yarkand, where the caravans for Central Asia start, you can then distribute the goods over the immense area of Central Asia.

266. *Mr. Villiers.*] How did you find the climate?—Very good. It is very hot in the summer on the plains of Asia. I have known it from 50 to 55 degrees of Reaumur, that is 145 degrees of Fahrenheit.

267. Did your health suffer from any other cause than extreme heat?—No.

268. *Sir Erskine Perry.*] Do you mean that the thermometer marked that heat in the sun?—I mean in the shade, on the sandy plains. On the banks of the Lepsou we had it as high as that.

269. Have these people anything that they can exchange with us?—They have immense quantities of wool, camels, horses, and cattle.

270. *Mr. Campbell.*] Are you aware that tea is produced on the hill territory of the Himalaya, at about 6*d.* a pound?—I am not aware of the value of the tea; I am aware that it is produced there, and if it can be produced at that price it certainly would find a market in these regions.

271. Would not it supersede the other tea that you have talked about?—Decidedly; the brick tea costs 8½*d.* or 9*d.* a pound.

272. Are you aware that Afghan buyers in the Bombay markets are constantly found to purchase English goods for the Kabool, Balkh, and Bokhara markets?—I have heard so.

273. Notwithstanding the difficulties of river transit, occupying about six months, and with land carriage on the other side of the Jumna of about 1,500 miles, are you aware that that trade is still carried on?—I am aware of it.

274. When railways are introduced to the frontiers of those provinces, would a material extension of our trade to that country take place?—I think it would; I am very much surprised myself that no English merchant has made an effort to establish agents in Khokan.

275. Do not you think that trade would be more fully developed if the robber tribes which infest that country were kept in check, and if friendly treaties were entered into with the petty chiefs by the British Government?—I think so.

276. Are you not aware that caravans are frequently robbed?—Yes; but not frequently. I have seen a Russian merchant who had been kept 17 years a prisoner by one of these sultans.

277. May not the non-existence of these treaties, and the risk of the robbery of the caravans, be one of the reasons that has induced British merchants not to settle there?—There would be no fear in Khokan, but the British merchant, I apprehend, would have nothing to do with the caravan himself; he would only have a mart from whence he would supply the goods, and the Tartar merchants would take that risk; they are usually provided sufficiently with arms to protect themselves, but there have been instances in which they have been robbed.

278. Are you aware of the comparative cost of transit of goods by the Indus or by the Ganges to those countries?—No; I know what a camel carries; for instance, taking the caravans from Russia, a fine large male camel carries a load of 18 poods, or 648 lbs.; a young male camel carries 15 poods, or 540 lbs.; the females are loaded with 12 poods, or 432 lbs., and they will travel with those loads 30 and 35 miles a-day, in about 12 hours, for 40 days together.

279. *Colonel Sykes.*] Does a camel travel more than two miles or two and a quarter miles an hour?—I have seen them travel three miles an hour.

280. *Sir Erskine Perry.*] A laden camel?—Yes.

281. *Mr. Campbell.*] In exchange for the commodities which this country might send to the countries in Central Asia what could we get; I understand you to state that they have no bullion or coin?—Precious metals are found in those countries in the mountains; madder and other dye stuffs would be brought from Khokan and Tashkend; dried fruits, raw silks and hides; silver

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and gold are in bar; and if the trade was opened up their resources would be opened up also. A variety of articles would be found to send to this country; for instance, precious stones and lapis-lazuli.

282. Looking at the cost of carriage in the countries where railways did not penetrate, and where camels might be the only means of conveyance, what valuable commodities are there that could be given in exchange?—Gold, silver, wool, madder, silk, and dried fruits. I will mention one fact that occurred while I was there. About three or four days' journey from Khokan I was very much surprised one day to find that a merchant had been searching for me. He was a Persian that had been in London, and was returning with his caravan to Kuldja. He had heard from the tribes that there was an Englishman in the region; he searched me out, and came and spent three or four days with me. He proved to me beyond all doubt that he had been in London, for he had stopped at Charing Cross, and had bought a pair of pistols and an English watch, of which he was very proud. He had carried his goods through Persia, and was then going to Kuldja to dispose of them and take another quantity of Chinese goods, and return into Europe.

283. *Mr. Nisbet.*] Would European traders be allowed to go there?—Yes; they would have no difficulty in Khokan; in Bokhara they would.

284. Did you find any trouble or annoyance?—No. I had an escort of cossacks given to me by the Emperor of Russia. When we got into those regions they were obliged to put off their uniform; it would have been dangerous for them to wear it.

285. If any European went there would he require an escort?—No, not in Khokan. I was travelling among the wild tribes.

286. Do not you anticipate that the trade in European articles should be carried on chiefly by the natives of the country, and not by Europeans?—Yes; the Tartars are the people that must distribute the goods if there were a mart in Khokan or Tashkend, or even Yarkand; the caravans would take the goods and distribute them far wider than a European merchant could.

287. *Chairman.*] The English agent would merely reside at the dépôt?—Yes.

288. And he would employ the agency of others as carriers?—Yes; they would pay him for his goods in gold or whatever it might be.

289. Is the Kokan government a strong government?—It is at present.

290. Is it a government which would protect traders?—I think so; it depends on how long it may remain; Russia may say something.

291. I think Sir Alexander Burnes mentions in his travels in the interior of Asia, sugar being there; where is it produced?—It is brought from China; I met with it in the shape of sugar-candy; I never met with it in the cane; immense quantities of melons and apricots are grown; dried apricots are a great item of trade with Russia and with all Siberia.

292. *Mr. Villiers.*] Is there a good deal of jealousy or fear of Russia amongst those people?—There is fear, not jealousy.

293. *Chairman.*] Does not the river Sihon run into the Sea of Aral?—Yes.

294. How far is that river navigable?—Up beyond Khokan.

295. Is it a river which might be made use of at some future time as the means of conveying goods?—Russia has steamers upon it now, which go up beyond Khokan.

296. Have not the Russians taken great pains to make a station at Asterabad, on the south of the Caspian Sea?—Yes they are making a large port there.

297. Do not the Russians look upon Asterabad as one of the keys to the commerce of Central Asia?—They do; I have not been at Asterabad, but I know the circumstance.

298. Have not the Russians, in fact, taken all sorts of means of opening a way for trade into Central Asia and towards China?—Yes; their great object is to get possession of the caravan route from China to Persia; which passes through Kashgar and Yarkand.

299. *Mr. Villiers.*] Is the object of the Russians in doing that commercial, or for the acquisition of territory?—Commercial. I think at present it will give them the command of all that trade.

300. They acquire a monopoly of trade by that means between Persia and China?—Yes.

301. *Mr.*

301. Mr. *Richardson*.] What form of government is there at Khokan?—An independent khan.

302. To what extent does his territory go?—It is not very large.

303. About what is the population of Khokan?—The population of the town of Khokan is about 160,000.

304. Mr. *Villiers*.] What language do they speak?—Turkish-Tartar.

305. You stated that you had an escort from the Emperor of Russia; had you any previous communication with that government before going into those parts?—Yes; if I had not received a passport to leave the frontier, it would have been impossible for me to have extended into Mongolia and other regions.

306. Did you enter Asia through Russia?—Yes.

307. You had a passport from the Russian government?—I had a passport from the Emperor himself, which enabled me to leave his empire and re-enter it wherever I chose; otherwise, upon the frontier they would not have permitted me to leave.

308. Was the passport of any use to you out of the Russian dominions?—None whatever.

309. What was the escort that the Emperor of Russia gave you?—Three Cossacks.

310. When you crossed the frontier, you have stated that the Cossacks were obliged to leave off their uniform; were they then of any use?—Their arms were of use; besides, I took the Cossacks from the different regions where they spoke the language of the tribes I was going amongst. I could speak Russian with the Cossacks, and then they acted as interpreters for me.

311. Did they act the whole time you were in those parts as your interpreters?—I had, during the seven years, different men from the different governments.

312. Then you had no means of communicating with the natives, except through the Cossacks?—In some instances I had.

313. Had you any means of communicating with these people in their own peculiar language?—Yes, sometimes.

314. I presume you found none of the people able to speak English or French?—No.

315. Did you state that you spoke the Russian language yourself?—Sufficient to travel.

316. Were you interrogated as to your objects in going there by the Emperor of Russia?—He asked me to state distinctly what my object was, and I did so. I had found great difficulty with the government, when I made an application to be allowed to travel, and then I came to the determination that I would apply to the Emperor for his permission. I made an application through Mr. Buchanan, our minister in St. Petersburg, and in three days I had the Emperor's order to travel.

317. Did he apprehend that you had any political object in travelling?—He desired to know my object in travelling, and I told him it was to sketch the scenery of the country, and to make notes of anything I thought valuable.

318. Have you any reason to suppose that there was any jealousy of the English on the part of the Russian government?—I am convinced that the Russian government would not have allowed me to go if I had not adopted that course.

319. How did you collect the opinion that the Russians wish to establish a commercial monopoly between Persia and China?—I know as a fact that they are doing it.

320. Did any of the persons with whom you communicated amongst those tribes apprehend that that was their object?—The tribes of Central Asia know very well that Russia is surrounding them with forts, and that the time is not very far distant when she will say, "You must pay tribute; and not only pay tribute, but become soldiers when it is necessary."

321. Did they speak of that with any apprehension?—Yes.

322. Do you think they would receive with favour any further communication with another power?—I dare say they would. England lost a favourable opportunity of making acquaintance with them a few years ago.

323. Do you think they have any distinct idea of the British power in India?—Yes.

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324. How do they regard it?—I should say they regarded it favourably up to within the last few years. I do not know how they might feel since the insurrection.

325. They do not think that we should do pretty much by them as the Russians have done?—No.

326. Mr. *Kinnaird*.] You seem to think that they have just notions of the English in those parts?—Yes, I think so.

327. How do you think they arrived at that information?—They know from the caravans that the English are in India. When it was known that I was an Englishman I was very favourably received by many of these people.

328. Instead of there being any prejudices against an Englishman, on behalf of the natives in those parts, it was rather in your favour than otherwise?—Certainly. I never changed my costume, although I was advised to do so, and put on that of an Asiatic, which it was said would afford me more security. I found myself favourably received in my own costume, and I should recommend others to adopt this course.

329. Mr. *Campbell*.] Are not the Russians favourably received in those parts?—They look upon them with jealousy; the military government of the Russians has created a very great prejudice against them.

330. Were you there before the invasion of Afghanistan by our army?—No; afterwards.

331. Did that create any unfavourable impression, are you aware, on the part of the chiefs at Khiva?—I was not there; but my impression is, from what I could gather, that the death of our two officers, Messrs. Conolly and Stoddart, was solely their own fault.

332. Are you not aware that Dr. Woolf, who went out in search of them, was of a different opinion?—Yes; several Russian officers and merchants of my acquaintance who have visited Khiva do not agree with Dr. Woolf; they believe that these officers were sacrificed by their overbearing conduct, believing they could command the Khan of Bokhara as they would a regiment on parade at the Horse Guards.

333. Mr. *Gregson*.] How was it their own fault?—From being somewhat insolent.

334. Mr. *Nisbet*.] How did you communicate with the Persian merchant to whom you have referred?—He spoke Kerghis with my people.

335. Were you able to talk to him yourself?—Very little; he understood a few words of English.

336. Colonel *Sykes*.] During the whole of the time that you were traversing Central Asia, did you meet with many personal dangers or risks?—Some.

337. Had you any loss of baggage from robbers?—No, I lost nothing in that way; if you once enter a chief's yurt and partake of tea or food with him, so long as you remain there your person and property are perfectly sacred. I have laid down in a robber chief's hut and slept close to him with perfect security, knowing the next day he would try to plunder me.

338. Notwithstanding you were among these various independent tribes, during the seven years you were there you never were plundered?—Never; I never lost a single thing by plunder except in Siberia; there I was robbed by convicts. I believe a man may travel by the caravan routes through these regions with perfect security, if he has firmness and deals honestly with the tribes. I should not hesitate going by these routes through Central Asia without either guide or escort, and I believe I could make my way to Peking; but there are other regions where I have found it sufficiently dangerous to satisfy most men.

339. Mr. *Gregson*.] Did you take any special precautions?—I was well armed, and I showed them that I could use those arms if it was necessary.

340. Colonel *Sykes*.] Had you not an escort with you?—I had the Cossacks, and if I had ordered them to shoot a man they would have done it in a moment.

341. Mr. *Campbell*.] You had nothing very valuable with you, I suppose?—They did not know what I had; I had no bulk of merchandise; the sultans and chiefs could not understand why I was travelling, as they could see no great quantity of merchandise; my arms were the most valuable things I had, according to their ideas.

342-3. Mr.

342-3. Mr. *Richardson*.] You have stated that you had a passport from the Emperor of Russia to enable you to leave Russia and to return again; had you any intention of returning when you first went to travel?—My object was to travel through Siberia, Mongolia, and Chinese Tartary; it was therefore necessary for me to come into Russia when I got to the eastward.

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Colonel *Henry Blois Turner*, called in; and Examined.

344. *Chairman*.] YOU are, I believe, a Colonel in the Indian army?—Yes.

345. In what part of India have you been?—The principal portion of my service was in Bombay, but the six years from 1851 to 1857 I passed in Scinde; I left India in 1858, and the last year I was in Bombay.

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346. Your evidence, I believe, principally extends to Scinde?—Yes.

347. Have you considered how far the climate of Scinde is injurious or otherwise to the health of Europeans?—I think Kurrachee is a favourable climate to Europeans, but the rest of Scinde is extremely the contrary.

348. Have you known children of European parents to suffer from it?—I have; Shikarpoor is particularly unhealthy; during my residence I knew of no instance where a child of European parentage, residing at Shikarpoor, attained the age of three years.

349. Are there any sanatory stations in Scinde?—None whatever; I presume by sanatory stations you speak of hill stations; there is a place that the troops go to, on the coast, close to Kurrachee, where the climate is better than it is at Hyderabad; it is not hill climate; it is on the level of the sea, or nearly so.

350. Can you give any idea of the great extension of commerce that has taken place of late years in Scinde?—I know by the last returns that the external commerce with Kurrachee had arrived at nearly 2,250,000 *l*.

351. How does that compare with the commerce of previous years?—I have Mr. Dalzell's last report, which shows that the increase is very large: it is 52 per cent. upon the previous year. The trade of the year 1857-58, which is up to the 30th of April 1858, was 2,160,000 *l*.

352. Mr. *Villiers*.] What trade was that?—Export and import.

353. Mr. *Campbell*.] Will you separate the exports from the imports?—The exports amounted to 1,080,000 *l*., and the imports to 1,080,000 *l*. nearly.

354. *Chairman*.] Can you compare that with the trade of previous years to show the progress of the commerce?—I find I can only compare it with the previous year; the imports of 1857-58 show an increase upon the imports of the previous year of 58 per cent.; the imports of the previous year were 685,000 *l*.

355. Is it not probable that a great future increase will take place?—I have no doubt the increase will continue; but I do not suppose it will continue always to the same extent; it has been progressive from the commencement of taking possession of the country by the English Government.

356. What works are being adopted which will most probably extensively increase the trade?—An improvement in the means of transit, and more particularly the improvement of the harbour.

357. Mr. *Campbell*.] Would not the extension of the European force in Scinde, by reason of the mutiny, be one great cause of the increase of 58 per cent. of imports in that year?—I do not think it had much to do with it; the increase is exclusive of all Government stores.

358. You are aware that the requirements of a European for what we may call creature comforts, as compared with the native, are about ten-fold; therefore, might not the vast number of European troops sent in consequence of the mutiny account to some extent for the increase?—I am unable to say to what extent that may have influenced the increase. If you go back to previous years you will see that the trade has been regularly and rapidly increasing year by year, quite independently of the circumstances connected with the mutiny.

359. *Chairman*.] You have stated that one means of the future extension of the commerce of Kurrachee will be the improvement of the harbour; what improvement of the harbour is contemplated?—The removal of the bar at the entrance is the principal improvement contemplated.

360. What sort of a harbour will Kurrachee then be?—It will be a harbour in which vessels drawing 26 feet of water would be able to enter at all times.

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361. What number of vessels would it accommodate?—I am unable to say the number of vessels it would contain. I should think it would contain easily 100 or 120 ships.

362. What other improvements are taking place which will also extend the commerce of Scinde?—There is a railway being made from Kurrachee to Kotree, a point on the river opposite Hyderabad.

363. Will that be a very great benefit?—Yes.

364. Do you think if a canal were made from Kurrachee to Kotree, it would also be a great benefit?—Yes.

365. Do you think it practicable to make one?—Perfectly practicable; the levels have been taken, and are very favourable.

366. Is there not a railway being formed also, which will have a great effect upon the trade of the Indus?—It is proposed to convey the trade from Kotree on the Indus as far as Mooltan by steam-boats, and from Mooltan to Lahore, and I believe Umritsir. This railway has been sanctioned.

367. Is not Umritsir a great emporium of trade?—I cannot speak of Umritsir from my own knowledge.

368. Is any project sanctioned for opening up a way to the passes in the mountain?—None has been sanctioned.

369. Is that an important thing?—Yes, I think it is; there is a very large trade from the countries above those passes with Kurrachee direct.

370. What are the passes?—The Bholan and Gundava.

371. Are those the two principal passes?—Yes.

372. Those passes would be of consequence, I suppose, to the countries above?—The Gundava is the pass that would lead up to Kelat; the Bholan pass leads in the direction of Kandahar.

373. With what countries would they open a communication?—With Herat, with Afghanistan, and all the countries beyond.

374. And extend probably beyond the Hindoo Koosh?—Yes; they are also the nearest routes to Persia.

375. And also open a trade to Bokhara and Samarkand?—I should think so.

376. I presume the bulky articles would not go along the railway from Kurrachee to Kotree so well as by canal?—It depends very much upon the rate at which the railway will be able to carry. If they can carry at a very low price, I believe they will carry all the grain; there is no produce near Kurrachee itself; it is situated in a desert, as you may call it. There is a little grass occasionally produced, but all the produce required for that large place and the shipping which frequents the port is brought principally from near the river Indus; even firewood and grass is brought from the river to Kurrachee.

377. Mr. Nisbet.] What distance is that?—The nearest point of the river is about 52 miles.

378. Chairman.] Will not Kurrachee, when the bar is removed, be the best port in that part of India?—It is the only port north of Bombay.

379. What is the navigation of the river higher up beyond Hyderabad?—From Hyderabad, as far as Mooltan, vessels drawing from three feet to three feet and a half of water can navigate at all times of the year without any serious difficulty: it is a very rapid stream.

380. Is it proposed to construct boats with a view to the navigation of that river?—One boat has been constructed recently and tried on the Thames. I believe a large fleet is about to be constructed, but steam navigation has existed for some time on the Indus. The boats now being prepared belong to a private company; but the boats that have navigated the Indus for the last 13 years are boats belonging to the late East India Company.

381. Do you think the trade from Hyderabad to Kurrachee would support both a railway and a canal?—I do.

382. What are the principal articles of cultivation in that part of Scinde with which you have been most conversant?—All kinds of grain and seeds, oil seeds particularly; and a great quantity of sugar cane; indigo is also grown there, but not to a large extent.

383. Colonel Sykes.] Indigo grows wild, does not it?—Yes.

384. Mr. Nisbet.] Were you in the command of a regiment?—I was in the Engineers.

385. Chairman.]

385. *Chairman.*] Will you look at this map of the productions, of India, which has been prepared for the Committee? You observe that grain is marked yellow; how far is that map accurate?—It is very incorrect. The whole of Scinde to the west of the river is here marked in the colour that indicates cotton; I do not consider it a favourable cotton country. Col. H. B. Turner.

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386. Would the growth of cotton there be improved by irrigation, do you think?—It is grown already in irrigated lands, but the climate is too moist; the dews are too heavy for cotton, and it rots after it is in the pod.

387. Are there any frosts in Scinde?—Frost does occur in the northern parts of Scinde.

388. You do not think therefore that irrigation would produce a favourable change in the cultivation of cotton in Scinde?—No.

389. How far does flax grow there?—It has been tried to a small extent, and I believe very favourably. I believe it was given up principally because the late General Jacob disapproved of the Government fostering any particular kind of produce, and he withdrew the Government support, or the advantages that Government held out for its cultivation.

390. *Mr. Campbell.*] What were those advantages?—Allowing the land to be cultivated on a lower tax.

391. *Chairman.*] Giving, in fact, a sort of premium for its cultivation?—A preference.

392. Is not wool produced near Shikarpore?—The principal wool at present exported from Scinde is brought down from the upper countries of the Punjab, and the countries above the passes.

393. Is there much land in that part of Scinde where you have been, which, though not cultivated, is cultivable?—An immense quantity.

394. For what cultivation would it be suitable?—Wheat and barley grow extremely well; there are a number of grains more particularly indigenous, such as barjaree and jowaree; the latter surpasses any that I have seen elsewhere.

395. Does not cultivation on the banks of the Indus depend upon irrigation?—Yes, partly; but also upon the annual inundation.

396. Does not the river Indus offer peculiar facilities for irrigation?—Yes; like all rivers that run through alluvial countries; it runs on the highest ridge of the country; as the banks slope down to the plains beyond, by cutting through them to the requisite distance, the water will flow generally to the surface of the land.

397. Have you ever seen the effect of irrigation in the south of France or in Italy?—No, I have not.

398. Are you aware that even the most barren soils, under the agency of heat and moisture combined, will become remarkably productive?—Most soils will, but there are sandy spots which I believe even water and heat will not render fertile.

399. I believe there is scarcely any rain in that part of Scinde?—No.

400. Can you give any idea of the rainfall?—It is so extremely variable that I do not think the average would give any idea; I have been two years in Scinde without sufficient rain falling in those two years to lay the dust, and I have known as much as 20 inches fall in four months, but it is so uncertain that you never can depend upon the rain for any crops; the crops are entirely dependent upon the supply of water from the river.

401. Therefore irrigation by means of the river is the only possible means of improving the cultivation of the country?—Quite so.

402. To irrigation you would add cheaper means of conveyance to market?—Yes; cheaper means of conveyance are very important; there is a great deal of land culturable that is not cultivated, although it is supplied with water, from the impossibility of bringing the produce to market at a profitable rate.

403. What are the existing means of irrigation?—There are a number of canals that have been left by the previous dynasties which convey the water to the lower lands. Since that time improvements have been made by the British Government, but a great deal remains to be done in Scinde. An outlay of capital there would return very large profits indeed.

404. Is not there a very extensive island formed by the Indus on one side and

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and the Narra on the other?—You cannot call it an island; the streams do not unite again.

405. Does not that tract of land offer peculiar facilities for irrigation?—Yes.

406. Has it been irrigated hitherto?—For 26 years no water went down that branch of the Indus. A cut has been made during the last four or five years, which will be finished very shortly, and will restore the water to that valley completely for a distance of some 250 miles.

407. What is the breadth?—The breadth on the higher part would be very little; lower down probably the breadth is five or six or eight miles.

408. Therefore it would be 100 miles long and six or eight miles wide?—Quite as much as that.

409. Is not there another Narra on the eastern side of the river?—There is a river called the Narra on the western side.

410. Is that availed of, for the purposes of irrigation?—The Narra on the western side flows into a large lake. It is the one to the east that is capable of so much improvement.

411. Have they both been improved to the extent to which they are capable of improvement?—No, certainly not.

412. Do you think, among the prospective schemes of irrigation, that they will come into operation?—Yes; projects for improving the country by that means have been drawn up.

413. From your knowledge of the country, do you think a great futurity may be opened for that part of Scinde, by an improvement in the means of irrigation?—I do. I think, by improved irrigation and cheapening the cost of transit, Scinde will be an extremely productive country.

414. How far would that irrigation extend to the eastward of the Indus?—On the lower parts of the valley of the Indus, as far as the Run of Cutch, and in the higher as far as the sandy deserts between Jessulmeer and Scinde, which are not profitably culturable.

415. Would not the result of the improvement probably be enormous?—Yes, with an outlay of capital to bring the water to the land.

416. You have stated, that irrigation and improved means of communication are the great means of developing that part of the country; will not the improvement of Scinde increase our commerce with the frontier states?—Yes; wool is beginning to come down in very large quantities from the frontier states, and if the means of conveying it through Scinde be cheapened, it will induce them to bring down larger quantities.

417. I believe you have been more than once to Shikarpoor?—I have been there frequently.

418. Have you seen Russian goods in the market at Shirkarpoor?—I have seen goods that have been said to be Russian, and I believe them to be Russian.

419. What goods have you seen there?—Skins, cotton goods, hardware, woollens, and some silks.

420. Can Russian goods be purchased at all times at Shikarpoor?—Whenever I have been there, they have been purchasable.

421. How did they come in?—They came by the Cafilas through the passes of Bholan and Gundava; I believe they came through Bokhara.

422. Were they brought by the Russians themselves, or were they transmitted through the agency of other nations?—They were transmitted by other nations.

423. Did they come on camels?—Yes.

424. May not camels be said to be an important item of production in Scinde?—Yes; they are bred there to a very great extent.

425. And horses?—Not to any great extent.

426. Do you think by these improved means of communication to which we have adverted, that there will be a probability of British manufactures replacing those of Russia in the market of Shikarpoor?—Yes.

427. And extend themselves northward through those very passes by which the Russian goods are said to come?—English goods already go up those passes to a considerable extent. I think British goods only require to be delivered cheaper than the Russian goods to supersede them in many of the countries
above

above the passes; the limit of extension I regard to depend upon the cheapness at which each nation can supply the goods. Col. H. B. Turner.

428. Do goods from other countries, Afghanistan, Kashmir, Herat, and Persia, generally find their way down to Shikarpoor?—Yes, you can buy goods from all those provinces in Shikarpoor. 14 Feb. 1859.

429. Do you think that English goods would find their way to Shikarpoor under greater facilities than they have now?—Increased facilities would doubtless increase the quantity of English goods conveyed to Shikarpoor.

430. Can you give any idea of the returns made on works of irrigation that have been accomplished in that part of the world?—I know works of irrigation that have more than repaid the outlay the first year; one was lately completed, which I know yielded a return of 58 per cent. the first year upon the outlay.

431. What have the others done?—I think, taking the average, the irrigation works done in Scinde yield from 18 to 20 per cent.

432. Mr. Nisbet.] Are you referring to Government works?—Yes.

433. Chairman.] At what rate might money be had in Scinde for such purposes?—I only judge from the neighbouring country of the Punjab, where the Government were able to borrow money during the height of the mutiny at six per cent., and I have no doubt that money might be had at the same rate in Scinde.

434. Mr. Campbell.] Who took up that loan?—The native merchants at Lahore.

435. The native merchants had sufficient confidence in our rule to lend money at six per cent. at that time?—Yes, so I understood; Sir John Lawrence opened the loan at that period, and a considerable amount was taken by the native merchants.

436. If they lent money at six per cent at that period, for what would they now lend it?—I do not know; I am speaking more from hearsay than my own knowledge.

437. Mr. W. Vansittart.] Do you know the amount of that loan?—No, I do not.

438. Chairman.] Has it been contemplated to extend a branch of the railway from Kotree to Shikarpoor?—Yes.

439. Would not that be an important railway leading from the Indus?—It was proposed with the view of communicating directly with the Gundava or Bholan pass; no surveys have been made to ascertain which of those passes was best for carrying the railway to; it was proposed to carry on the Scinde railway from Kotree to Shikarpoor with the view of extending it to the foot of the passes.

440. Is Shikarpoor an important emporium?—Yes.

441. And likely to increase in importance?—Yes.

442. Is it the first market you come to from those regions that have been alluded to northward of the Bholan and Gundava passes?—Yes.

443. Therefore it is a central dépôt?—Yes.

444. Is it not an important thing, if it can be done, to open a communication from Kotree to Shikarpoor?—Yes.

445. You could then go the whole way from Kurrachee to Shikarpoor by railway?—Yes.

446. And the Indus would open up the rest of the country?—Yes.

447. Mr. Nisbet.] Is the bar at Kurrachee, of which you have been speaking, under process of removal?—The works for its removal have been just sanctioned.

448. What sized vessel can go into Kurrachee at the present moment?—A vessel drawing 16 feet can enter the harbour all the year round.

449. And you expect by the removal of the bar to get 26 feet of water?—Yes.

450. Do any vessels go direct from Europe to Kurrachee?—Many transport vessels and vessels laden with merchandise have gone out.

451. Do you think that any European could cultivate land in Scinde?—No, I do not.

452. Therefore, any European who went to settle there must employ entirely natives under him?—Yes.

453. Then it would only do for a capitalist to go there and spend his capital in employing natives in cultivation, or in any other way; but no Europeans could

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could go and reside there as colonists?—Except at Kurrachee. I think that is a climate where Europeans might reside for many years.

454. And work out of doors?—No; I mean as merchants in purchasing produce and sending it to England.

455. They could not colonise the country themselves?—No; I do not think so.

456. Mr. *Campbell*.] Could Europeans, as settlers, employing native labour, develop the resources of Scinde by living at Kurrachee?—They would live at least 50 miles from the nearest land they could cultivate, which I think would prevent their profitably undertaking any work of that kind.

457. You think natives could not be found sufficiently trustworthy to superintend the production of indigo, sugar, or the other productions that abound upon the banks of the rivers?—I do not think so; Europeans would much prefer purchasing the produce that is raised.

458. How do the officers who are located in Scinde manage to live?—They suffer very much fever, and are constantly obliged to leave the country in consequence.

459. Is that in Upper Scinde?—More particularly in Upper Scinde. Kurrachee itself is a healthy climate; it is beyond the influence of the inundations of the river; the unhealthy part is the part near the river banks.

460. All the production is on the banks of the river, is it not, arising from the alluvial deposit which annually takes place?—It is dependent either upon irrigation or inundation; a great deal of land is inundated and irrigated at considerable distances from the river.

461. Does not the alluvial deposit consist of a rich soil which enables the cultivators to dispense with the use of manure?—Yes.

462. In exchange for the commodities which come from Herat and other parts for sale at Shikarpoor, what commodities could the merchants get?—I am unable to say; I know that English piece-goods are carried up to Shikarpoor for sale; I conclude that they go on by the return *cafilas*.

463. Do not you think, if the introduction of steamers by the Government on the Indus had taken place earlier, that commerce would have more largely developed upon this river and in Scinde, as in the case of the Ganges?—It was a great experiment. A steamer was placed upon the Indus before the English Government took possession of the country. Before we had even Kurrachee as a port to go to, the East India Company sent a steamer to the river Indus; possibly they might have been increased more rapidly than they have been with advantage.

464. From Umritsir is not a large trade carried on in Kashmir shawls with Bombay by boats?—I believe there is. I know there was a considerable import of shawls into Kurrachee this last season. There were exported from Kurrachee this last season 53,460 *l.* worth of shawls.

465. Did the Russian commodities which you saw at Shikarpoor compare favourably with English commodities of the like description in regard to cost?—The silks were very dear. I had no means of comparing them with English silks. There were none procurable. Paper was very cheap.

466. Is not the only mode of importation by the few steamers on the river Indus and by native boats?—And by camels. A great deal of trade is carried on by camels on the banks of the river.

467. Is not the river transit cheaper and better adapted for bulky goods?—Yes; the cheaper goods are brought by the river.

468. I believe the steamers can go up as high as Kasimpoor?—Yes.

469. The river is perfectly navigable for that distance?—Yes, for vessels of light draft.

470. How many steamers have there been on the Indus from the time of the annexation of Scinde to the present moment?—I cannot tell you the number. I should think as many as 15 or 20.

471. At a time?—No; altogether.

472. To meet the wants of that trade how many may there be on the river; two or three?—More than that. I think when I left Scinde there were eight or nine vessels running.

473. Would not there be employment for a vastly increased number?—I believe there would.

474. Mr.

474. Mr. *Kinnaird*.] Have you seen any great improvement in the condition of the people since the annexation of Scinde by the British Government?—The rate of wages has increased very much; that is so far indicative of an improvement in their condition. There is an improvement in their dress; they wear a better class of clothes than they used to do.

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Jovis, 17^o die Februarii, 1859.

MEMBERS PRESENT:

Mr. Baillie.
Mr. Campbell.
Mr. Ewart.
Mr. Gregson,
Mr. Kinnaird.
Mr. Knight.
Mr. Arthur Mills.

Mr. Nisbet.
Sir Erskine Perry.
Mr. Richardson.
Mr. John Benjamin Smith.
Colonel Sykes.
Mr. William Vansittart.
Mr. Villiers.

. WILLIAM EWART, Esq., IN THE CHAIR.

Colonel *Henry Blois Turner*, called in; and further Examined.

475. Colonel *Sykes*.] WERE you employed professionally as an engineer officer, to report upon the present state of the Harbour of Kurrachee, and the means of rendering it more efficient?—I was engaged in reporting upon it; but I proposed no definite scheme for its improvement; I recommended that that should be left to a harbour engineer of experience.

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476. You suggested that a regular civil engineer should be employed to report upon it?—Yes, one who had devoted attention to harbour works especially.

477. Was there any such engineer available at the time?—Not in India.

478. Then it was necessary to send to Europe for such an engineer?—It was necessary to refer the data obtained at Kurrachee for the opinion of such an engineer; at least, that seemed to me to be the best course.

479. Do you recollect how long it was before that engineer arrived in India, after the reference was made?—The engineer employed was Mr. Walker, and he sent a gentleman out in whom he had confidence, to obtain further data. From the first application to the time that gentleman arrived, might probably have been four years altogether. It was in 1852 or 1853 that the first application was made.

480. Have you seen the several reports that that engineer has made to the authorities?—Yes, I have seen them.

481. Do they consist of two reports?—There are two reports by Mr. Walker, and one by Mr. Parkes, the gentleman who was sent out by Mr. Walker to collect information.

482. So far as the recommendations of the engineers go, do they concur with the views that you had expressed of the mode of rendering the harbour available for ships of increased burden?—I had expressed views somewhat different from those entertained by Mr. Walker; but the information that gentleman has given me convinced me that he was right.

483. There was one broad principle, was there not, to be kept in view with regard to the alterations and improvements that were to be made; what was that principle?—Directing as large a body of water as possible to the portion of the bar which it was desirable to scour.

484. Do you think that the plan proposed by Mr. Walker will have that effect?—I do.

485. That is to say, that the waters, being accumulated within narrower limits, in their exit will carry away the impediment of the bar?—They will scour the silt on the bar.

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486. That bar exists to a very limited extent, does it not?—Yes. The whole portion of obstruction is not more than 200 or 300 yards wide.

487. Do you mean laterally or longitudinally?—Laterally; the bar extends across the only portion of the entrance that is available. If you go very far to the eastward it is difficult to enter the harbour, on account of being so much to the leeward during the prevailing winds.

488. But before the reports of the engineers, with respect to the improvement of the harbour of Kurrachee, did not ships of considerable burden enter it at high spring tides?—Yes.

489. What was the burden of some of those ships?—Vessels drawing 20 feet of water have entered the harbour.

490. Then, even if this project for improvement which you have in view failed, still the harbour will be accessible for ships of very considerable burden?—At high-water spring tides.

491. What is the rise of tide?—The extreme rise of tide is about 12 feet.

492. You are satisfied, so far as your own views at present go, that Mr. Walker's recommendations will be effectual, and that, in fact, Kurrachee harbour will be made a harbour of very considerable capacity, both for depth of water and for the anchorage of vessels?—Yes, I am of that opinion.

493. Mr. *Campbell*.] With respect to the question of civil engineers generally, do you think that the interests of India would be advanced by a more general employment of civil engineers, as indicated by Lord Stanley the other night in the House of Commons?—I do.

494. Do you think the absence of civil engineers has been a great want in India?—It has been a great want.

495. However efficient the military engineers of the Company may be, yet they do not possess that practical experience, with reference to the progress of railways and other undertakings in this country, as would qualify them to develop those resources in India?—I do not agree in that opinion. There are special works, such as harbour improvements, in which they may have had no experience, where the services of a civil engineer from England who had had that experience, would be very profitable; but I think, for the ordinary run of public works in India, the military engineers of the Indian army, who have had many years experience there, are quite as efficient as any persons who could be sent from England, and probably more so, than the civil engineers would be for some years after they arrived in India.

496. With reference to the great works that have been entered into in England, and the improvement in civil engineering, do you think that military officers, who have been located for many years in India, would possess that knowledge of the progress of science in this country in civil engineering as would place them upon a par with civil engineers?—Theoretically, certainly; as far as practice in works which they have had no experience in carrying out, not so; but as far as the works carried out generally in India, such as the construction of roads, mountain passes, works of irrigation, bridge building, and the erection of barracks and large public buildings, I consider that they are quite as efficient as any civil engineer could be.

497. When the contemplated appointment of civil engineers is carried into effect, and when they have acquired that local experience to which you allude as being possessed by the military engineers, do not you think it would be advisable to retain them as a distinct branch of the service for civil works, leaving the military engineer in his own distinct profession?—No. I think it would be desirable to retain both in one general service, and to let the civil and military engineers rise, according to their merits, in the department of public works, as now organised. In the department of public works, civil engineers have just the same prospect of promotion and just the same rights as military engineers; there is no favouritism shown, or advantage given to one which the other does not possess; the highest appointments are open to civil engineers at the present time.

498. *Chairman*.] I understand you to agree with the first witness who was examined last year (Major-General Tremenhere), that there is a great want of civil engineers in India?—A very great want; it is a numerical want; we want more engineers; whether they are civil or military is a matter of little moment. If their origin be military, and they are trained as civil engineers in India, I do not believe that you can have better men for the purpose; but more engineers are necessary for the development of the country.

499. Mr.

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499. Mr. *Campbell*.] You admit that the practical experience of a civil engineer, compared with the theoretical education which a military engineer had before he goes to India, would fit a civil engineer better for carrying out those works than a mere military engineer, who had studied at college, and been sent to India?—I look upon a military engineer, when he first goes to India, as on a par with the civil engineer when he commences the practical work of his profession.

500. *Chairman*.] Has not a civil engineer more practical experience than a military engineer in public works?—Not till he has for some time practised his profession; the young men that go out to India as military engineers, having competed successfully at the college at Addiscombe, have had a very good ground work, and perhaps a better education for beginning civil engineering than most civil engineers.

501. Is not a civil engineer likely to have more practical knowledge than a military engineer?—Not when he begins to practise his profession.

502. Does not he acquire more practical knowledge, in the course of his life, after his theoretical education is finished?—I do not think so; many military engineers in India are exclusively employed in the department of public works, and have a large practice.

503. Mr. *A. Mills*.] If I understand you, provided you can have more engineers in India, it is, in your opinion, a matter of indifference whether they are military or civil engineers?—Quite so.

504. Mr. *Gregson*.] Are many Europeans beginning to settle at Kurrachee, in houses of business?—No, there are very few; at present, there are only three English mercantile houses at Kurrachee.

505. Have these houses been established for some time?—The first was established there about nine or ten years ago.

506. Do the natives come down from Scinde to Kurrachee, in any numbers, to transact business?—Yes, in great numbers.

507. Are there any shroffs, or native bankers, at Kurrachee?—Yes, a great many.

508. Is Kurrachee very desirable as a settling place for houses of business?—Very: there is a great opening for English houses of business.

509. You have stated that the town of Kurrachee is healthy; is it some distance from the water?—The town of Kurrachee is about 50 miles from the River Indus; the native town is almost close upon the sea-beach; the cantonment is between two and three miles in a direct line from the sea-beach.

510. As compared with Bombay, Calcutta, or Madras, is Kurrachee as healthy, or more so?—I think Kurrachee is as healthy as Bombay, and probably more healthy than Calcutta or Madras.

511. Mr. *J. B. Smith*.] By what means is produce brought to Kurrachee?—Principally by camels and by boats down the River Indus.

512. Is not the produce brought by the boats down to Kotree?—The boats bring it sometimes to Kotree, and other towns on the river, and sometimes to Gisree, about five miles from Kurrachee; there are salt water channels, through the Delta, navigated by those native boats, and a great deal of produce is brought to Gisree by that means.

513. Could steam-boats bring the produce down to the same point?—They do so now: steam-boats navigate those tidal channels, but the navigation is tedious and difficult; they are very narrow, and some are very shallow.

514. Would you, as an engineer, recommend, in preference to making a railway communication to that point, the construction of a canal?—I consider a railway preferable to a canal from Kurrachee to the Indus; and either the one or the other preferable to the Delta navigation. There is probably room for both.

515. Would you make it navigable for boats only, or for ships?—For boats.

516. Would not there be an advantage in making the canal so that ships could go up to Kotree, and load there, instead of the produce being brought down to Kurrachee?—I do not see the advantage; it would be enormously expensive. Kurrachee is the healthiest part of Scinde. I do not consider Kotree a place where European merchants would willingly settle.

517. Are there any engineering difficulties in the way of making a canal from Kurrachee to Kotree?—No; the country is favourable.

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518. Therefore it might be made at a cheap rate?—Yes; a survey and estimate of cost have been made.

519. What was about the estimate?—About 450,000*l*.

520. It would be a very profitable investment, would it not?—When the trade of the Indus is fully developed, I believe that it would become a very profitable investment; having already a railway along the same line, I am not sure that the existing trade would render both very profitable, but the time is not distant when both would become very profitable.

521. The railway would not be capable of bringing a very large amount of produce, would it?—I am not prepared to say that.

522. Are you aware, for instance, that there are two railways to New York which bring heavy produce, like the Indian produce, from the north and the west, and that there is also a canal, and that the canal brings 10 times as much as both the railways together?—The cheapness of water carriage for bulky goods makes the canal preferable; but, probably, for less bulky and more valuable goods, the railway would be preferred.

523. Does not the fact I have mentioned show that the railway of itself would be inadequate to bring down large quantities of produce?—I conclude that would depend upon the number of trains run and the locomotive power employed.

524. Is not cheapness of conveyance of the highest importance for heavy goods?—Decidedly.

525. Can you form any idea of the cost of bringing produce to Kurrachee?—I am not prepared with information to give a correct answer to the question.

526. Is the Indus navigable at all times?—Yes.

527. *Chairman.*] How far is it navigable?—It is navigable for boats drawing $3\frac{1}{2}$ feet of water as far as Mooltan; part of the way by the Indus, and part of the way by one of the streams of the Punjab.

528. *Mr. J. B. Smith.*] In consequence of the small draught of water of those boats, they are obliged to bring very small cargoes, are they not?—The steamers at present on the river are not adapted for carrying large cargoes.

529. Are not cargoes brought by other vessels besides the steam vessels?—Yes, by native craft.

530. In consequence of the low state of the water in the river, are not they obliged to bring small cargoes?—No, the native boats are generally laden to the water's edge; they draw very little water, and are flat-bottomed.

531. Have you any idea of the cost of bringing produce down from Mooltan to Kurrachee?—I cannot give that information without reference to records; it is to be found in official records within the reach of the Committee.

532. Are you aware that the cost of bringing the produce is more than the value of the produce itself?—No.

533. *Mr. Villiers.*] I presume you understand the question to refer to bringing produce in boats, and not by railway?—Yes; I believe a great deal of grain would come to the Kurrachee market if there were a cheaper means of bringing it there; it is left to rot on the land, rather than incur the expense of bringing it all the way to Kurrachee.

534. Is it brought on the backs of bullocks?—No, it is brought by camels, and in the river boats.

535. *Mr. J. B. Smith.*] You have stated that there has been a great increase in the trade of Scinde?—Yes.

536. To what do you attribute that sudden and great increase in the trade of Scinde?—The increase has not been sudden; it has been gradually and rapidly progressive.

537. Has not the increase been chiefly since 1853?—No, the increase has been ever since our occupation of the country.

538. Has it not been chiefly since then?—According to the official return of the Collector of Customs in the year 1847–48, the trade was 442,602*l*.

539. What was it in 1853?—In 1853–54 it was double what it was in 1847, that is, 885,103*l*.; now it is 2,160,000*l*.

540. So that, in fact, the great increase has been from 1853?—There was a great increase between 1854 and 1855, from 900,000*l*. to 1,200,000*l*.; there have been very great increases in various years; there was a great increase between 1856–57 and 1857–58.

541. Are

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541. Are you aware that since 1853 there has been a great increase in the price of articles the produce of Scinde?—Yes; grain has become much dearer than it was previously.

542. Oil seeds?—Probably oil seeds also.

543. Have not flax and hemp risen very much in value?—I have not been in Scinde for the last 18 months, and am unable to say.

544. Are you not aware that those articles advanced very much in value in consequence of the Crimean War?—I think it is very probable.

545. Would not an increase in the value of produce enable the growers of the produce in Scinde to pay a high rate of carriage for a greater distance than they formerly did?—Certainly.

546. Is not that probably one reason why the trade of Scinde has increased?—Probably it has given a great stimulus to the trade.

547. Supposing the price of produce were to fall to that which it was before 1853; do you suppose there would be as great an amount of traffic as there is at present?—No; all other circumstances remaining the same, it would probably decrease; but if you can reduce the cost of the conveyance of the produce to market, that would produce the same effect so far as the cultivators are concerned as having a higher market at Kurrachee. If it could be brought to market cheaper, the cultivators would probably obtain as large a profit as they do at present.

548. But a great fall in the price of produce would have the effect of diminishing our imports, would not it, because at low prices the natives could not afford to pay a high rate of carriage?—If the means of bringing grain to the port were considerably reduced, I think they would be able to sell the grain at the market much cheaper than they do now, and still have the same inducement to send it, and the same ability to buy English goods.

549. In fact, cheapness of conveyance is one of the most important things?—Cheapness of conveyance is one of the most important things that can be done for developing the country.

550. What is doing to effect cheapness of conveyance?—The Scinde Railway will tend to effect that object; and bringing all the canals through Scinde, is another means. The Indus steam flotilla may also assist in bringing down produce cheaply.

551. Is not water conveyance the cheapest, and the most effectual means of bringing any heavy produce to market?—Certainly, it is the cheapest; but the Delta navigation is very tedious and dangerous. The distance saved by having direct communication between Kurrachee and the river is probably as much as 150 miles.

552. Would it be practicable to make canals to shorten that distance?—No. The point selected for the junction of the canal with the Indus was Surruck, about 90 miles from Kurrachee.

553. The Indus is a very tortuous river, is it not?—Yes; it might be desirable to shorten the distance from Kotree to Mooltan by means of canals.

554. Would it be profitable?—I am not prepared to say; no project has been drawn up.

555. Would it not be an important object for the Government to ascertain from engineers whether some practicable means of cheap water conveyance could be devised for Scinde?—I think it would be a very proper subject of inquiry.

556. You are aware of the importance of cheap conveyance, from the fact, that in many cases the conveyance of the article is worth more than its value?—Yes, I am; cheapness of conveyance is most important for increasing cultivation in Scinde.

557. Is increase of produce any benefit to the cultivator, unless there be an outlet for its sale?—No.

558. Can you compete with other countries unless you have a cheap mode of conveyance?—No.

559. Mr. Villiers.] How far from the mouth of the Indus is the trade of which you have spoken conveyed by land?—It is about 120 miles from the mouth of the River Indus to Kotree.

560. Do you mean that the river is not navigable for ships of a certain draught, for 100 miles and upwards?—No, it is not navigable for ships.

561. Is the navigation being improved?—No.

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562. Will the trade always be conveyed by the land to the sea?—It will all, I believe, be conveyed by land from Kotree to Kurrachee, unless a canal be made. The railway will probably supersede the present means of carrying grain by native boats through the Delta.

563. Is that because the water is so shallow, or are there impediments in the river?—The water is very shallow, and the sand banks in the river are constantly changing.

564. So that, as a matter of necessity, for upwards of 100 miles you must either make a canal or have a railway for the trade?—A railway from the port of Kurrachee to Kotree on the Indus has already been commenced, as I have before stated.

565. Have you seen the railways that are in process of being made?—The Scinde Railway was not commenced till after I left Scinde. I have seen part of the Great Indian Peninsular Railway.

566. Do you know on what principle the railways are being constructed; are they like the railways in this country, being made for travelling at great speed?—They are similar to railways in this country. I have heard the projectors say that they intend to adopt slow speed, with the view of cheapening the cost of conveyance of goods.

567. Slow speed would make a very great difference in the construction of the railway, would it not?—Not so much in cost of construction as in cost of conveyance.

568. In the cost of construction originally there would be a difference, I presume?—There would be a difference; but I do not think very slow rates of speed for passenger traffic are contemplated. It is, I believe, contemplated to carry passengers at a rate of speed of some 20 miles an hour.

569. For trade, might not you work the railway much cheaper, and answer all purposes?—For trade you might run the trains much slower and much cheaper.

570. That would answer every purpose of a canal, would it not, if the traffic was carried cheaply?—I do not know whether a railway could afford even at a very slow speed to carry firewood, grass, and such very bulky articles.

571. Would there be any difficulty in making a canal?—No, I do not believe there would be any difficulty.

572. Sir *Erskine Perry*.] In your evidence you have pointed out the great capabilities of Scinde for development by engineering works?—Yes.

573. We understand from the Secretary for India that a body of civil engineers is to be sent out to that country; are you of opinion that civil engineers could be obtained in India by the Government itself instead of creating a new special service?—A very small number might be obtained, but not sufficient to develop the country.

574. If they were obtained in India, do not you think they would be obtained upon much cheaper terms than by selecting men in England, who must be men of eminence to be selected, and would therefore necessarily require very large salaries?—I am not aware that it is contemplated to send out men at large salaries, or of great eminence. I imagine that young men will be sent out to rise gradually according to their merits.

575. Is it not in your recollection that some eminent engineers, Mr. Conybeare, for example, the son of the late Dean, and Mr. Pole, were in India upon small salaries. Mr. Pole, for example, came out on a salary of 50*l.* a month?—Mr. Pole was not employed in engineering.

576. He was a civil engineer?—Yes.

577. Do you think that there are any means available for employing the natives of the country in civil engineering?—In all the Presidencies there are at present colleges or schools for their instruction; and I have no doubt that the time is not far distant when they will be competent to hold very high situations.

578. Are you not of opinion, from what you know of native intelligence, that with proper instruction they are capable of becoming highly skilled civil engineers?—I have no doubt of it.

579. Had you any personal acquaintance with the engineering class at Bombay?—I have known many members of Professor Pole's class.

580. At the end of their educational career they had no very good offices open to them, I believe?—No, they had not.

581. In point

581. In point of fact, there was a great deal of disappointment, was not there?
—Yes, they were disappointed.

582. To bring out the resources of India to their utmost extent, probably you are of opinion that strict economy is required?—It is absolutely necessary.

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583. Therefore in all the plans that are brought forward for the improvement of India, must it not be chiefly to native energy, enterprise, and intelligence that we must look for the cheaper administration of the country?—Hereafter I think it will be so; but I do not think it would be at all desirable to postpone the improvement of the country until you can get native engineers to undertake it.

584. Still perhaps you agree with me in principle, that in order to develop the resources of India to their uttermost, and to diminish the expenses of administration, it must be chiefly to native energy and intelligence that we must look?—Yes.

585. Must not any special service sent out from this country necessarily be very expensive?—Yes, I believe that it will be very expensive, more so than the employment of additional military engineers.

586. The special service from this country being very expensive, and the charges upon the revenue being extremely great, must not the employment of such a service be necessarily small?—I look upon the employment of civil engineers upon a large scale as not a permanent arrangement; I think for five, 10, or 15 years it may be necessary to employ them, but I do not think they will be engaged for a very long period.

587. *Chairman.*] In fact, they are necessary to lead the way, and instruct the natives?—Yes.

588. *Sir Erskine Perry,*] At the present time is there any class growing up in the Bombay Presidency, or anywhere in India, for the instruction of native civil engineers?—There were classes, both in Bombay, in Poona, and in Scinde, for that special purpose; but the occurrence of the mutinies led to the classes in Bombay and Scinde being almost deserted.

589. When I was in the Bombay Presidency, classes for civil engineers were attempted, but they broke down completely, on account of the disappointment of the natives in not getting situations. Since then have any new classes been created for the instruction of natives as civil engineers?—Yes; there are three classes under persons competent to give them instruction.

590. Is he a military man?—In Bombay and at Kurrachee, the teachers were two of the very young men to whom you lately alluded, pupils of Professor Pole. The teacher at Poona is a civil engineer.

591. Do not you think, in order to create a good class of civil engineers, a large staff is required of mathematical professors and professors of civil engineering?—Yes. The gentleman who has the instruction of the class at Poona, is a gentleman who took his degree at Cambridge, and is a civil engineer by profession.

592. Has he practised it?—Yes; he was one of those engineers sent out by the Court of Directors about five or six years ago, Mr. Coke.

593. Do not you think it is extremely urgent, with a view to the development of India that you speak of by railways, that civil engineers from amongst the natives should be created as speedily as possible?—Yes.

594. *Mr. Kinnaird.*] Did you state that you thought that the employment of military engineers, and the expedients resorted to up to this time are better and cheaper than employing civil engineers?—No; I said that I thought military engineers would probably be found cheaper, but that it was unimportant whether they were civil engineers or military engineers, provided you had them in sufficient numbers.

595. But the plan that has been shadowed out is to train up a corps of young civil engineers to be instructed in the country?—I am not quite certain what Lord Stanley's plan is, whether he intends to send out young men to India who have taken a degree, perhaps in civil engineering, and who would commence their practical engineering life there, or men who have qualified and practised their profession for some years in England. But I should have thought the better plan would have been to send out principally young men who had served an apprenticeship as civil engineers, and had had some little practice,

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but who were still young enough to become acclimatised, and acquire the language, without which they could not undertake to superintend works.

596. I understand you also to say that you think for the next 15 years there would be room for some such addition to the staff of engineers?—An additional staff is absolutely necessary, if the country is to be improved.

597. Mr. *Villiers*.] You do not mean to say that there is no difference whether you employ a civil or a military engineer?—I do not perceive any difference whether you call them civil or military engineers; a large number of the military engineers in India have been exclusively employed through their whole service in civil engineering.

598. Are they qualified to act as civil engineers?—I think so; quite.

599. Mr. *W. Vansittart*.] I understand that you do not think there is a sufficient number of civil engineers to be found in India to conduct the duties?—I do not think there is.

600. In point of fact, whether Lord Stanley's plan is to send civil engineers out from this country or not, you must, for the present, send men from England to India for those purposes; you are clearly of that opinion?—I am clearly of that opinion.

601. Have you ever been at a station called Sukkur?—Yes.

602. Is Sukkur as deadly a climate as Shikarpoor?—Yes.

603. In point of fact, is not Scinde altogether so excessively unhealthy that it is hopeless to expect Europeans to settle there as colonists?—Quite so; I would not call it a deadly climate, but it is a climate where fevers and agues are extremely prevalent, and no European can remain there for any lengthened time without a change. I am not speaking of Kurrachee, I am speaking of the valley of the Indus.

604. Then perhaps, excepting Kurrachee, there is really no place in which Europeans could live in Scinde. There is no sanitarium, is there?—None whatever.

605. I understand, from your answer to a question put to you by Mr. Campbell, that even if Europeans were to reside in Scinde as settlers, and were to employ native labour, it would not pay them to develop the resources of Scinde?—No, I think not as cultivators.

606. In fact, any further inquiries with regard to the province of Scinde, for the purposes of colonization, are, in your opinion, totally fruitless and useless for this Committee to prosecute?—I think so.

607. Mr. *Nesbit*.] Would it not be quite impossible for any native engineer to be entrusted at the present moment with any works of importance, without superior European superintendence and direction?—I do not think there are any native engineers at the present moment who are fit to undertake very important works; there are men whom you might trust to build a house or a bridge.

608. Not to make a railroad?—No; they have not had experience.

609. Sir *Erskine Perry*.] Has your attention been turned to a great irrigation work at Poonah?—I presume you allude to the Jamseljee Bund; it is not an irrigational work.

610. What would you call it?—A work for supplying water to the cantonment.

611. There was a work of that kind, was not there, done by native engineers on the Mullah?—I am not aware of it.

612. Are you aware that some of the best engineers in the service attempted that work?—I am aware that it was attempted.

613. Were not there failures by our best engineers?—There was one failure.

614. Was not the native mode applied to the work?—No, I think not; I was not in the country at the time, and I do not know the circumstances very thoroughly; but I know there was one failure, and that another work in its stead has been successful to a certain extent, and as far as its stability is concerned, quite successful. My belief is that it was the design of one of the military engineers.

615. With respect to natives being incapable of conducting great engineering works, is it not the case that, under the Mogul Government, in most parts of India, extensive works of irrigation were successfully conducted by native agency?—Yes.

616. Is

616. Is not that the kind of work that is almost exclusively required in the country?—Irrigational works form an important class, but native engineers are not at present capable of undertaking them, although I have no doubt if they were properly instructed they would be.

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617. Mr. *Richardson*.] I think you mentioned that you were six years in Scinde?—Yes.

618. Did you suffer much from the effect of the climate during that time?—Latterly I suffered a good deal from it; I was obliged to leave Scinde in consequence.

619. Do you consider that Kurrachee is the best port for the development of the trade of the Indus?—I have no doubt of it whatever; it is the only port north of Bombay, on the western coast of India, within the English territory.

620. What is the extent of the district and the number of the inhabitant which that port and the development of the Indus will open to trade?—I cannot tell you exactly; the British possessions in Scinde and the Punjaub, I think, contain about 16,000,000 of people, and about 140,000 square miles.

621. In addition to the British possessions, are there not vast frontier countries which trade with us, and whose produce comes down the Indus?—Yes.

622. Those countries must add very much to the number of the population?—They add very largely to the number of the population cultivating land, the produce of which comes to Kurrachee by the Indus.

623. Then although in Scinde there is no prospect of colonization, yet in the countries bordering on the Indus, further up, could colonization be carried on advantageously?—I believe the climate of the countries above the passes to be very good indeed.

624. I think you have mentioned that any expenditure of capital which heretofore has been made on public works in Scinde has returned a very large percentage?—A great deal of the money laid out has returned a very large percentage.

625. Do you think that tramways could be introduced with advantage in India in place of railways?—If I am to understand by tramways the use of either wood or stone instead of iron rails, I do not think they would be so useful or cheap as iron rails in the long-run.

626. Have you ever seen any manufactures carried on in Scinde by machinery?—The manufactures and machinery in Scinde are extremely rude.

627. I think you are a military engineer?—I am.

628. Do not you consider that the fact of England holding so large a portion of India proves that the natives are not capable of the same extent of intellectual culture as a European is?—In point of cleverness and mental power for acquiring sciences, they are quite equal to Europeans; but they want the energy and enterprise of Europeans.

629. Do you consider that the energy and enterprise which are wanting in the Asiatic will always be found to enable the European to keep his place in positions of very high importance?—Yes, I do.

630. Do you know of any way in which the Asiatic is likely to be educated, so as to give him the same energy and enterprise that the European has?—I do not.

631. Colonel *Sykes*.] You have stated that some European merchants have settled at Kurrachee?—Three houses, I think.

632. Are you aware whether they experience any difficulty in acquiring property, or in making arrangements for their settlement in Kurrachee at all?—No, none whatever.

633. Could any Europeans whatever, if they settled at Kurrachee or in Scinde, acquire property?—Certainly; their settlement has been very much desired: Mr. Frere has done everything he could to induce them to settle.

634. Are you aware whether there has been any impediment on the part of the Government thrown in the way of their acquiring land?—No, none whatever. There are periodical sales of land at Kurrachee for building purposes; Europeans can attend those sales and purchase just as freely as natives.

635. Is there any reserved right on the part of the Government in the shape of land-tax or peppercorn rent?—There is a small annual ground-rent, whether the ground is purchased by natives or Europeans. There is a certain upset price when the land is put up, and if it does not fetch that price, it is not sold.

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636. Apart

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636. Apart from that annual payment, is there not an absolute right of property in the soil?—There is a right of property in the soil, I believe.

637. With regard to the navigation of the Indus, is not the whole commercial trade to the port of Kurrachee by water communication, with the exception of those 50 miles between Kotree and Kurrachee Harbour?—From Kotree to Kurrachee is about 110 miles; the nearest point of the river from Kurrachee is about 50 miles, but Kotree is some distance up the river; a considerable trade from the banks of the Indus is carried to Kurrachee on camels.

638. Are you aware that there are two projects for steam navigation of the Indus by distinct companies?—I am.

639. Has the Government granted its sanction or aid to either or both of those projects?—That I cannot tell you.

640. Are you not aware that a subsidy has been granted to the Inland Steam Navigation Company?—No, I am not.

641. Are you not aware that a guarantee has been granted?—I have heard that a guarantee has been granted to the Scinde Railway Company for the purpose of organising a steam flotilla.

642. Mr. Villiers.] By whom was that guarantee granted?—By the Government.

643. The British Government?—The Indian Government.

644. You do not intend to say that the Indian Government, which was created only the other day, granted this guarantee to the Scinde Railway Company?—I am not quite certain whether the guarantee was granted by the Indian Government before the Queen took possession or since; I think it was granted by the East India Company.

645. Colonel Sykes.] Have any of those boats which are called train boats arrived in India?—Not when I left.

646. You have heard of that project?—Yes.

647. Did I rightly understand you to state that the population of Scinde amounted to about 3,000,000?—Yes.

648. Are you not aware, from the official Census Returns, that the population of Scinde is put at 1,768,737?—No; the last census was, I believe, nearly 3,000,000.

649. Are you aware that the population of the Kurrachee district is 321,309?—I have seen the returns; but I do not correctly remember the number.

650. What is the area of Scinde?—About 40,000 square miles.

651. According to official records, the area of Scinde is stated at 63,599 square miles?—You have much better means of getting information of that kind than I have. Perhaps your estimate includes some of the hill countries, which are not included in mine.

652. Chairman.] Have the European houses established at Kurrachee increased in number lately?—Yes; there was only one when I went to Scinde in 1851, and there are three at least now.

653. Has the population of Kurrachee much increased?—Very much indeed.

654. Can you give any idea of the relative increase of the population of Kurrachee?—No; I know it has very much increased. Buildings are springing up in all directions, both native and European.

655. Was not the first voyage made by any ship from England to Kurrachee in 1852?—I believe it was.

656. Since then can you give any idea of the increase in the number of ships going from England to Kurrachee?—In the year 1857-58 there were 30 ships from England to Kurrachee direct, and 49 from Bombay to Kurrachee.

657. Are there any schools for teaching English at Kurrachee?—Yes.

658. Mr. Richardson.] You have mentioned land being sold in plots for building purposes at Kurrachee; is the title to that land perfectly good, so that the holders cannot be disturbed?—Yes, I think so.

Mr. George Howard Fenwick, called in; and Examined.

Mr. G. H. Fenwick.

659. I THINK you were employed on the railway between Madras and Beypoor?—Yes.

660. How long were you employed upon that railway?—For about four years and a half. I have been about five years in the country altogether.

661. In

661. In what capacity were you on the railway?—As resident engineer, in the Malabar district. Mr. G. H. Fenwick.

662. Did that position enable you to become acquainted with the country and population?—Yes, in that part of the country which I had immediately to deal with. 17 February 1859.

663. Did your observations extend beyond the line of railway?—I have travelled through the Mysore district.

664. Do you know Mysore pretty well?—I know it merely as a traveller, and as a resident for a few weeks.

665. Southward of Beypoor did you make any examination of the country?—I have been as far as Cochin, and in a portion of Travancore.

666. Did you make any examination upon the hill district in that neighbourhood?—Yes.

667. What are the principal hills which you observed?—There are the Neilgherries; the Mysore district, which is on the north of Malabar; Travancore on the south, and the Pulnah hills towards Madura.

668. What are the relative heights of the hills?—I think the Neilgherries are from about 8,000 to 10,000 feet, but I believe the heights are very imperfectly known.

669. What is the height of Coonoor?—That is rather lower; about 7,000 feet.

670. Did you take the height scientifically?—No.

671. Then you do not give them positively?—No.

672. What about is the height of Ootacamund?—Ootacamund is from about 9,000 to 10,000 feet, as taken at Doodabelta, at the Observatory.

673. What is the height of Coonoor?—That is about 7,000 feet.

674. What is the height of the Kootagerry?—About 6,000 feet.

675. What is the height of the highest hills in Mysore?—The average I think about Bangalore, on the table land, is from 5,000 to 6,000 feet.

676. Is 3,000 feet about the height of Mysore?—Yes, in the lower district.

677. Colonel Sykes.] Have those heights been laid down?—They have been very imperfectly laid down; they have only been laid down with the mountain barometer, which is a very imperfect instrument in comparison with the leveling instrument.

678. Chairman.] How do you make them so much higher than the ordinary calculation?—My heights are only derived from information; from no data.

679. Do you believe that the general impression that in that part of the country the height of the hills has been taken too low is correct?—It is very possible that they have, from what I have heard from persons in the neighbourhood.

680. Is there much danger from fever in many parts of this district?—I think in the mid-levels there is a good deal of fever.

681. Do you know that as a fact?—Yes; take, for instance, the Wynaad district of the Neilgherries, there is a great deal of fever in the hot season.

682. Can you give any idea of the products of the Neilgherries from your own observation?—There are all the European products.

683. Is gold washing carried on?—In the district of Nellamboor the Rajah carries on a good deal.

684. Being employed on the railway, you naturally turned your attention to the production of iron; is iron produced in that part of the country?—Yes, a great deal of iron is found.

685. Whereabouts?—Pretty well all over Malabar. I can show you specimens of it. (*The Witness produced specimens of iron and iron ore.*)

686. Is that iron found in situations that make it available for production?—It is surface iron.

687. Do you think it goes deeper than the surface?—No, I think not.

688. Is the quantity on the surface sufficient to make it available for manufacture?—It is found on the surface of the laterite formation.

689. Of what quality?—It is equal to the Styrian or Swedish iron.

690. Is it like the hematite?—Yes.

691. And like the Furness iron of this country?—Very much.

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692. Do you think it is iron available for railway purposes?—Yes, if you could get the fuel to work it.

693. Is there any fuel available?—There is a great quantity of fuel, but the difficulty is getting it out of the jungle.

694. This iron, you say, is found on the surface of the laterite formation; what is the laterite formation?—There is a great diversity of opinion as to the laterite formation, whether it has ever been in a state of fusion. The specimen is what we term the surface laterite.

695. Did you ascertain whether there was much iron in Mysore?—There is a good deal of the laterite formation. Wherever the laterite formation is, iron can be collected on the surface.

696. I presume that the iron must be smelted by means of wood?—That is the only means they have at present.

697. Is there any chance of getting coal?—They get it occasionally from Bombay, but it is a very expensive process to use coal at the present price.

698. Is there wood enough for smelting purposes?—Yes.

699. What wood?—On the tops of the western slopes there is teak in abundance; that is used in the Bombay dockyards, and is their principal supply.

700. Would teak do for smelting iron?—It is too valuable. They make use of the small wood, the pollard wood.

701. Is there abundance of wood for smelting purposes?—There is abundance of all kinds of hardwood.

702. Is there any lime?—There is no limestone.

703. Is not lime required for smelting iron, to give it a flux?—Yes; we used a little shell lime, just to give it a flux.

704. Is shell lime procurable in sufficient quantities?—Any quantity of shell lime can be procured on the coast.

705. Mr. Villiers.] Are you speaking of making iron?—Yes; the East India Iron Company's works are in the neighbourhood of Beypoor.

706. Did you use the iron for the railway?—No; they merely cast it and sent it to England to be used in mixing with other iron.

707. Chairman.] Did you make any railway iron there?—No.

708. Does coffee grow in any quantity in that part of the country?—It may be said to be the staple commodity of the Neilgherry hills.

709. Does it grow nearer down to the railway than the Neilgherries?—Not on the low levels. I have never seen coffee growing lower than perhaps a couple of thousand feet.

710. Have you seen coffee growing in Mysore?—Yes.

711. Do you think that Mysore is a likely place for the cultivation of coffee in future?—Yes.

712. Is Mysore, or not, a healthy climate?—The hill districts of Mysore are healthy.

713. Does Mysore, as a great place for the growth of coffee and from its healthiness, offer advantages for European settlement?—Yes.

714. Is not Bangalore a healthy place?—Yes.

715. Would not it be possible for Europeans to live there from generation to generation?—I think so.

716. What productions may be found at Coonoor?—All European and tropical productions.

717. Is there any arable land in that neighbourhood?—On the slopes of the hills there is a great quantity.

718. What sort of arable land is it?—Very good.

719. Is it of a rich quality?—Very much so; large crops of potatoes, barley, and wheat are grown.

720. Is it necessary to manure the land?—Not much. I fancy the land is rich enough for two or three seasons to do without manure.

721. Is there any pasturage land on the slopes of the Neilgherries?—There are very good sheep walks indeed, on the table land, about Ootacamund.

722. Could sheep be fed there?—Mr. Thomas, the late collector of Coimbatore, introduced the Southdown sheep, and they thrive very well.

723. Is there any iron in the neighbourhood of Coimbatore?—Not much. I have seen a little laterite there; but I do not know much of Coimbatore.

724. Have

724. Have you made any observations on the growth of cotton at Coimbatore? *Mr. G. H. Fenwick.*
—No.

725. Probably your pursuits did not lead you much to observe the growth of cotton?—No. 17 February 1859-

726. Is there much irrigation in Coimbatore?—Not much; there is a great scarcity of water in Coimbatore.

727. Is the irrigation there principally by wells?—By wells, mostly.

728. Had you any opportunity of observing Mysore closely?—Merely by passing through it.

729. What did you observe as the products of Mysore?—Sugar, hemp, and coffee.

730. Will flax grow?—A little.

731. Oil seeds?—Oil seeds grow in abundance.

732. Are the climate and soil of Mysore favourable to the growth of almost any production?—I should think they were.

733. You would naturally observe, from your profession, the state of the roads in that part of the country; in what state are the roads in Mysore?—The roads in Mysore are very excellent.

734. What is the state of the roads in Malabar?—Very bad indeed.

735. In what state did you find the trunk road which goes from Salem through Palghât and Coimbatore to Ponany?—Very bad; so much so, that for many miles it is not metalled.

736. What is the state of the country roads?—In the immediate vicinity of the large native towns they are very good, but otherwise they are very bad.

737. Can wheel conveyances be used along the roads in general?—Along the main road, in many places, they cannot.

738. There is the great western coast road there, is not there?—Yes.

739. Where does that road go to and from?—It comes down from the neighbourhood of the interior, from Salem, and takes the line of the coast up to Calicut and Mangalore.

740. In what state is that road?—Very bad.

741. Is not it well metalled?—In many parts it has never been metalled.

742. Are any rivers crossed by that road?—Yes, several rivers.

743. In how many miles?—I think there are five rivers in about 70 miles.

744. How are those rivers bridged?—They are not bridged at all; they are crossed by ferries, which are established by Government and let by contract.

745. Does the insufficiency of bridges cause a suspension of traffic during the wet season?—Very frequently.

746. Have you ever known accidents occur in consequence?—Yes, very often.

747. Have you ever known accidents happen at the ferries, in consequence of the bad state and improper management of the boats?—Yes.

748. Is there any direct road at all from the western coast to Ootacamund by which a horse or a bullock can get up or down in safety?—No, there is nothing more than could be termed a bridle road.

749. Are dawk bungalows used in Mysore, where you have stated that the roads are very good?—Yes.

750. Are they in a good state?—Yes.

751. What kind of posting is there in Mysore?—Bullock posting and horse posting.

752. Mysore, in fact, is in a state of strong contrast with the conterminous country below it?—Very much.

753. What is the state of canals in Malabar?—I only know of two, and they are useless, from not holding water.

754. Why do not they hold water?—I fancy the soil is very much against it; it is all sand and laterite.

755. Is that a soil through which water percolates?—Yes; for instance, in many places in the proximity of one canal I have gone down as much as 50 feet, through nothing but sand, to find a foundation.

756. The soil being unfavourable to navigable canals, in consequence of the percolation of the water, I presume it is equally unfavourable for the purposes of irrigation?—Quite.

757. Can irrigation by canals be carried into effect?—Not without the trouble and expense of maintenance.

- Mr. G. H. Fenwick.** 758. Can irrigation be carried on by tanking or bunding up the water?—If you choose to go to the expense, you may do it.
- 17 February 1859. 759. Is not there abundance of rain in Malabar?—Yes.
760. If there is abundance of rain, cannot the water be collected in bunds to supply the country?—Yes, if the expense is incurred of making bunds sufficiently water-tight.
761. What is the rain-fall in Malabar?—It has been as much as 150 inches, but about 80 inches is the average monsoon.
762. In the dry season, on the other hand, is Malabar without water?—There is a great scarcity of water.
763. Might not the water be husbanded, so as to secure in the rainy season the means of supplying the people in the dry season?—If you could make tanks sufficiently strong and water-tight.
764. If ordinary tanks cannot be used, in consequence of the permeable nature of the soil, might not tanks be made of masonry?—Yes, they must be made of masonry.
765. **Mr. Villiers.]** Are there any traces of the existence of tanks in former times?—Yes, but they are empty, and have fallen into decay.
766. **Chairman.]** I believe that was the common mode of Oriental irrigation?—Yes, the water being lifted by a percotah, a sort of basket.
767. **Mr. Villiers.]** And they have ceased to be used since the country came into our possession?—Yes, in a great measure.
768. **Mr. Campbell.]** Are they out of repair?—They are out of repair, and are rendered useless from their not holding any water.
769. **Chairman.]** Have you been led to make any observation upon the railways, and the system adopted for railways, in that part of India?—Yes.
770. What is your opinion of the principle upon which the railways are made?—Judging from what I have seen of the traffic of India, I think we have proceeded upon too expensive a system.
771. Are not the exigencies of commerce considered?—I do not know.
772. Have the railways been made anticipatory of a future development of commerce?—I suppose they have. I think that a system of narrow gauge lines would have been much better; narrower, even, than the narrow gauge lines in this country. The tram system, for instance, worked by horse-power, would have been sufficient, judging from the traffic I have seen.
773. What is the general gauge?—Five feet six.
774. Is not that the gauge of the Great Southern and Western Railway of Ireland?—Yes.
775. What is the broad gauge of the Great Western Railway in this country?—That is 7 feet 2.
776. You think that tram-roads would suit India better than railways?—Tramways, in my opinion, would meet all the demands of commerce in India for many years to come.
777. **Mr. Campbell.]** Are you confining your observations to the Madras Presidency?—I am.
778. **Chairman.]** And I presume you are confining yourself to the wants of the population of the country and the state of the country at present, and not looking to its future development?—Yes.
779. Probably you do not intend your observations to apply to the great trunk lines of railway, which might be made of a more permanent character?—I am not.
780. Are you of the opinion which has been expressed by Colonel Cotton, that Indian railways should be made rather for a country which will develop slowly, than on the English system?—I think, with Colonel Cotton, that expedition is the principal thing required in the construction of railways in India.
781. Expedition in constructing the railways, but not expedition in going on the railway?—In construction.
782. You think that you ought to consult the genius of the place in regard to the construction of railways?—Yes.
783. Are you of opinion that the English principle has been too much adopted in making railways in India?—I think so.
784. I suppose you employed not only English labourers, but native labourers?—Yes.

785. What

785. What observations have you to make from your experience in employing those people upon their labour, and their habits?—I think with regard to the native labour, the unskilled labour is very plentiful and very good; the skilled labour is very scarce and in a very primitive state. Mr. G. H. Fenwick.
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786. You therefore require Europeans to guide them?—Yes.

787. How are the people fed?—Rice and fish are the principal food of the natives of Malabar.

788. Colonel *Sykes*.] On the coast?—Yes.

789. *Chairman*.] Is caste strictly observed in that part of the country?—Not much in Malabar.

790. Not so strictly as in other parts of India?—Not as in the interior.

791. Of what caste principally were the labourers which you employed?—We had Moplahs, Nairs, Theers, and Chirmeers.

792. Is there not a large number of Eurasians between Bombay and Cochin?—Yes.

793. I believe they are Portuguese half-castes?—Yes.

794. What is the character of those people?—They are steady and industrious people.

795. Did you employ any of them?—We had a great number in our work-shops.

796. Did you employ them in a superior capacity?—We had them for writers and cash-keepers.

797. How did you find them answer?—Very well.

798. Did you find them honest and sufficiently instructed?—Yes.

799. Were the English workmen of great use to you on the railway?—On the whole, those that were sent out turned out a failure.

800. In what way?—They generally took to drinking, and got careless.

801. Did you turn your attention to the subject of forced labour in that part of the country?—Yes.

802. What opinion did you form with regard to what is called forced labour?—I think that the Government give the money for the labour, but the subordinates do not pay the people; when I say the subordinates, I mean the people who have to collect the labour, such as the hadigarys and tehsildars.

803. The Government pay the money to the agents, but the agents do not pay the labourers?—No, they pocket the money.

804. On what work is this forced labour employed?—On road-making, and all sorts of labour for the Government.

805. Why is it called “forced labour”?—They are pressed by the heads of the villages to undertake the work.

806. Force is used in making them labour, and fraud is used in paying them?—Yes.

807. Do not they receive any remuneration for their labour?—I suppose in many cases they do not; I have met with many cases where the people have been prevented from being allowed to work on the railway by the heads of their villages.

808. Whose duty is it to see justice done to these poor men?—The Collector and the magistrates.

809. Do you mean to say that the Collector allowed such frauds to go on, by which the labourer was defrauded of his pay by the intermediate agent?—I fancy he never hears of it; such cases are seldom allowed to come before him.

810. Do you know that as a fact?—I have known many cases of it.

811. Mr. *Villiers*.] Is the agent a European?—No, a native; the Collector is a European.

812. *Chairman*.] You are speaking exclusively of the native agents?—Yes.

813. As a person engaged in engineering works, have you observed the state of the harbours along the coast?—Yes.

814. What is the state of the harbours along the coast?—On the part of the coast that I have been on, we have no harbour between Cochin and Bombay at all.

815. Is there any point of safe anchorage on the coast the whole way?—Not one, that I know of.

816. Do you know of any place that is available for a harbour?—I believe that a harbour might be made at Sadashevagurr and Toodar; I believe they are under the inspection of the Government now, for that purpose.

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817. Mr. Villiers.] Can you state exactly their situation, with reference to Bombay?—No; I think they are about 150 miles below Bombay; I forgot to mention Cochin; I believe that is undergoing inspection.

818. *Chairman.*] Is there any harbour at Calicut?—There is no harbour at Calicut; it is merely a roadstead.

819. Can you state the dues at any of those ports?—No; I have always heard that they are very heavy at Calicut and Beypoor.

820. And at Cochin?—Yes.

821. How is the pilotage at Calicut?—There is no pilotage.

822. Is Calicut lighted?—They have a lighthouse at Calicut.

823. Is it kept in order?—No, I believe not.

824. Do you know it to be not kept in order?—I know for many months in the year they let out the light, during the monsoon season.

825. A witness has stated before this Committee, that a great mistake had been made in making the terminus of the railroad at Beypoor instead of Cochin; what is your opinion upon the subject?—I think if the line had been carried from Palghât, where they leave the main line, down to Cochin, they would not have required to make more than 30 or 40 miles, because they could have done all the rest of the work with the back-water from Cochin, to a place called Shernikulputta. At Cochin they have 18 and 21 feet of water on the bar. At Beypoor there is no harbour, it is a mere roadstead, but they have a bar there, or rather a shelving coast, but they have only 9 and 12 feet water on it. The bar at Cochin is capable of being reduced by dredging, being what we term a hummock bar. At Beypoor it is not so; it is nothing more than a shelving coast at the mouth of the river.

826. How far is it from Palghât to Beypoor, and how far is it from Palghât to Cochin?—The distance is about the same, 80 miles.

827. Do you sooner arrive at the water by going to Cochin?—About 40 miles shorter.

828. Is the water navigable at the end of that 40 miles to Cochin?—There is deep water.

829. Could ships get 40 miles further up the country coming by Cochin than Beypoor?—I do not think ships could, but they have boats which bring down all the grain, drawing from two to three feet of water; those boats do all the trade up as far as that.

830. Is there fine deep back-water for many miles inland from Cochin?—Yes; there is another navigable harbour, called Alipa, where vessels run to in the monsoon; that is 30 miles from Cochin, south.

831. Is not it an advantage in this back-water that there is no stream running from the inland?—During the monsoon these back-waters are not tidal; the freshets keep the tide back.

832. Mr. Villiers.] How long does the monsoon last?—It commences in May and lasts till about July; then there is a break for about a fortnight, and then the petty monsoon commences, which lasts till about October; that is not much; it is merely showery.

833. *Chairman.*] You are speaking of the south-west monsoon and the north-east monsoon?—It does not affect the coast at all, except as far as Coimbatour; you do not get it lower than that place, that is the north-east monsoon.

834. As a person resident for some time in that part of the country, was your attention called to the state of the administration of justice?—Yes, I think it was generally bad.

835. How was that apparent?—Justice was not administered in the way it would be in England.

836. What means of observation had you; did you go into the courts?—I did in a few cases that I had to prosecute, on the part of the railway company.

837. Do you complain of injustice, or delay of justice?—Injustice, and the delay of justice also.

838. Was that on the part of natives or Europeans?—Europeans.

839. Of what act of injustice do you complain?—I will mention a case in which I was concerned; I had occasion to prosecute a man for fraud, and the Collector, who was a magistrate, tried the case; he sentenced the man to three months' imprisonment. The man appealed to the sessions judge, and during the time that the appeal was pending there was some delay of about a month, and

and the man made his escape and got away; the man was set at large after the judge's decision in the case. Mr. G. H. Fenwick.

840. Whose fault was that?—I fancy it was the judge's.

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841. Did the judge let him go?—He was set at liberty upon the judge's decision.

842. Mr. *Kinnaird*.] Was he a native judge?—No, a European.

843. Mr. *Campbell*.] Was the fraud proved by the evidence?—Yes.

844. And you had no justice, notwithstanding the proof of fraud against this man?—No.

845. And he was set at large?—Yes.

846. *Chairman*.] Do you know of any other cases which would lead you to state that justice was not well administered in that part of the country where you have been?—I have heard of cases, but I do not know them personally.

847. On what ground do you state that justice is not adequately administered in that part of the country?—I have just quoted a case with regard to myself.

848. Mr. *A. Mills*.] You spoke just now of Mysore as contrasting favourably with other parts of southern India with which you are acquainted; does the better administration of justice in Mysore depend in any degree upon a difference in the form of government, in your opinion?—I believe the form of government is different, but I cannot tell in what respect.

849. *Chairman*.] Do you think that the magistrates, as some of the witnesses have stated, are too young in that part of the country?—Yes.

850. Are you aware whether the magistrates are familiar with the language and habits of the population?—In many cases they are not familiar with the language.

851. How do you know that?—I had to attend a case where the magistrate was a mere boy, and was obliged to have an interpreter to give the evidence in the case.

852. I apprehend if you form a general judgment upon that subject, you form it on more than one case?—I have heard a general complaint. I cite this case as having come under my own notice.

853. Mr. *W. Vansittart*.] Have you attended the courts much yourself?—Not more than I was obliged to do. I have been in them on three or four occasions.

854. From whom did you obtain all this practical information with regard to the ignorance of the judges and magistrates?—I have merely quoted one case that came under my own notice.

855. *Chairman*.] What is the state of the police in that part of the country?—The police in Malabar are very bad.

856. What are their bad qualities?—Their inefficiency.

857. Are they honest?—They are not.

858. Are they corrupt?—Very corrupt; they live upon the natives by a system of extortion.

859. Have you known any instances of gang robberies in Malabar?—Very frequently.

860. Have not they been stopped by the police?—The police have not interfered in many cases.

861. Have you known any instances of malpractices on the part of the police?—Very often.

862. Can you instance any?—I have known cases on my own works; the petty contractors were not allowed to do certain things without feeing the police, and the Government servants they had to deal with.

863. Are there any other instances of misconduct by the police that you can mention?—That is all I can mention.

864. Has it come under your observation, from your residence in Malabar, that the police system was not satisfactory, and was corrupt?—Yes.

865. Was that the opinion generally?—Amongst Europeans it was.

866. What is the state of the postal arrangements in Malabar?—Very bad.

867. Have you known any instances of bad arrangements on the part of the post-office?—I have known the post delayed sometimes for days together during the monsoon season.

868. Do you attribute that to accident or to mismanagement?—To the state of the roads.

Mr. G. H. Fenwick. 869. You think the roads might be made better, but are not made better?—
 I think, in many parts of the road, horse transit might be used; they only use
 17 February 1859. the common tappal-runner.

870. The roads, if they were improved, would enable a more regular post to run, would they not?—Yes.

871. Did the railway authorities experience inconvenience from the state of the post?—Very much; they had to establish a tappal of their own, up and down the works between Madras and Beypoor.

872. Within what distance of each other are the post-offices in Malabar?—I know of no post between Ponany and Beypoor.

873. What distance is that?—A distance of about 30 miles.

874. Are there many inhabitants between those places?—Yes, Ponany is a large town.

875. Do you mean to say that there are large towns in Malabar without post-offices?—In some places there are, if they are not on the high road.

876. You think post-offices might be established where at present they do not exist?—I think the postal arrangements are open to great improvement.

877. Do you think, with a proper and vigorous government, the roads might be improved; the postal arrangements might be improved, and the whole character of the correspondence of the country might be improved?—Yes.

878. Did you ever turn your attention to the possibility of making canals along the course of this backwater which you have described on the Malabar coast, north and south, as means of communication?—I believe it has been in contemplation, by Colonel Cotton, to make cuts from one backwater to the other, and in many places they are done.

879. So as to open an inland communication independent of the action of the monsoon?—Yes.

880. In that respect would not the canals be valuable for traffic?—Yes.

881. How far might that canal communication extend?—With a very little improvement you might get from Cochin to Ponany, a distance of about 60 miles.

882. Would that canal be worth making?—I think it would; in fact, in some seasons of the year they can do it already, but in the dry season they have not sufficient water; with a little improvement the communication might be kept open all the year round by the means of the tidal waters.

883. **Mr. A. Mills.]** You have spoken of Mysore as being more prosperous than any other part of Southern India with which you are acquainted: upon what is that opinion founded?—I have seen the state of agriculture, the state of the roads, and the trade generally, and I think it is in a more advanced state.

884. Then you apply that observation to its agricultural conditions, its industrial resources, and its means of communication, as well as to the administration of justice?—Yes.

885. To what causes do you attribute the greater prosperity of Mysore compared with other districts of Southern India with which you are acquainted?—To the better form of administration, I think.

886. **Colonel Sykes.]** Is not Mysore under a European commissioner and assistants?—Yes.

887. **Mr. Villiers.]** What precisely was your situation in connexion with railways in India?—I was resident engineer of the Malabar district of the railway.

888. Were you appointed by the company?—By the railway company; I was sent out by them.

889. You have referred to many instances of maladministration and defective arrangement: do you mean to say that you were impeded in the progress of making the railway?—I have had the police come on the railway, and try to take the labourers away. I have objected to it in many cases, and complained of it.

890. For what purpose did the police wish to take your labourers away?—For the Government work; for instance, in the neighbourhood of a river, when they had a regiment crossing, and they wanted a great number of coolies to assist in getting the bandies across the river, on those occasions they have come and tried to get the labourers away.

891. Was there any insurrection?—No.

892. The

892. The Government can force the labourers to come when they require them, cannot they?—I am not aware of that. *Mr. G. H. Fewrick.*

893. Upon what authority did the police pretend to act?—Their badges were their authority, and nothing more. *17 February 1859.*

894. Did you dispute their authority?—I did.

895. What was the result?—They left the men alone.

896. Were you under apprehension of this exercise of power being repeated?—I knew when these things were to take place, and I was there to protect the people. Very often the people would go away, for fear of being intimidated in the villages they lived in by the police, notwithstanding I was there to protect them.

897. Was there any insecurity in consequence of the bad police arrangements that you found there?—No, among the Berilye people.

898. Have you been obliged to pay an order to secure the services or forbearance of the police?—I have not.

899. Are there native courts there?—Yes, there are native courts.

900. Have you had frequent occasion to apply to the courts for any reason whatever?—No.

901. You have only to tell us that this country is in great want of communication by railway and other means?—Yes; there is great opening for improvement in the transit through the country.

902. It seems to have been greatly neglected hitherto?—I think it has.

903. In what time will the railway be finished?—They speak of its being finished next year.

904. *Sir Erskine Perry.*] What is the line?—The Madras and Western Coast Line.

905. The main line?—Yes.

906. *Mr. Villiers.*] Have the natives any prejudice against the railway being made?—Not the least, except just in those cases where the line came through their land. I believe, nothing more than that, and being obliged to take the Government compensation, which they did not like.

907. Then there would have been no danger of making the natives disaffected if these public works had been commenced before?—No.

908. Do the natives appreciate these works?—I think they do, because they bring a great deal of labour into the district, and enhance the price of it.

909. Did you find these people very poor?—With the exception of one caste, the Moplah caste, which was very rich.

910. Did the people you found there, who were living upon rice and fish, do so from choice or from necessity?—I think a great deal from necessity.

911. Do you believe they have any capacity for enjoying comforts like other people?—No, I do not think they have. A Moplah buries all the money he gets; you can never tell whether he is a rich man from his appearance or way of living.

912. Perhaps he is not very safe if it is known that he is rich. You have stated that gang robberies are frequent; probably the state of the country is such that a man buries his treasure for safety?—It is a very common thing with the Moplahs to do so from fear of gang robberies.

913. *Colonel Sykes.*] The Moplahs are Mahomedans, are they not?—Yes.

914. *Mr. Villiers.*] Do the Moplahs prevail, or the Hindoos, on the Malabar coast?—The Moplahs prevail, and are the principal holders of land there.

915. What castes did you employ chiefly on the works?—We employed a great number of Moplahs, Nairs, and Theers.

916. Are the Mahomedans good workmen?—The Mahomedans are the best workmen with regard to heavy labour.

917. *Chairman.*] Are not the Moplahs a peculiar race of Mahomedans?—Yes.

918. *Sir Erskine Perry.*] Do not they live better than the Hindoos, and eat meat?—I do not think they eat much meat.

919. *Mr. Villiers.*] Did you pay the Moplahs more than you did the others?—Yes; it is a more expensive sort of labour that they did—shifting heavy metals, which the Theers would not touch; the work is too heavy for them.

920. Did you find this labour very available?—Yes.

921. Are the people willing to work hard if you pay them well?—Yes.

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922. Mr.

Mr. G. H. Fenwick. 922. Mr. J. B. Smith.] What wages would a native labourer get?—For skilled labour three annas a day, and for unskilled labour two annas a day, or 17 February 1859. 3 *d.* and 4 $\frac{1}{2}$ *d.*

923. Mr. Gregson.] When you speak of forced labour, what is the nature of the force employed upon the coolies; is there any bodily punishment?—They are punished, I believe, by the hadigarys and tehsildars of their villages.

924. Are the Government aware of the force that is used by the native heads of the villages?—No, I think not.

925. You say that their wages are not paid by the intermediate agents?—They are not to my knowledge.

926. When you employed the men, did not you pay them their wages directly?—We paid them weekly; we gave them tickets daily.

927. Did you pay them by the agency of the natives?—We used native pay clerks.

928. Do you mean to say that any of those native paymasters defrauded the work-people?—I do not mean to say that they did on the railway, except in a few cases, but they were not general.

929. Mr. J. B. Smith.] When you say that you gave the labourers 3 *d.* and 4 $\frac{1}{2}$ *d.* a day, what would you have to give labourers in this country for the same kind of work?—For skilled labour about 3 *s.* 6 *d.* a day, and for unskilled labour about 1 *s.* 6 *d.* a day, that is, when it is plentiful.

930. Sir Erskine Perry.] In what part of the country have you had labour upon a railway at 1 *s.* 6 *d.* a day?—I have had it in Cornwall.

931. Lately?—No.

932. Mr. Campbell.]—Would not English labour at 1 *s.* 6 *d.* a day do four times the work of a native labourer at 3 *d.* a day?—Yes, and more than that.

933. Mr. J. B. Smith.] Then, although the labour is low priced it is not cheap?—It is not cheap in that respect.

934. Colonel Sykes.] You have spoken, in reply to questions put to you by the Chairman, of the heights of the Neilgherry mountains and the table lands in that district; do you state the heights of 10,000 feet, 8,000 feet, and the other heights that you mentioned, from hearsay, or from any accurate observations?—Merely from hearsay.

935. With regard to laterite, are you aware that the specimen you have produced is iron ore, and that it appears not only in this form, but in the form of jasper, to nearly white tempered clay, which is capable of being cut into blocks?—Yes. You find the fire-clay underneath; the lower down you get the more coarse the laterite is.

936. You stated that you saw a great number of tanks abandoned and other works for the purpose of irrigation; in what part of the country did you see them?—About the neighbourhood of Salem: there are a great number also in Malabar, but not so plentiful as in the neighbourhood of Salem.

937. Are you not aware that in the Madras Presidency works of irrigation are more extensive than in any other parts of India?—I believe there are a great number about the Godavery, but I have never been there.

938. Are there any irrigation works in Mysore?—None that I have seen.

939. Are there any in Tinnevely?—I do not know Tinnevely; I believe they have them there.

940. Can you give any idea of the number of those ancient works of irrigation that you have seen abandoned?—I cannot.

941. Have you seen 10 or a dozen, 20 or 50?—I have seen a great number of tanks empty.

942. If the native labourers have been defrauded of their wages, have not they the means of access to the European magistrates, or to the native magistrates, for redress?—I believe they have; but the complaint is, that they never can get to the collector or the magistrate.

943. Are not the moonsiff courts open to them?—I believe they are; but they make the same complaint of the difficulty of getting justice there.

944. Are you aware that simply by taking out a bit of stamped paper they are entitled to have their cause heard?—I believe they are.

945. Therefore, if they chose, supposing they were wronged by the parties who employed them, they could obtain justice, could not they?—I suppose justice is open to them.

946. You

946. You have complained of injustice having been done in your own case ; *Mr. G. H. Fenwick.*
but, after all, it appears that that case was adjudicated upon in the first place by
an inferior authority, and was then appealed to a higher authority, and that *17 February 1859.*
higher authority set aside the decision of the inferior authority?—Exactly.

947. Do you see any injustice in that?—I think there was injustice when we proved the case of fraud.

948. If, in the exercise of his discretion and judgment, the higher authority set aside the decision of the inferior authority, how do you attach injustice to that?—I do not know the grounds upon which the judge set aside the magistrate's decision ; I only know that the fraud was committed.

949. Are you at all aware of the number of cases adjudicated upon in the Madras Presidency?—No.

950. You have spoken of your own isolated cases, but there may be 10,000, 50,000, or 60,000 cases adjudicated upon every year?—I am not aware.

951. Are you aware that official records are made of every case adjudicated upon?—No, I am not.

952. *Mr. Kinnaird.*] You have mentioned that there were no means of ascertaining the wealth of the labourer, because he concealed his money, from apprehension of gang robbery?—Yes.

953. Is that very common?—Very common among the Moplah tribe.

954. What part do the police take ; are they no protection, or very little protection against them?—I believe the police are in great fear of the Moplahs ; the Moplahs intimidate them very much.

955. Then the police is inefficient for the purpose of the protection of the labourer?—Yes.

956. You think, from your own experience, that, both as to police and the administration of justice, there is room for great improvement?—Yes.

957. Was that the general opinion of the Europeans with whom you came in contact?—It was.

958. Did any improvement take place during the time that you were there?—Yes ; we had several improvements in a small way.

959. Do you attribute that very much to the fact of Europeans, like yourself, personally representing the case?—I think it is a great deal owing to that.

960. Do you believe that great benefit would accrue in an indirect way from a larger introduction of Europeans into India?—I think it would very much.

961. *Sir Erskine Perry.*] What do you consider to be the exact value of a coolie as compared with European labour?—About one-fourth.

962. Therefore, if you give a coolie 3 *d.* a day, you could afford to give a European 1 *s.* a day for the same work?—Yes. I cannot state that a European could do that work ; I speak of work on the plains, in the low-land.

963. From great exposure to the sun, the European constitution would not bear it?—No.

964. Therefore, if the climate of India were suitable for European labourers, the abundance of native labour would drive the European out of the labour market, would it not?—Not in the hill districts.

965. Is not the general characteristic of India that of a plain country?—Yes.

966. Therefore, even if the climate were not an obstacle, would not the abundance of native labour drive the European labour out of the market?—Yes, a particular kind of labour ; unskilled labour.

967. Is not the native labour very efficient ; you have employed unskilled labour ; they do their work very well, do they not?—If you will let them do it on their own system, they get on very well.

968. Have you ever heard railway contractors complain that they do their work too well, and with too much nicety and finish?—I never found it so ; on the contrary.

969. Had you abundant supplies of labour on the Madras Railway?—We had a great abundance of labour, and I believe that the Government had not ; the complaint of the Government was, that we paid too much for it ; they complained that they could not afford to give so much.

970. Therefore, the Government must have paid a lower rate than 3 *d.* a day for unskilled labour?—Yes.

971. I suppose we may take it that the ordinary rate of wages for unskilled labour

Mr. G. H. Fenwick. labour in India is lower than 3 *d.* a day?—When I first went to that country (Malabar), I found labour as low as an anna a day; the railway works enhanced the price materially.

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972. The price that you found subsisting was 1½ *d.* a day, and by your demand you raised it to 3 *d.* a day?—Yes.

973. On your line, did any native contractor undertake for works?—Yes, in small contracts; we had no large contracts on the Madras line, the company did the work themselves; we let some small contracts.

974. Are there not many lines in India, on which native contractors have undertaken considerable works?—Yes, in Bombay and that district.

975. Have you ever heard any complaints that the native contractors did not do their work efficiently?—No.

976. What is your experience as to the capabilities of the natives for undertaking works of that sort; organising gangs and bringing capital, and getting material and stock?—I have had no experience of them, except to a very small extent in letting earth works on a small scale; we always provided plant ourselves; we merely paid for the labour.

977. So far as your experience does extend, what should you give as your opinion?—I think if a native could see his way clearly to getting a good remuneration, he could bring any quantity of labour and assistance to the work; I speak of particular places. I know, for instance, in the neighbourhood of Salem labour is very scarce, on account of the scarcity of food.

978. You think if native contractors saw their way clearly to getting a profit, they would have no difficulty in finding means to undertake contracts to a considerable extent?—They would take them.

979. How long were you in this part of India?—Four years and a half.

980. With regard to the condition of the people, what should you say as to their state of poverty or well-doing?—I think the class of people of whom I am speaking is very poor.

981. Is it not the fact that throughout the bulk of the population, in the Madras territory, poverty is the characteristic?—Yes; they suffer very much from famine at certain seasons.

982. Do not those who cultivate the land get very small returns to keep them the whole year?—Yes.

983. I dare say you are aware that the bulk of the population, in the Madras territory, as elsewhere in India, follows agricultural pursuits?—Yes.

984. Mr. Villiers.] Where did you get iron from, for use on the railway?—From England.

985. Mr. W. Vansittart.] Am I to understand, that in consequence of that one case, which happened to you, you condemn the judges, generally, in the Madras Presidency?—Decidedly not; I merely mentioned that single case of my own, but I heard the complaints of others.

986. Do you mean to assert that the judge acted unjustly, merely from the fact of his having, on appeal, reversed the decision of the lower court?—I think the magistrate was a better judge of the case.

987. Was not the judge, who reversed the decision, a more experienced authority than the magistrate, and therefore more likely to be right?—He might have been in a legal point of view; he might have known the law of the case better.

988. Then surely he was more likely to be right?—I do not know.

989. I gather from your evidence, that in the Madras Presidency, there are several places well adapted for the settlement of Europeans, namely, Ootacamund, in the Neilgherries, in Mysore, in Travancore, and in the Pulnah Hills?—Yes.

990. Are any obstacles offered to their settlement by the Government?—I believe not; in some cases I have heard complaints about it by the planters; but I suppose they want more than the Government is inclined to give them, and that may cause them to be prejudiced against the Government, to a certain extent.

991. I suppose, therefore, that in time these places will be resorted to, will not they?—By Europeans only, I fancy.

992. Do you know anything of the capabilities of the Mahableshwar Hills in the Presidency of Bombay?—The Mahableshwar Hills do not offer the facilities for colonization that the Neilgherries do.

993. You

993. You are of opinion that the Neilgherries are infinitely to be preferred to the Mahableshwur Hills, for the purposes of colonization?—Yes; they are especially frequented by the Bombay people, in preference to the Mahableshwur Hills. Mr. G. H. Fenwick.
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994. Do you know anything of the Himalaya ranges, and the Dherra Doon?—No, I do not.

995. Mr. Nisbet.] Do you mean the Committee to understand that the judge who reversed the magistrate's order, and who was a more experienced man than the magistrate, did so from a desire not to do justice, or merely from an error in judgment, because the use of the word "unjust" implies that he meant to do something wrong?—I do not suppose that the judge meant to do wrong. I merely stated the circumstance that the magistrate knew the case better than the judge, and that the man ought to have been punished.

996. Chairman.] I suppose you mean to say that you had not justice done to you?—Yes.

997. Mr. Nisbet.] In many important cases in this country you must be aware that the decision of an inferior court is reversed by a superior court; you cannot call that unjust; do you mean to say that the judge in your case acted from a desire to do what was not just, or do you mean that his judgment was not so good as that of the magistrate?—I think the magistrate's judgment was the best.

998. You do not mean to say that the judge did it purposely?—No.

999. You have stated that the coolies were taken off the works on the railway for the purpose of assisting the troops; was not that during the mutiny?—No; it was long before the mutiny.

1000. Are you not aware that in the Madras Presidency, and in the other Presidencies, when troops are passing a river, the heads of the villages are required to get labourers for the purpose of assisting them?—Exactly; and I understand that there was plenty of labour to be got without taking my labourers.

1001. Do you mean to throw the blame upon the European collector or the native collector?—The police authorities.

1002. Not upon the European authorities?—No.

1003. Sir Erskine Perry.] You have been asked some questions about this decision against you. The magistrate, you say, in the first court, heard the case of fraud?—Yes, and he committed the man for three months to prison; the prisoner had the power of appeal to the judge, which he availed himself of, and the judge set him at liberty.

1004. In the hearing before the magistrate, had he the witnesses before him to prove the fraud?—He had my witnesses.

1005. In the appeal, were the witnesses before the judge?—That I do not know; I was so much occupied, that I could not attend.

1006. Were not you represented by a vakeel?—By our own vakeel and our own witnesses.

1007. Do you know enough of Indian courts to be able to say that upon an appeal they go merely upon written evidence, and not upon *viva voce* testimony of the facts proved below?—I do not know.

1008. Mr. Richardson.] You have mentioned that there were tanks in some parts of the country which had been originally made for the purposes of irrigation?—I fancy they were made for that purpose.

1009. Do you think it is necessary for the settlement of that part of the country to have those tanks restored?—I think it would be very beneficial to irrigation, provided you could keep the water in the tanks when you got it there; but I think that is the great difficulty.

1010. You have mentioned two monsoons, and that the petty monsoon commenced after July, and continued until October, during which time there were merely heavy showers; could not the crops be sown at that period, so that those showers might water them, and enable them to come forward to perfection?—I think they might.

1011. Do the inhabitants in that part of the country take advantage of those showers, and sow their seed at that time of the year?—Very frequently. The cultivation that goes on at that period is generally what is called the gallery cultivation, on the slopes of the hills.

Mr. G. H. Fenwick. 1012. What kind of crops do they raise?—Rice and hemp; not much hemp; rice is the principal thing that they cultivate.

17 February 1859. 1013. Very little flax is grown, you say?—Not much in Malabar, but a good deal is grown in Mysore.

1014. Might not a large quantity of flax be raised during that showery season?—I think there might.

1015. Is any cotton grown in Malabar?—I never saw it.

1016. You have mentioned the general state of the police and the courts in this part of India, and a good deal has been said about it; I think you said that the general opinion of the Europeans was, that neither the police nor the courts were satisfactory; so far as your judgment goes, is that opinion correct?—Yes.

1017. Mr. Campbell.] I suppose the difficulties arising from the imperfect state of police and administration of justice, have interfered with colonization or settlement in India?—I do not know that they have; I have heard a great number of complaints from the coffee planters, that they have not had justice done to them in many cases, and that many have come there in search of land, and gone away when they have heard of those things.

1018. Would not the difficulties of the transit of produce, and the imperfect state of the roads to which you have given evidence, be an impediment in the way of colonization?—Certainly.

1019. Will not want of conveyance materially enhance the cost of coffee, or any other production of those hills?—Yes; I believe they now feel it.

1020. Would not difficulty of transit be an impediment in the way of settlement?—It is a thing that they might overcome.

1021. But it is not overcome at present?—No.

1022. In reference to this much-disputed question of injustice, do you, from your own knowledge, believe that the magistrate or the judge, from his knowledge of the native language, or from his knowledge of the law of evidence, is, generally speaking, competent to administer the law in India?—I believe it is generally thought not, as the judge is not a lawyer.

1023. May not that account for a judgment that may appear to operate unjustly in your case?—Yes.

1024. Do you think civil engineers are much required in that part of India of which you have been speaking?—Very much.

1025. Are you aware that Lord Stanley intends to have a corps of civil engineers in India?—I saw an account of it in the papers.

1026. What is your experience of the military engineers with whom you have come in contact, with reference to railway construction?—They have nothing to do with railway construction.

1027. Have they any supervision of the works?—They have the inspection of the works merely.

1028. Have they impeded or facilitated your operations as a civil engineer on behalf of the railway company?—I believe the works have been impeded very considerably by the interference of the Government.

1029. If a staff of competent civil engineers in the employ of the Government existed, do you think that greater facility would be given to the construction of railways?—I think that the works would get on better if they were left entirely to the engineer, and not to the Government.

1030. In fact, is not the knowledge of a military engineer, of railway construction, more theoretical than practical?—Yes.

1031. You have mentioned that the class of Europeans that went out to work on the railway were not of the soberest habits?—No.

1032. Of what class were they?—What we term in this country foremen, who were sent out to superintend and direct the natives.

1033. Are the better classes who go out similarly addicted?—No; I have seen some exceptions.

1034. Do you know the comparative cost of the ordinary carriage of the country and railway carriage?—I am not very well acquainted with it. I believe it is very much below what a railway can afford to do it at; take, for instance, the coast traffic; I think it is about an anna a ton for 100 miles.

1035. That is by coasting vessels?—Yes.

1036. Can you compare the cost of transit in the interior by the ordinary bullock

bullock bandy, or river communication, or the ordinary facilities that now exist in the country, with the cost by railway?—I cannot give you the figures. I believe the railways in many cases cannot compete with them, except at a great loss; the traffic is so very cheap by the common bandy, that I do not think a railway, in many cases, can compete with it.

Mr. G. H. Fenwick.

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1037. What is the ordinary distance that a bullock bandy can perform in a day?—It depends very much upon the time of the year; in the hot season they will never do, at the outside, more than 20 miles a day.

1038. That would be the extreme?—Yes.

1039. What would the cost be of the bullock bandy, with a driver?—About 12 annas, or 1s. 6d. per diem.

1040. How much do the carts carry?—The carts carry, I think, 10 hundred-weight.

1041. Are you aware that in all parts of India railway carriage is about one-fourth of the ordinary cart carriage of the country?—In Madras they have had little or no experience yet of what the cost will be; I merely give you what the cost of the road traffic is now. I believe they have had no experience in Malabar of railways, because they have carried no goods to any extent.

Thomas W. Atkinson, Esq., called in; and further Examined.

1043. *Chairman.*] IN consequence of the interesting evidence which you gave the other day, the Committee are desirous of knowing from you what means have been adopted by Russia for extending her trade with Central Asia?—The means are very simple; there are three hordes of the Kerghis; two of them are under the complete control of Russia, and now the caravans pass through them in perfect security; the third horde is partially under the control of the Russians, so that the caravans travel in every direction bartering Russian goods, and by carrying them into the country the people acquire a taste for them.

*T. W. Atkinson,
Esq.*

1044. Are those caravans conducted by Russians?—No, by Tatars.

1045. At the instigation of Russia?—Yes.

1046. And by the influence of Russia, in fact?—Yes. Russian influence facilitates their moving about in the different hordes with security, and that enables them to travel with the goods. Then the different khans and sultans find it to their advantage to supply camels for the caravans, so that it is a benefit to both people; that is the great cause.

1047. How many steamers has Russia upon the river Sihon (Jaxartes)?—The steamers are used on the Aral Lake, but they ascend as far as Tashmaket. The small steamers go as far as Kokan.

1048. How many steamers are there on the Aral Lake and up the Sihon (Jaxartes)—I think they had six in 1856; they have more now.

1049. Does not the existence of those steamers cause a great increase of trade, and quite alter the character of the country in the interior of Asia?—Those steamers were not much used for the purposes of trade.

1050. What were they used for?—To communicate with the forts and carry up warlike stores.

1051. *Colonel Sykes.*] For political purposes?—Yes.

1052. *Chairman.*] Have not the steamers been used for commercial purposes?—Not much. A company is at present being formed in Russia for the purposes of trading in these regions.

1053. Are they more used for commercial purposes than they were?—I do not believe that they were ever intended for mercantile purposes at all; they belong to the Crown, and are used to command the tribes and any refractory Sultan.

1054. Are they small steamers?—Some of them are steamers of, perhaps, 1,000 tons.

1055. Can you mention any other means which have been adopted by Russia for extending her trade in Central Asia, and in connexion with the caravans in Central Asia with China?—The principal means is the security with which merchants can travel with merchandise, and the facilities that exist for diffusing it over those vast hordes.

1056. That is attained by Russian influence over these people, is it not?—Yes. They have Cossack posts; so that they are under the complete control of Russia.

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1057. Do

T. W. Atkinson,
Esq.

17 February 1859.

1057. Do these people allow Russia to place Cossack posts in their country without impediment?—They made efforts, some years ago, to put a stop to it. Even during the years I spent with them there was a great commotion, and if the Kirghis had had a leader, Russia would have been driven out of the Great Horde, undoubtedly.

1058. How far do the Russian Cossack posts extend in Central Asia?—Russia has Cossack posts up to Issikool; that is within 100 miles of Kokan, and within about 50 miles of Kuldja, a Chinese town.

1059. Within 50 miles of the Chinese frontier?—She has them beyond the Chinese frontier.

1060. How far beyond?—Fifty miles beyond in some parts; 300 miles in others.

1061. Whereabouts does that line of posts cross the Chinese frontier?—At Issikool.

1062. In what direction from the Caspian Sea is this line of posts; is it in a straight line?—Nearly so.

1063. Going right across, to the Chinese frontier?—Yes; it runs up to the south end of the Aral.

1064. Does the line of posts pass through the territories of the Khan of Khiva?—It bounds the Khan of Khiva's territory.

1065. Is not the Khan of Khiva under the influence of Russia?—Very much so.

1066. What kind of Government is there at Khiva?—I do not know; I did not enter the town; I kept to the eastward of it.

1067. Then the line of posts runs south of Khiva, if I understand you rightly?—It runs on the east side of Khiva, and continues south.

1068. *Mr. Richardson.*] I think you mentioned in your former examination, that you considered before long the whole of Central Asia was likely to fall into the hands of Russia?—It must do so, for the tribes there cannot resist the power of Russia.

1069. Why not?—Because Russia has an immense army of Cossacks. The Kirghis have been completely asleep, and Russia has gradually gone on from one point to another, and erected forts; so that the time will come when she will say to the sultans and chiefs, "You must pay tribute." In fact they are hemmed in.

1070. How near does Russian influence extend in the direction of the British possessions?—Beyond Khokan. Russia has Cossack posts on the Issikool, and her influence extends beyond.

1071. How many miles is that from India?—It is difficult to say how many miles it is from India; it is useless to compute the distance by miles; it should be by time, as the country is so difficult to travel over.

1072. *Mr. A. Mills.*] Does Russia levy any tribute in Tartary?—Over the Little Horde and the Middle Horde of the Kirghis she levies a small tribute.

1073. *Chairman.*] Are not the Kirghis partly in Siberia?—No; the frontier of Siberia is the Irtysh, which runs north and south, and they are to the south-west.

1074. *Mr. Baillie.*] Does Russia exercise much influence in Khiva?—Yes, and in Bokhara also.

1075. I understand you to say that Russia has not extended as far as Khiva yet?—Russia can do what she chooses with Khiva; she has steamers on the Aral Lake, carrying heavy guns with which she can send troops up the Amoo Daria, or Oxus, and thus Russia commands Khiva. Russia has consuls in the Chinese towns of Kuldja and Tchoubachack.

1076. *Chairman.*] Is that close on the frontiers of China?—Tchoubachack is on the frontiers, and is a town containing a population of 10,000.

1077. Is that a new point of ingress for Russia into China, distinct from Kiachta?—Yes.

Lunæ, 21^o die Februarii, 1859.

MEMBERS PRESENT.

Mr. Baillie.
Mr. Campbell.
Mr. Ewart.
Mr. Gregson.
Mr. Kinnaird.
Mr. Lowe.
Mr. Arthur Mills.

Mr. Nisbet.
Sir Erskine Perry.
Mr. Richardson.
Mr. John Benjamin Smith.
Colonel Sykes.
Mr. William Vansittart.
Mr. Villiers.

WILLIAM EWART, ESQ., IN THE CHAIR.

Ross Donnelly Mangles, Esq., called in; and Examined.

1078. *Chairman.*] YOU were last year a Member of the House of Commons, and of this Committee?—Yes.

*R. D. Mangles,
Esq.*

1079. And are now a member of the Council of India?—Yes.

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1080. I believe you have some observations to offer upon the evidence which has been given before this Committee, especially with reference to Bengal?—The observations which I wish to make to the Committee relate not merely to Bengal, but to India generally; and not merely to the evidence which has been given, but to the general scope of the subject of the Committee's inquiries. I may say that my lifetime has been given to India; and I am very anxious to lay what I believe to be the truth upon a variety of matters before the Committee. The first question is, how far and in what sense colonization is practicable in India? I think that the evidence the Committee had during the last Session of Parliament showed pretty clearly, what indeed most of us were well aware of beforehand, that mere labour colonization, as in America or in Australia, is not applicable to India; but that there is a very large field for colonization in another sense, the colonization of capitalists, and the fostering and promoting of the production of those numerous and most valuable articles of raw produce which are obtainable from India at present, or of which, like tea, India might be made a largely producing country. There is an immense field, no doubt, for colonization of that description; and it is greatly to be desired, on very many accounts, that there should be the freest and largest possible access of Englishmen to India. At the same time, for the protection of the people in India from the Anglo-Saxon, whom I do not believe to be an altogether harmless, or, as some of the witnesses described him to the Committee, even a highly beneficent animal, under such circumstances, I think it is essential that there should be sufficient safeguards for the protection of native rights and interests. I believe that those rights and interests are in much more danger from European settlers than they are from the Government; at the same time, I wish it to be understood, that I am now, and have always been, an advocate in the strongest sense for the largest possible admission of Englishmen into India. But I wish the Government and the courts of justice to be strengthened, so as to be able to deal with them, and to prevent them from doing wrong, and doing mischief where they might do such great good. In that sense I believe colonization to be most desirable, and most valuable to India; and in the opening of lines of railway, in the schemes which are now in the course of execution for bringing steamboats on the great rivers of India, in the improvement of the harbour of Kurrachee, of another harbour on the coast of Malabar, besides the terminus of the Madras Railway, and also of the harbour where the Great Southern Railway of India has its terminus, nearly towards Ceylon,—in all measures and plans of that nature, I see a very large increase in the number, the advantage, and magnitude of the openings for English enterprise.

Having stated my faith, which is very strong, as strong as that of any
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of those who have advocated colonization, and I would yield to no man in my desire to see it carried out to the largest possible extent, I should like to speak of the alleged hindrances to colonization, or rather, as it would be more correctly described, the settlement of Englishmen in India. The first hindrance, I think, which has been mentioned by the witnesses, speaking of the evidence generally and not of the evidence of any particular witness, is the administration of justice in the courts throughout the interior. Now, there can be no doubt that that administration, as far as it is conducted by native judges, is not by any means absolutely pure, and that many natives who hold judicial offices are open to corruption; but I believe that that habit of corruption has already much diminished, and that the system which is being pursued has a tendency still further to break down the habit, and to induce a better state of things. The system which has lately been introduced (when I speak of lately, I mean within the last 30 years), and upon which I most earnestly acted when I was Secretary to the Government of Bengal, was, to employ European judges as little as possible as judges of the first instance, but to employ them as superintendents of the system, and as appellate courts freed from the labour of primary jurisdiction, so as to be close behind the native courts, if I may so express myself, to listen to appeals from them. I think that it is a waste, in the present state of India, of the highly-paid labour of English judges to employ them in the primary administration of justice. I think that the European judge should exercise the master's eye, and only adjudicate in the first instance in very rare cases, where he might suspect that the native judge might be tampered with, or in cases of such importance that he thought it necessary to try them himself, or where he thought there were peculiar reasons rendering it likely that justice would not be obtained unless he himself tried the case. With those exceptions, I think it would be as absurd to employ European judges in the administration of justice in the first instance, as it would be for a farmer to insist upon ploughing his own field, or sowing his own wheat, when he might be much more profitably employed in looking after his workpeople.

1081. Mr. *Villiers*.] What do you mean by adjudicating in the first instance? —I mean trying suits in the first instance; for example, in the case of *A. versus B.*, the English judge should not try it in the first place, but he should refer it to the sudder ameen, the principal sudder ameen, or the moonsiff, according to the nature of the case, and should hold his hand and his mind free to superintend the native judges, and to be close at their heels to receive appeals from their decisions; so that there might be quick investigation of any alleged mistake or corruption.

I do not believe that corruption exists to anything like the degree which has been stated to this Committee; I do not believe that if it did society could hold together at all. Some witnesses have spoken of universal corruption, of their never being able to gain a suit without bribery, and of their always feeling every person with whom they came in contact, both in the civil courts and in the police. I say, if they have done that, in the first place, a man who comes and gives such evidence, hardly comes before the Committee with clean hands; we always should hold the briber, especially if an educated European, to be more criminal than the bribed. Besides that, I believe that those persons are deceived and imposed upon to a very large extent by their own agents, and that a very large proportion—a proportion which they themselves would not believe to be credible—of the money which they suppose they pay for the purpose of bribing this man, or that man, never goes farther than the pocket of their own agents; for they will not say they did, and I suppose they could not, in 99 cases out of 100, apply the bribe with their own hands; they employ a *gomashta*, or native agent, who does the dirty work. That man no doubt tells them, as it is his interest to tell them, in every case that is before a court of justice, and in every case before the police, that there is no chance of getting redress unless they oil the wheels of justice. They give the *gomashta* the money, which he pockets. I have no doubt it will be found that the *gomashtas* of the indigo planters generally accumulate very good fortunes, much beyond what their pay, as has been said of our own native judicial officers, would warrant; and I also believe, having some knowledge of the planters, that every planter believes the agent of his neighbour to be a rogue. Planter A. believes the agent of planter B. to be a terrible rogue, and yet he has the greatest possible confidence in his own agent. But, as I said before, the greater part of the

the bribery does not extend beyond the man who receives the bribe for the purpose of passing it on.

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I believe the administration of justice is slowly, but surely, working itself pure. I believe that our native judges are far better than they were; they are far more efficient, and far more honest, than they were when the system was first instituted; and I think that a very large proportion of the defects of the existing system has arisen from the circumstances under which that system was introduced by Lord Cornwallis. It was then believed, not only in India, but here, at home, that the law of England, as then administered, was the perfection of human reason, not only in its principles, but in its procedure; and Lord Cornwallis, from the most benevolent motives, introduced a system very closely resembling it into our Indian courts of justice. We did not then know the Asiatic character as we know it now. We did not then know what we now know as to the unsuitability of our institutions to that character. I believe that a very far more simple system would have been infinitely preferable, and that a large proportion of the evils which we have seen has arisen from the complication of appeals and the quantity of pleadings which were introduced at that time, from an earnest desire to give justice to the people. I believe that what the natives of India, like all Asiatics, have been accustomed to and prefer, is not that complication of offices and of checks and counterchecks, but such an officer as the judge of old, when the king, or the representative of the king, sat in the gate administering justice to the people, performing at the same time other functions. I believe that is what the people understand and like, and what they would desire; and that our English horror, arising from the state of our own institutions, that the taxgatherer and the judge should be the same individual, is so very far from being participated in by the natives of India, or the natives of any Oriental country, that if they can get a just and upright man, they would desire to see him clothed with all the powers and all the functions of the various departments of the State. I believe that what is now carried out in the Punjab (simply because the Punjab was the last of our territories, and therefore we established our institutions there with the benefit of the experience of our failures elsewhere), is the true system for administering justice to an Oriental people, most suitable to the habits and feelings of the people, and most agreeable to them, however strange it may appear to our European habits and feelings.

What I have stated with regard to the native courts of justice is, I think, in a great measure applicable to the police. Now, the police of Bengal Proper especially is very bad. A late Member of Council at Calcutta, Mr. Dorin, received a very considerable chastisement, I remember, from Lord John Russell for having attributed the badness of the police of Bengal in a great measure to the character of the inhabitants; but I believe it to be too true. An Englishman can hardly conceive the timidity and want of self-reliance of the Bengalees; they are, perhaps, the most feeble of feeble Asiatics; they have no notion of resisting any man who comes to them in the guise of a gang robber, with a club in his hand. I would ask the Honourable Members of the Committee to consider what would be the state of police in England if every burglar knew that he had no chance of being resisted in any house that he might attempt to break open, or in any village that he might attempt to plunder, unless the paid police of the country were there to resist him,—if he thought that he was in perfect safety from the owner or the servants of the house into which he went? That is the state of things in Bengal. The people make no resistance, but submit with great weakness to any outrage that is committed upon them; and there is no desire to help one another. I was referring, quite for another matter, to a book which I have now before me, it is called "Proceedings of a General Conference of Bengal Protestant Missionaries, held at Calcutta September 1855," in which the entire want of helpfulness, or any desire to assist their neighbours, is spoken of. I feel, and have all along felt, that the police of Bengal is very much underpaid, as the police of India generally is, and that is a matter which certainly ought to be remedied, because it renders their situations comparatively very little worth having, and the fear of losing their position does not deter them from fraud, or wrong, or corruption. But, I believe, in that case, as in the courts of justice, the alleged bribery does not take place to anything like the extent to which it is alleged to take place. Then there is the system of land revenue and the tenure of land. It has been

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stated that the land revenue system deters Englishmen from settling in India, and is a hindrance to production. I think that is merely an assumption. It has been alleged, especially with regard to cotton, that the system of land tenure has been a hindrance to the extended growth of cotton for the English market, and it has been thought that the Government should encourage the cultivation of cotton by allowing its cultivation free of the land-tax, and by other measures of that sort. I remember during the time Lord Auckland was Governor-general there was a special effort made in that direction with regard to sugar, and I think with regard to cotton also. But I think the answer with regard to cotton is, that there is no difficulty in getting any amount of other articles, which are equally the produce of India, which the tenure of land throws no obstacle in the way of raising, such as indigo, oil seeds, jute, sugar, and many other articles that might be mentioned. The land tenure has interposed no hindrance whatever to their growth, and during the Russian war, when our usual supply of oil seeds from that country was cut off, I believe the immediate increase of oil seeds from India was something very large indeed, and that if the demand had been sufficient, that increase might have been doubled or quadrupled to any degree.

1082. Mr. Campbell.] Are you not aware that those were raised chiefly by native producers; for instance, were not the oil seeds raised entirely by the natives?—Yes; and so I apprehend cotton is grown entirely by them. I think it is a great delusion, if any Englishmen suppose that they will be able to have large cotton farms in India, and raise cotton for themselves. I believe, with regard to all the staple products of India, it will be found infinitely better and cheaper to get them through the natives. I believe what is called the *Nijabad* of indigo is very much given up; and I believe the attempt to raise sugar in like manner is very much given up. The sugar planters prefer buying the sugar in a certain state from the native planter to raising it themselves. If Englishmen go to India to procure cotton, I believe they will find that they are able to procure it much the best by contracting with the natives for the delivery of it; and should be satisfied with setting themselves down at the large marts with money to advance, and with cotton-presses to prepare the cotton for transit to the coast; and in that way they will be far more profitably employed than in attempting to grow it for themselves, which I am satisfied would result in failure. I believe the argument, in a logical point of view, is this. I never could get one of our Manchester friends to meet me fairly upon it; I have always asked them, What is there special or peculiar about cotton? Is there anything mysterious about the growth of cotton? We know that the indigo planters can get any amount of indigo, and the same holds good with respect to oil seeds, jute, and 50 other things; what is there mysterious about the demand for cotton, that you should not be able to get cotton, if you will pay for it? They say that they are driven from the growth of cotton by the land tenure. If the land tenure does not interfere with the production of oil seeds or indigo, why should it hinder the production of cotton? There is no answer, I think, to that question. Then they come to the roads, and the settlement. They say that indigo is grown principally in the permanent settled districts, which is very true; and that cotton is principally grown in the non-permanent settled districts; that is true also. But then, as I understand, the growth of indigo in the unsettled districts of Madras, of late years, especially in the hands of Messrs. Arbuthnot & Company, has increased in a far more rapid ratio than the growth of indigo anywhere else, showing that the permanent settlement of the land revenue is not necessary for the profitable growth of indigo. They say also that cotton is a more bulky article than indigo (it is not more bulky than oil seeds), and therefore it is more dependent upon roads or canals, which are so much wanting in India: there is no doubt about that. But there is another consideration which really affects the question, if the gentlemen in the manufacturing districts would see it as plainly as I see it, even more than the state of the roads, which is this,—the want of good, honest, trustworthy agents in the cotton-producing districts, except in very rare cases. Except in the case of Mr. Landon, there is hardly an instance where Englishmen, with capital and intelligence, have set themselves down—I do not know that there is any other instance—to procure cotton, as they have set themselves down to procure other things. Mr. Landon has done it, I believe, and has been eminently successful. Other gentlemen have not tried the experiment, and it has been considered that the proper way to get

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get cotton from India, instead of helping themselves, was to rail at the East Indian Government, as it was formerly constituted, and to denounce them as preventing sufficient supplies of cotton from India. But that was not the way that indigo was obtained. When men wanted indigo, they set themselves to encourage its cultivation, and very much the same with sugar. The whole of the indigo-producing districts of Bengal are studded with indigo factories, occupied by Englishmen. In the cotton marts of Central India, on the contrary, I do not believe at this moment there is a single English factor with rupees in his pocket to buy the cotton of the natives, with a cotton-screw at his elbow to screw up the cotton and send it down to the coast; because if that were done it would greatly obviate that want of roads which I so much lament, and which I have been for years endeavouring, to the best of my humble power, to get supplied in India more largely than it has been. I will explain to the Committee what I mean. Some time ago in reading some correspondence about the Madras Railway, which had nothing to do with the production of cotton, or with any question between the Government and the manufacturing interests, I found in those papers a correspondence between the Government Superintending Engineer and the engineer of the railway, with regard to the freight of cotton, at what rate cotton should be charged. This was a most unsuspecting source from which to get reliable evidence as to what was the principal hindrance to cotton being brought down in good condition and in sufficient quantity to the coast. The officer of the railway stated that the cotton must be sent down in the bulk, loose, like so much hay. He was asked, "Why cannot it be pressed?" He said, that the village man of business, who buys it from the cultivators in small quantities, cannot afford to have a screw; he sells it to the man of business, the merchant, or whatever you may call him, in the adjacent town, who might be able to afford to have a screw, perhaps—that is doubtful; but even if he had a screw, nobody would trust him after he had screwed the cotton. The man to whom he sold it would insist upon the bale being opened, for the sake of verifying the quality of the article; to see that there was no dirt, or stones, or brickbats put into it, to make up the weight. Then the cotton gets to the large emporium, there the merchant certainly can afford to have a screw, but nobody would trust even him. When he sent it down to the coast for shipment, the merchant at Madras would not dream of buying a bale of cotton that had been screwed up at some town in the interior at a venture, he would insist upon having it opened. For this reason, the railway officials said it was absolutely necessary that the cotton should come down in the bulk, unscrewed and loose, occupying an enormous amount of room, and therefore having to pay a very heavy amount of freight. Now, all that difficulty, I think the Honourable Members of the Committee will see plainly, would be obviated at once if you had such a state of things as an English factor, or half a dozen English factors, bidding against one another; you would then have at once the system introduced at the principal cotton marts in the interior, of advancing money to the ryots, who would thereby get it at 10 per cent., instead of having to pay 20 or 30 per cent., and the factors would get their produce, screw it themselves, put their brand upon it, and send it down to the coast, where it would pass like bank notes, just as in old times the Company's broadcloth passed from one end of China to the other, without the bale being opened, there being an absolute certainty that it was what it professed to be. So in this case, the difficulty of bad roads, I will not say would be overcome, but would be very much obviated, because the cotton would be sent down in trustworthy bales, closely pressed, and would be but little liable to damage. When a bale of cotton is well pressed, it is comparatively free from liability to damage from water, or from any of the causes which now damage the cotton coming down in the state in which it does. And that is what I have been for years urging and entreating the gentlemen at Manchester with whom I have been in communication, both publicly and privately, to attend to. I have said, "Why do not you put your own shoulders to the wheel? If it is not your business, why do not you incite the merchants to send out their agents into the cotton districts? Railing at the land revenue system, railing at the natives of India, railing at the courts of justice and the police, and railing at the Court of Directors of the East India Company, will not do it for you; you may do it in a very few months, or years at the utmost, if you only take the same measures to get cotton which the drysalters have taken to get indigo, namely, to promote the cultivation of indigo." I see nothing in the system of land revenue

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which should of itself prevent the cultivation of cotton any more than of any other article, and I do not believe that the permanent settlement is necessary to the production of cotton; almost all production in England is carried on by farmers who have no more than 7, 14, or 21 years' leases, at the utmost. Now, our settlements in the North Western Provinces, our settlements in Cuttack and elsewhere, where the permanent settlement has not been introduced, are settlements of 30 years; and I can see no reason whatever why, under that system, any amount of production should not be carried on.

1083. Mr. *Villiers*.] Are you speaking of profitable production?—Yes. Farmers in England commonly have 7 years' leases, or 14 years' leases; but 21 years' leases are very rare in England, although they are common in Scotland, and yet I see cultivation carried on, and a profit made. With regard to the permanent settlement of Bengal, Lord Metcalfe used to say that it was very foolish to settle our revenue, when we could not settle our expenses; though no doubt, the permanent settlement of Bengal has led to an enormous increase of cultivation; and the almost entire destruction of jungle in many of the districts of Bengal, which swarmed within a few years with hogs, tigers, deer, and other wild animals, has been the result in some measure, of the permanent settlement. At the same time, I am afraid the cultivators of the soil are not so well off in Bengal, principally from that weakness of character which I have described, as they are in the unsettled provinces of the north-west; and I do not believe that they are so well off as the Government ryots of Madras. I do not, however, like the ryotwarre system, as it has been administered. As it was originally intended by Sir Thomas Munro to be administered, no doubt it would have been very much better than it is, but as it has been administered it has had the effect of producing minute subdivision of land, and has created a nation in a great measure of paupers, as the subdivision of land is stated to be now doing in an adjacent European nation. Indeed, in my opinion, the one great cause of the comparative poverty of India, which has rarely apparently presented itself to thinkers upon the subject, is, that with her enormous productive powers, almost the whole of the population is employed in raising the produce of the soil, and that therefore almost everything that is raised is eaten by the raisers, just as the comparative wealth of England is produced by the circumstance, that I believe we raise our produce with a smaller number of hands, actually employed in agriculture, in proportion to the amount of the produce, than any people in the world.

1084. *Chairman*.] Would not you invert the causes, and say that poverty in India was the cause of the people being employed in that way?—No, I think not; I believe it has been the state of India from the most remote times. Then we come to the proceedings of the Enam Commission, and other like investigations. It has been stated that those proceedings have had an especial tendency to discourage Englishmen from settling in India, because there is no security for possession. That discouragement could only have existed in those provinces of Madras and Bombay where those investigations have not been completed. In Bengal, in Behar, and in the North West Provinces, happily those investigations have been absolutely brought to a conclusion; not given up, as some Honourable Member stated in the House the other day, but finished and given up because they were done with. I observed also in the "*Times*" the other day a letter signed, I think, "J. T. M." which stated that in Bengal they had not been profitable. Now, that is quite a mistake; speaking entirely from memory, after the lapse of many years, I should say that in Bengal those operations added 50 lacs of rupees to the revenue, or 500,000 *l.* a year; and still speaking from memory, in the five districts of Tirhoot, Sarun, Shadabad, Patna, and Behar, as much as 25 lacs of rupees, or 250,000 *l.* a year, were added to the public revenue from the resumption of invalid grants, besides those grants that were confirmed. An Honourable Member of the Committee seems to doubt my statement; perhaps he is looking, which I am not, at the results of the operations in later years, shortly before the thing was closed; but in those districts especially there had been some very large resumptions in the preceding years, between the year 1820 and 1830, carried on by Mr. Fane and others.

1085. Sir *Erskine Perry*.] With reference to the amounts which you have stated were obtained by Government by resumption, I find in a Parliamentary return presented to the House of Lords in 1852, this is stated: "Charges incurred by the Government owing to the enforcement of the Resumption Laws from

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from 1828 to the end of 1847-48;" the amount is 1,408,817*l*. The other side is headed, "Statement showing the increase to the Government revenue by resumption proceedings during the same period," 379,850*l*. income per annum; those figures are somewhat less than those you mentioned?—Yes; I suspect in the first place, that if I had to make out this return (I never saw it till this moment), I should be able to show a very different return, fairly, I mean. At the same time I see that the ingenious gentleman, whoever he was, who drew up this paper, has put at the bottom "loss to the Government 1,280,000*l*," having neglected to multiply the revenue by 20, 25, or 30 years' purchase as the case might be; one year's purchase of the land is taken and set against the cost of the inquiry. There is a difference of 120,000*l*. between my figures and this paper; but this only goes back as far as 1828. Before I saw this paper I said that there had been a great many resumptions made between 1820 and 1830, by the gentleman whom I particularly named, and others; therefore, I should say with this 379,000*l*. added to the earlier resumptions, it would come as near as may be to my 500,000*l*.

1086. Does not that include those years?—No; this return is only from 1828 to April 1848.

1087. Did not the resumption law pass in 1828?—The second resumption law; the first resumption law was Regulation 2 of 1819, and under that large resumptions were made before the law of 1828 was passed.

1088. *Chairman.*] You included some resumptions previous to the date of that law?—I alluded to resumptions 10 years previously; probably, if there was a similar calculation for the eight or ten years between 1819 and 1828, there would be no difference between the two. This is 379,000*l*., and mine was 500,000*l*.

1089. *Sir Erskine Perry.*] Then there is the cost to the Government of a million and a half, and the interest upon it?—Yes, but the collections were running simultaneously. You must not put interest upon the one without putting interest upon the other. Resumption has been asserted to be a great hindrance to the settlement of Europeans in India, and as being in itself inherently and scandalously unjust; there has been a considerable degree of talk about the insecurity of landed property, and that the measures in question were an interference with the rights of property. Now, in the first place it is really much less a question of property at all than a question of taxation in India. As Honourable Members are aware, almost the whole revenue of the country is derived from appropriation by the Government, from time immemorial, of a very large proportion of the rent of land. Now the land itself is private property; that I have never denied; it has been a moot point, but I have always held that the land has been private property; but the rent of the land, by the hypothesis, is what remains after all the expenses of cultivation were returned; the bulk of it, in different proportions according as the Government were grasping or slack, has always belonged to the Government, and formed the great fund from which all the expenses of the State were defrayed. When people, therefore, talk of giving up this or that parcel of land, and giving up the revenue to A or to B, they are in fact, if they would see it, robbing the community of so much to which they are entitled for the expenses of the country. The merchant and the artisan in the large town, or the weaver in the village, is interested in the highest degree, if he understands his own interest, in seeing that every acre of land in the country pays its proper revenue to the Government, in order that unwise and injudicious taxes should not be from necessity imposed over and above the land revenue. I have always, from the time I knew anything about India, aided the fight, with Sir Charles Trevelyan and others, to get rid of the transit duties which have been given up, the moturpha taxes which have been given up, and to give up all injudicious taxes upon exports, which have nearly gone; and therefore it becomes necessary, as you must have a revenue, that you should not on any account relax the hold of the Government upon the land. Now it may be an unfashionable doctrine, but I hold with the late James Mill and the present John Mill; I hold that revenue derived from rent, where rent is not private property, is not only not a bad system, but the very best system that can be devised; because, by the very hypothesis, it is money remaining after the cultivator has been recompensed for all his capital and for all his labour. If you take more than rent, no doubt that will soon bring the country to ruin, but it will soon work its own remedy. You cannot take more than rent for any continuance of time without destroying the country

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and bringing it to beggary; the effects would speedily show themselves if you were taking more than rent as rent is properly defined. That being the case, as the Government, if they are an honest Government, are simply trustees of the people for the Government of India, they are bound to see that the revenue which belongs to the whole community is not usurped by a comparatively few individuals, thereby necessitating the imposition of much worse taxes, as revenue must be had, and robbing those who were entitled to it; for I say, as to the merchant in the town who wants the assistance of the police, or who wants a military force to keep off the Mahrattas or Pindarees, that the rent of the land belongs to him as much as to the man who ploughs it; no more, but just as much; and he is entitled to it; he is entitled to demand that it be not remitted in favour of this or the other individual.

I think a mistaken cry has been raised in favour of these exceptional cases of remission of the land revenue. I shall be able to prove to the Committee, with reference to those great names that were cited, especially by one witness, Mr. Warden, who appeared before this Committee last session as being opposed to a strict and searching investigation of these titles, that so far from those great statesmen having been of opinion that the rights of the State ought not to be enforced, they have expressed their opinion in the strongest possible terms in favour of enforcing them. Whilst it has been alleged that the English Government has been in these respects more grasping than the native governments before them, I believe that precisely the contrary is the real fact, and that we have been more indulgent, and have granted favour in that respect to individuals wrongfully as regards the public. Once again let me say, that the Government of India is bound to act in all matters of that sort just as the people of India, if they were capable of having a constitutional government, would act themselves, and just as the people of England would act, if any body of people in this country were to say that they had grants from William the Conqueror, King Stephen, or anybody else, that neither they nor their descendants were to pay any taxes whatever to the end of time. In India the land revenue is the only tax that is paid by any individual, with the exception of the salt tax, which amounts to a few pence a head. Therefore it amounts to this, that the man who holds rent-free land is to have the service of the army and of the police; to have roads and bridges made, and every institution of the country maintained, at the expense of other people, for his benefit. I believe the English government has been more liberal than any native government. The native governments granted (I admit that we do not grant), but the native governments resumed, in the most unscrupulous way, just when it pleased them. They gave largely, as Sir Thomas Munro says, because they resumed without scruple. One ruler gave, and his successor, or even he himself, took it away again. I do not believe that there is the smallest foundation, in fact, for the allegation that the natives themselves think it a gross injustice for the rent-free tenures to be resumed. I believe quite the reverse, and if a few have that feeling, it has arisen simply from our own extreme indulgence. When we took possession of the country, such a notion did not inhabit the breast of a single native of India, because they had seen the practice from all time to be exactly of the opposite description. Mr. Warden referred to three or four great men, who, he said, would never have done anything so shocking as to investigate the enams of the Deccan; the Marquis of Hastings, Mr. Elphinstone, Sir Thomas Munro, and Sir Charles Metcalfe; I refer to this matter so particularly because there is not only in this Committee, but in Parliament, a misapprehension (and in quarters where I should not have expected such a misapprehension to exist) with regard to the nature of rent-free tenures in India; and I think, if possible, the truth ought to be brought to shine upon the subject. The Marquis of Hastings said, on the 21st of September 1815: "Of all subjects of taxation I should conceive the profits of rent-free lands the most legitimate. The holders of land of this description are at present exempted from all contribution, whether to the local police of Government, by which they are protected, or to the public works, from which their estates derive equal benefit with the rest of the community. They are indebted for the exemption either to the superstition, to the false charity, or to the ill-directed favours of the heads of former governments, and other men in power, and have little personal claim upon ourselves for a perpetual exemption from the obligations they owe as subjects. Most of the tenures may be considered invalid; indeed the scruples which have saved the whole of these lands from indiscriminate resumption,

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resumption, have given cause to admire as much the simplicity as the extreme good faith of all our actions and proceedings." I believe that to be the true view of the case. In spite of the large resumptions that we have made in Bengal and Behar, we have confirmed in perpetuity to heirs and successors lands which our native predecessors never would have dreamt of so confirming. Two of the other great men are Lord Metcalfe and Sir Thomas Munro. Lord Metcalfe says, in his minute of the 13th of November 1828, "For my own part I cannot conceive a more legitimate subject for taxation than the possession of a perpetual alienation of public revenue held under the grant of a preceding Government. It is necessary for the apprehension of my meaning to consider under what circumstances such a grant was made, and under what circumstances it has been continued. It was originally a gratuitous grant; personal service was to be rendered; troops were to be furnished according to the extent of the assignment; the native Government was supported, not weakened, by the arrangement, and, in addition, nuzzerana, or fine, was payable on succession and on other occasions. What follows? We come and conquer the country; the holder of the tenure has done his duty; he has been an enemy, and fought against us; all alienations of revenue properly lapse to the conqueror; we have a right to consider this assignment as having lapsed, instead of which we confirm its continuance. This is very generous no doubt, but it is a gratuitous waste of revenue, and one of the causes why British India is likely to sink under the pressure of expense exceeding income." Then Lord Metcalfe says again, what I think is peculiarly applicable to some opinions which are now entertained, "We cannot afford to purchase by sacrifices of revenue a precarious and an unavailing popularity, even if such should be the consequence, which is not only not certain, but very much otherwise. We cannot dispense with our lawful revenue, but we are even bound to increase it by all just means in order to keep pace with our excessive and increasing expenditure. On political grounds, therefore, the revenue of an assignment which has justly lapsed to Government is of more value, in my opinion, speaking generally, than any probable consequence of the gratuitous continuance of the alienation in perpetuity." Then Sir Thomas Munro's opinion is still stronger; he says, on the 15th March 1822, "All land was assessed to the public revenue; a part of the land was allowed to religious and charitable purposes, and to municipal institutions, and the public revenue of such lands was enjoyed by the incumbents. But the public revenue of all other land came to the Royal Treasury, unless when assignments of particular villages or districts were made to civil and military officers for their personal allowances and the pay of their respective establishments; all which assignments, however varied, ceased at the will of the sovereign." Now here follows a statement which I wish the Committee to listen to especially: "The terms employed in such documents (sunnuds)" (that is the name of the native grants), "for ever, from generation to generation, or in Hindoo grants while the sun and moon endure, are mere forms of expression, and are never supposed, either by the donor or receiver, to convey the durability which they imply, or any beyond the will of the sovereign." He says in another place: "It can easily be shown that princes resumed altumghas at pleasure." They were royal grants of the highest character, all which altumghas we have allowed in real grants to be held in perpetuity, which the native princes never did. "It can easily be shown that princes resumed altumghas at pleasure. It cannot be shown that when they were disposed to resume, the act of resumption ever was or could be prevented. It may be said that they were despots, and acted unjustly. Had they seized private property they would have been regarded as unjust by the country, but no injustice was attached to the seizure of an altumgha, as the people knew that it was a grant of public revenue. The princes were, it is true, despotic, but they were liberal, and even profuse, in their grants, and the grants themselves grew out of their very despotism, for it was because they found no difficulty in resuming that they made none in granting." Now we have gone upon the principle of sanctioning a very large proportion of these grants; we have laid down rules under which certain grants are to be considered valid, and certain grants invalid; and when the Government of India proceeds to carry out those measures, which, as I have shown, are far more lenient to the grantees than any native Government would have adopted, we are charged with most despotic conduct, cruel conduct, gross injustice, interference with private property, breach of faith, and other like crimes. Now I hold that in the nature of things there can be no private property in an

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exemption from revenue ; it is the veriest confusion of ideas to connect it with the rightful ownership of land. What the State grants to the rent-free holder, call him what you will, is not the land, and is never pretended to be the land—it is the Government revenue upon the land ; because of this very land there is probably a private possessor who holds it, whom the rent-free grantee cannot oust, and over whom he has no power ; he is merely the receiver of the public revenue, which is alienated to him. I do not think the Committee can have any notion of the extent to which these abuses exist. It was, to a certain extent, an abuse that any such grants should be made, and a very large proportion of these are mere shams, existing under the letter of that abuse. In two districts of Bombay, Dharwar and Belgaum, it is stated officially that more than half of the entire villages are held rent-free under one designation or another, besides very large parcels of land in the villages which we call Khalsa villages, that is, villages paying revenue to the Government. Now, how is it possible that the Government can be carried on where the land revenue is the only great source of revenue ? because the opium revenue is out of the question in such a discussion as this ; it is not paid by the people of India where these enormous alienations have been made ; and we are told that they are to be allowed to continue in perpetuity, rather than go through any investigation, which is alleged to be very unpopular. Every tax is unpopular ; I never heard of a popular tax ; but this I will be bound to answer for to the Committee, that if you were to give up all these alienations to-morrow, and then try to supply their place by any new tax upon the people of India to which they had not been so well accustomed as to the land tax, you would find it infinitely more unpopular, and infinitely more difficult to carry out. As to the unpopularity of the thing, I beg the Committee to take this into their consideration. I believe this allegation of extreme unpopularity affecting the tenure of our Government, and placing the Government of Bombay in jeopardy, is, in fact, a cry got up to serve a purpose, probably by the very holders of these lands. I will give a proof in point. Where have we found such energetic support of the present Government of India as we have in the Punjab during this last fearful crisis ? The people of the Punjab have been, from whatever cause (we must not look too deep), certainly eminently faithful, and have greatly contributed to carry us through this great crisis. In no part of India have resumptions of public revenue been carried out more unsparingly than they have been by Sir Henry Lawrence, and still more by Sir John Lawrence, in the Punjab.

1090. Mr. *Baillie*.] As regards the Punjab, did not they resume jaghir as well as enam there ?—They resumed almost everything they came across.

1091. They did not confine themselves to enam ?—No ; they resumed every thing in the broadest way. I believe this is a mere cry got up for interested and selfish purposes.

1092. Mr. *Campbell*.] Was it not by reason of its being an armed conquest, and not a peaceful settlement, that resumptions were made in that wholesale way in the Punjab ?—We did in the Punjab what we ought to have done in the interest of the people in Bengal, and every other part of India. I do not insist upon this matter because I am greedy of revenue, but because I believe this to be the best sort of taxation, and because I believe it to be unjust to the great body of the people that an advantage should be given to a few individuals ; it is precisely as it would be if every man whose name began with A or B was to pay no taxes in England, or as if the nobility were exempt from taxation. I hold that in the matter of taxation of this sort, the doctrine of *nullum tempus occurrit regi* is a very proper and fair principle. But look at the enormity of the claim : under any possible circumstances, can there be a right, in any individual, of perpetual exemption from taxation ?

1093. *Chairman*.] Were not the resumptions in the Punjab much more recent with reference to the title than the resumptions in other parts of India ?—No doubt they were.

1094. Is not that the gravamen of the case, that, after the lapse of a number of years, when the right seems to be confirmed, and as it were consecrated by lapse of time, you raise up these old claims of the Government, which naturally create great indignation among the proprietors and people ?—My answer to that is, when I was in Bengal, I was engaged largely in controversy upon this very point with some very able men who held the other opinion.

1095. Mr. *J. B. Smith*.] How many years ago ?—Twenty years ago, or more than

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than that; but the length of time that has elapsed since has nothing to do with my argument, as you will see presently. It was then stated, as it is stated now, that the impendence of these investigations by the Government deprived the lands of their value, and that rent-free lands would have held a higher value but for them. I said, show me a single case before these investigations were commenced, in which any rent-free tenures sold at what you call the fee-simple value, and I will give up my point. No case was shown, and I do not believe that any cases could be shown, that at any time there was any such reliance upon the validity and soundness of those tenures as would give them a fee-simple value. Allowing that there may be one-tenth, or one-fiftieth (I do not know the proportion) which are good tenures, according to our own law we allow those tenures to be good, I do not believe that any of our native predecessors allowed them to be good; the Sovereign gave them, and took them back when he pleased: is it reasonable that, having made this large concession, the Government should be debarred from recovering the revenue from invalid tenures?

1096. Mr. Villiers.] Do you mean that they gave them, or took them away without cause?—Yes; just as you might give a gift for a time, and take it away. Sir Thomas Munro says so distinctly, and all record says so distinctly. They were liberally given, because they were unscrupulously taken away. Every man resumed, except by accident, all the grants of his predecessor. The result of these enormous alienations of Government revenue has been, that the Government of Bombay has never paid its own expenses, I believe, for very many years; and the weight of making up the deficit has been thrown upon the people of Bengal and the North West Provinces. I hold that to be an injustice far greater than any that can be alleged (I do not believe there is any) against these investigations. I am reminded that I have not spoken upon the point of the alleged violation of Mr. Elphinstone's pledges. I do not remember that Mr. Warden insisted so much upon the breach of faith as he did upon the lapse of time; but it is quite clear from passages which I could read to the Committee, that Mr. Elphinstone never confirmed any one of those tenures, and never intended to confirm them without investigation. He says so in the plainest language himself: "All wuttuns and enams (hereditary lands), wurshasuns (annual stipends), and all religious and charitable establishments will be protected, and all religious sects will be tolerated, and their customs maintained, as far as is just and reasonable." There is nothing absolute, but merely "as far as is just and reasonable." How did Mr. Elphinstone explain what he meant by that expression, that they would be maintained "as far as is just and reasonable"? To show that he intended to confirm nothing, but left everything pending for future investigation, he says, "All land allotted to charitable and religious purposes must be continued, and the title ought not for the present to be strictly examined" (he put it off purposely). "The same applies to enams, where present possession ought to be a sufficient presumption in favour of the holder's title, until there shall be time for more regular investigation." Again, on the 1st of July 1818, he ordered that "no formal confirmation should be given until an investigation has taken place."

1097. Chairman.] Does Mr. Elphinstone ever raise the *nullum tempus* principle that you so strongly vindicate?—He could not have raised the *nullum tempus* principle, because he was writing at the beginning of the *tempus*.

1098. As you are laying down principles of action, does he lay down that principle?—I am not in the least afraid of meeting that question upon the broadest grounds. I admit that it is to be regretted that we had not been able to begin the investigations more promptly; it was the *res duræ et regni novitas* that prevented us from going into these investigations at the proper time; I wish they had been gone into.

1099. Mr. Villiers.] When were they gone into?—About the year 1852.

1100. Was not that 35 years after our possession?—Yes.

1101. Mr. Kinnaird.] Was not it the fact that there was an attempt to institute an inquiry of this nature in Bengal, which was obliged to be given up?—I saw in the House of Commons that it was so stated, but it was only given up because it was finished. The whole thing has been completed, both in Bengal and in the North West Provinces; in the North West Provinces and in Cuttack, in the last revision of the assessment, where the settlement is temporary, it was done simultaneously with the revision of the land settlement; and that is what I desire to see in Bombay and Madras.

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1102. Mr. W. Vansittart.] Were not those inquiries finished so far back as 1847?—They have been finished since I left India.

Then, we come to the question of the roads, bridges, and the like. We are still upon the alleged hindrances to colonization. I have always admitted, with the greatest regret, that sufficient was not done in former years in the matter of roads, bridges, and canals, for the improvement of the internal communications of the country. In the evidence which I had the honour to give before the Cotton Committee in 1847, I stated as frankly as I do now, that it was a great neglect of the former Government of India, for which, however, many good excuses are, I believe, to be found. Still, it is very much to be lamented that they had not the power of making better provision for the traffic of the country than they did; but, at the same time, there is no occasion to overstate the case, as it has been overstated in the evidence before this Committee, upon several matters in connexion with the communications, and, among others, the Nuddea rivers. A good deal of evidence has been given before this Committee with regard to the Nuddea rivers, and the neglect of them, and the facilities which might have been afforded to the trade of the country if more advantage had been taken of those rivers, and if more money had been laid out upon them. Now, I felt at the time that that was wrong, because I knew better than most of the members of the Committee what the nature of those rivers is, and what is the nature of the country through which they flow. Honourable gentlemen, with English notions of rivers, which are kept within their banks, and which flow year after year, and century after century, in the same channel, must necessarily have very imperfect notions of the real character of those rivers, of their capabilities, and the means of keeping them in order. In the evidence, it was alleged that great improvements might be made in those rivers; and I have ascertained, in confirmation of my own opinion, from the highest authority, that so great are the annual floods from the rains that nothing that was done one year would be of the smallest service in the next, and that any outlay upon those rivers, except an outlay of a stupendous character, amounting to millions sterling, would be utterly thrown away in permanently improving their navigations. Now I remember that I asked a witness whether those rivers did not greatly deviate in their course from year to year; and the witness, if I remember rightly, said, "No, they did not." I thought it was a very strange answer, knowing what I knew of the character of these rivers. I have since ascertained from a high authority that in the few years that have passed since we made annual surveys of those rivers, they have deviated in their course, some of them, not less than six or eight miles, in the one direction or the other—a degree of deviation in the course of rivers which to men who have only travelled in Europe would seem altogether incredible. I know that Plassy, where the great battle was fought, was at that time upon one side of the river, and that it is now upon the opposite side of the river. I think no charge can be substantiated against the Government upon the subject. It is certain that anything done one year would be of no avail the next year; it would be utterly gone, and perhaps the river would have taken itself off two or three miles in another direction.

With regard to the great trunk road, it was stated that there was a great want of bridges upon that road; there was a considerable controversy in the Committee about it. Now, I have ascertained from the highest authority what the want really is; I have ascertained that, excluding the Ganges, which I suppose nobody would be bold enough to undertake to bridge, there are only five rivers in the great trunk road that are unbridged—two of those have actually been bridged at one time, but floods of extraordinary magnitude have taken the bridges away; they are now actually bridging all those five rivers, except the Soane, which, when full, is about two miles and three-quarters across. The Soane has a stone causeway laid down for a considerable part of its width, which being upon the level is not washed away by the floods, and is found year after year remaining when the dry weather sets in. A temporary bridge is built annually over the small portion of the river which remains running in the dry weather; so that that river is virtually bridged for all purposes of traffic in the dry weather. Over all the other rivers, with the exception of the Ganges, bridges are now in the course of construction.

Then, it was stated that there were no roads in Bengal; and it was stated by some of the witnesses that the neglect of the Government was the greater, because roads might be made at a very reasonable rate of expense. Now, I had strong doubts

doubts upon that point, and I cross-examined the witnesses. Upon that subject, also, I have inquired from the very highest authority, and I find, as we all know who know Bengal, that in the rains any road which was not metalled would be utterly impassable, though such a road would be perfectly good for the dry weather; throughout Bengal there is no material furnished by nature for the making of roads; the whole of the soil is alluvial, and in Bengal Proper there is not a pebble as big as my hand; therefore, the only means of making roads is by burning brick, and making the roads of the brick; and in many parts of Bengal, where, thanks to the clearing of the jungle, fuel is very scarce, the expense of burning brick is extremely great. The information which I have, which I believe to be of the very highest authority, I procured from Colonel Baker, the Secretary to the Government of India in the Department of Public Works, who is now the Military Secretary to the Secretary of State in Council. He states that he thinks 2,000*l.* or 3,000*l.* a mile, would be the expense of making what we call a pulka road, in Bengal. Also, he says that in almost the whole of Bengal the road must be raised, and that the bridges and culverts required to carry off the enormous quantity of water would be almost innumerable. Those, I think, are sufficient causes why more roads have not been made in Bengal. They are now forming the Great South and West Road through Cuttack to the Madras frontier, in continuation of the road from Calcutta to Diamond Harbour, a high road from Calcutta to Jessore, a high road from Mulhatta, on the East Indian Railway to Moorshedabad, a high road from Congola Ghât on the East Indian Railway to Purneah and Titilya, for Darjeeling, which is a hill station, and another from Patna to Gya. But I have always admitted, as the only real cause of complaint which the manufacturers of Manchester have against the Government of India, that it has not provided sufficient roads, or sufficiently good roads, from the cotton districts to the coasts.

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1103. *Chairman.*] Will you extend your observations to public works generally; might not works of irrigation, canals, and other means of communication, have been undertaken?—India is too much intersected by chains of mountains to render it possible to make canals from the cotton districts to the coast. We must look to the railroads which are now forming; there is a railroad which will connect both Madras and Bunbury with the cotton districts.

1104. Were not works of irrigation neglected until a comparatively recent period?—No, they were not altogether neglected; independently of the Ganges Canal, which an honourable Member told me was only a local work, although it is 900 miles long, the canals in the North-West Provinces are very extensive. Honourable Members who read and hear about India must remember this, which I think is generally forgotten. We hear of a number of works, of irrigation especially, in the south of India, in ruin or in dilapidation, and it is said that the few that remain show how much more the native rulers did than the English rulers. But it must be remembered that those are the work probably of 20 centuries, and we have been only a very short century in possession altogether.

1105. *Mr. Villiers.*] Do you mean that the work or the decay has extended over twenty centuries?—The different works of irrigation which we are told are to be seen in the south of India are the work of 20 centuries.

1106. Has not the decay taken place since we have possessed ourselves of the country?—No; the decay began, no doubt, in those troublous times through which India passed when the Mogul empire began to fall, and when the Mahrattas were struggling with the Moguls for power. If you read the accounts in Orme of the way in which the Mahrattas acted, when we had to make the Mahratta ditch even at Calcutta, and when the Mahrattas and the Pindarees swept the country from end to end with fire and sword, you can account for the destruction of almost all works of utility. I apprehend that the period from the death of Aurungzebe to the firm establishment of English power, was the most terrible ordeal that any country in the world ever went through.

1107. From what period do you date the firm establishment of English power in India?—About the beginning of this century. I should apprehend that most of the works of which I have been speaking fell into decay during the previous century.

1108. Have not we been in possession more than half a century?—Yes, and a great many works of irrigation have been re-established, and new works done.

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In Madras we repaired and improved those great anicuts, the works upon the Cauvery; those on the Godavery, and the Kistna, are entirely of English construction.

1109. *Chairman.*] Then you do not admit the truth of Burke's observation with regard to the want of public works in India?—Burke spoke of a period when our Government was entirely new. Then it had not had time to do much. I have made large admissions with regard to roads, canals, and works of irrigation; still I think the case has been overstated as against the Government.

Then it is alleged that there is an exclusive and incompetent civil service, ignorant of the languages of the people, administering justice and revenue. From the very beginning I stated that I could not oppose the alteration of the system of admission into the civil service from patronage to public competition. When it was proposed by Sir Charles Wood in 1853, I stated in the House of Commons that it was a change which it was impossible for me to oppose. I thought it right and wise, and I think so still, though I have not that absolute and entire faith in the success of the experiment which some have. I see much to qualify my hopes of success, and the only point upon which I am most earnest, and upon which, I believe, the good government of India principally hinges, is, that the service should be fed exclusively from the bottom, instead of allowing middle-aged men to go to India. I believe the fall of our Indian empire will commence from that time when you allow grown men to enter the service at the nomination, either of the local Government, or of the Government at home. What, I believe, has been to a great extent the salvation of India has been the system pursued in the military and civil services, of beginning from the bottom; sending out apprentices to India to be trained to the public service. From that system you have two very great advantages; you avoid jobbery to a very great extent; for supposing you had the most jobbing Governor-General that England could afford, he could know comparatively very few of those services, and his appetite for patronage would not extend beyond providing for a very few personal friends; whereas, if you allow men to be imported into the service at mid-life—

1110. *Mr. Villiers.*] That never has been done, has it?—Sending barristers to India has been very much urged; I deprecate it very earnestly upon that ground. It is essential that the service should be fed from the bottom; that men should go out as apprentices to be trained in India; to devote their life to it; and be raised and employed, according to their capabilities, by the Government in India, and not nominated at home to any appointment.

1111. *Mr. J. B. Smith.*] You would still have an exclusive service?—Yes, but a service entirely open at the entrance.

1112. *Mr. Erskine Perry.*] As it is now?—Yes; it is a wrong term to call it an exclusive service.

1113. *Mr. W. Vansittart.*] Is not the civil service of India at the present moment more open than any other service; for instance, is it not easier to obtain a nomination for the civil service, commencing as it does when the person lands in Calcutta with a salary of about 500 rupees a month, than to get a nomination to compete for a public office commencing with a salary of 50 *l.* per annum?—There is no nomination at all for the civil service of India; any man may claim to be examined, and if he is the best man he will get the appointment.

1114. In point of fact, is it not much easier to get a nomination to the civil service of India than to the public offices in England, although the salary in the one case is 500 *l.* a year, and in the other case only 50 *l.* a year?—I believe it is. The great advantage of having the civil service fed from the bottom is that you shut the door against jobbery; I once said in the House of Commons, and I say it again here, it is not so bad now, because I hope public opinion is stronger and better; but if you had had a service which men could have entered at middle life, you would have had men disappearing from St. James's-street, and from the course at Newmarket, coming up like daf-chicks in the very best appointments in India, as was notoriously the case in our colonies. The other great advantage is, that every man is known to the Government. The Government, when they have any important business to do, can choose a good man out of half a dozen good men, whose career they have known for 10, 15, 20, or 30 years, according to the man's standing. I very earnestly deprecate upon this score the employment of barristers, or of any men of mature age. Even now, whatever may be said about the salaries of officers in India, the anticipation
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of Lord Macaulay and other gentlemen, who devised the present scheme of competition, have been very much disappointed. They thought that they would have the first men from the Universities, and the first young men in England. Now, to the best of my knowledge and belief, you have not had a single first class man from Oxford; I am not sure that you have had a second class man from Oxford. You have never had a wrangler from Cambridge, as a competitor for these appointments. I believe that you get quite the skim-milk of the rising men of England. Now, if you further diminish the value of the prize, by taking away from the service a considerable number of the appointments in India, you will get a still inferior class to come forward. I believe the age to which we have raised the entry into the civil service is a very fatal mistake; this year it is 24; the result is that you get men who have tried themselves at Oxford and Cambridge, and have failed; formerly you got some men at least like Lord Metcalfe and Mr. Elphinstone who, if they had remained in England, no doubt would have distinguished themselves. Men like Sir Charles Trevelyan, Mr. Colvin, and Mr. John Peter Grant, would have been in England at the top of their respective professions, because they were men of most distinguished ability. You got them because you got them young, before they had tried their strength at home, whereas under the present system you only get men who have tried and failed; you get, as they do at country race-courses, second or third rate horses; the first-rate horses go to Newmarket; the best men remain at home for the English professions, and you only get those who are the slow ones for India.

1115. *Sir Erskine Perry.*] And yet you are an advocate for the system?—I say you would get still worse under a system which diminished the value of the prize. Even now, the prize is not good enough. I am objecting to a mistake which can be altered by a mere scratch of the pen of the secretary; it is altered one year, and put at 23.

1116. *Chairman.*] You would wish a lower age to be adopted for admission into the civil service?—Yes.

1117. What age would you suggest?—I think 20 should be the maximum. I think by that time you can test a man's ability.

1118. *Sir Erskine Perry.*] You would raise the salary of civil servants to make the prize higher, by your argument?—No.

1119. Yet you are an advocate for competition?—Yes; but I am not so confident as I was about the effect of competition. What I have endeavoured to show is, that under the old system you had a chance of getting the best men, but now you have no chance of getting the best men. I am quite sure, if you waited till a later age, you would not get the best barristers, or the best rising men of England, at 30 or 35, to go out. I remember that the whole bar was in amazement when Mr. Peacock took an appointment of 10,000 *l.* a year in India. I have known the Advocate-generalship in Calcutta offered in succession to four or five or six barristers, all of whom refused it, although it is an office in which a man may earn altogether from 10,000 *l.* to 15,000 *l.* a year. I believe that, upon the whole, the business of the country is done in such a manner by the civil servants, both revenue and judicial, that the Government administered by them is no bar at all to the settlement of Englishmen in India; and I am persuaded, from my own knowledge, that what has been said about the ignorance of the civil servants of the languages of the country is extremely exaggerated. Now, since I left India, a system of successive examinations has been established, of which I think the papers have been laid before the Committee, which renders it next to impossible that any man, without a competent knowledge of the laws and of the languages of the people, should hold any appointment of importance.

1120. *Mr. Villiers.*] Is that examination after they go out to India?—Yes, after they have passed out of the college they have two toll-bars, as it were, to pass, without passing which they cannot obtain the successive steps of promotion and salary.

1121. Is the examination after they first come out, or is it upon the question of promotion?—When they first go out they pass out of the college, which requires a certain moderate amount of knowledge of the languages of the country, into the service. Then they are appointed to the lowest grade as assistants; they cannot get the next step which enables them to exercise certain powers till they have passed the second examination, and they cannot get the following step till they have passed the third examination.

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1122. This is all new, is not it?—Of late years. The rules have been laid before the committee under which those examinations are conducted; the means of examination were also specified to the committee, one of which is, that a report of a police officer that a murder or a gang robbery has been committed, is put into the hands of the examinee. He has never seen that report before, and he is required to read it in the native language just as it is written; to sit down and with his own hand write orders upon it, as if it had been a report made to him as a magistrate; that is one of the tests.

I have gone through all the causes which were stated to be impediments to the free settlement of Englishmen in India, and I now come to the proposed remedies for those impediments, some of which I have noticed, I think, partly by anticipation.

1123. Am I to understand you to deny the existence of all those complaints?—No I do not; some I deny, and others are very much exaggerated. I am not afraid to deny altogether that the Enam Commission or the system of land revenue prevent the settlement of Englishmen in India. Then upon the larger employment of Englishmen in the administration of justice, I think I have said almost enough. I most earnestly deprecate any considerably larger employment of Englishmen in those offices. I think it would be most unfair to the people. A great number of the witnesses gave, as their general opinion, that Englishmen ought to be employed in those offices, because their example would have so great an effect in encouraging the natives to follow in their steps, and to become honester and better administrators; but I never believed in any plan for teaching boys to swim without allowing them to go into the water. The people of India can only be rendered capable of self-government by allowing them to begin in the lowest grades to govern themselves. We have no right to consign them to perpetual unfitness for office by keeping them out of office till they are fit to go into it. The only way, as I stated before, is, that we should employ the natives in all the subordinate offices of justice and police, under a strict and vigorous system of European superintendence, and gradually allow them to work themselves pure.

1124. *Chairman.*] Did not the evidence generally tend in favour of superintendence, and not of interference with them?—One of the plans was, I think, that we were to have English courts of justice, English law administered in the Mofussil by English lawyers, and English pleaders. I distinctly remember that there were to be English courts, where justice was to be administered by English lawyers in the English language, at Patna, Moorshedabad, and the principal provincial towns. I earnestly deprecate that, on the ground that we have already too much law and too much of the forms of justice in India. What the people of India require is a very simple administration of justice, and it would be a step entirely in the wrong direction to introduce the English system of jurisprudence among the people. I see the difficulty of the administration of justice simultaneously to the English planters and residents, by a system which would be suitable to the native mind and the native character. But I think, whatever our feelings and pride of race may dictate, justice requires that the system of administration should be suited to the vast majority of the people of the country, and those who voluntarily go to settle amongst them should accommodate themselves to a system which is suited to the people among whom they settle, or else they should stay away.

With respect to the better training of judges for the Mofussil Courts, I think it is very desirable that some system should be adopted. It is very difficult to devise such a system, for this reason: there are two things to be aimed at, which apparently are inconsistent with one another. There is the legal training, and there is the knowledge of the people, their institutions, and their habits, which appear to me to be almost incompatible. If a man is to spend the early years of his life as a barrister does in this country, in a special pleader's office, in going the circuit, and learning the principles of his profession, he cannot be in India to acquire a knowledge of the habits, pursuits, and institutions of the people. If, on the other hand, his whole time is employed as a magistrate or a collector, when he is raised to the judicial bench he cannot have that knowledge of law and the principles of jurisprudence which is so desirable. I see extreme difficulty in it; but, supposing it to be decided that it is impossible that a man should acquire both, I have no doubt whatever that, of the two, it is better that he should be without what is called judicial training, and that you should trust to natural good sense, and natural equity, than that the judge should be ignorant of the habits, the pursuits,

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pursuits, the trade, and agriculture of the people. I think that supposing the case of a man who did not know a field of rice from a field of sugarcane, at what time the one crop and the other is produced, and did not know how the handicraft trades were carried on, and did not know the feelings of the people with regard to caste, and did not know the thousand thing which a man can only gradually learn by mixing with the people, as a revenue officer in India mixes, although he had received a legal training; of the two, it would be far better that he should be without the legal education than that he should be without the local knowledge. I hold with Sir Thomas Munro, strange as it may appear to English ears, that a man is not competent to be a judge in India till he has been a collector there. There may be exceptions; there may have been some judges in India who have not gone through the office of collector; but still, as a general rule, dealing with ordinary minds, I think a man is not fit to be a judge in India till he has been a revenue collector, because that office obliges him to mix largely with the people. In India, to a degree almost unknown perhaps in any other country, the duty of a judge is really not so much to decide, if you will allow the expression, upon the evidence, as to decide upon probabilities; and, therefore, it is not so much a legal education which is required as natural shrewdness and intelligence, and a knowledge of the people with whom he has to deal. In a court in India, twenty men will swear point blank to one side of the case upon a mere matter of fact, and twenty men will swear point blank to the other side; therefore it is utterly hopeless that a judge should arrive, by the mere weighing of the evidence, at any conclusion upon such a case. I remember the report of a judge of circuit, with respect to a gang-robbery, in which he said, "There are plenty of eye-witnesses who depose that A., B., and C. committed this gang-robbery;" but he added, "If you were to decide the case, and condemn the men upon the mere evidence of eye-witnesses, which, of course, in England would be thought the best evidence you could possibly have, no man's life would be safe against whom a zemindar had a spite." I remember another judge, speaking of a particular district he had been visiting upon circuit, says, "Of the murders charged, not one, and of the gang-robberies charged, only one actually took place at all; all the others were cases got up by the landowners fighting with one another through the medium of our courts of justice." In all cases of that nature, it appears to me that a knowledge of the people, of their habits, of their modes of thought, their feelings, and their practices, is much more valuable than legal training. Do not let me be thought to depreciate legal training; but if you must do without one or the other, I say, Let a man never have heard of Westminster Hall, and never have heard of a system of jurisprudence at all, so long as he is thoroughly acquainted with the people to whom he is to administer justice.

1125. Do you think it is impossible to combine the two qualifications?—I think it is very difficult to combine the two.

1126. Do you think it desirable that they should be combined?—Beyond question; therefore I think it very desirable that those young men who are to be sent to India should pass a strict examination, which should not be optional, but a *sine quâ non* in the principles of jurisprudence.

1127. Do you think that would be sufficient to form the judicial mind of a judge, without a regular legal training?—Not in the abstract; it is as much as you can get, I should say, if you take the other matters into consideration to which I have referred.

1128. Mr. Villiers.] Are you stating the general opinion of the service?—My own opinion.

1129. Mr. Campbell.] Is not it the fact, that the frequent changes that take place amongst the officers in the provinces show that the local experience to which you properly attach so much weight, practically, is not recognised by the Government?—Local experience is not confined to a single district. The natives of Bengal are pretty much the same; the natives of Radshahye are pretty much the same as the natives of Purneah.

1130. But when 20 men swear falsely in a case, the judge would have no knowledge of the men?—He could not know the individuals, of course, but he would know the general character of the people.

1131. Chairman.] You stated before, that the natives of Bengal were much more corrupt than the natives of other parts of India?—Yes. Now, the relation of the planters to the ryots is an important matter; it was assumed by all the planters who gave evidence before the Committee (the man was drawing the

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picture), that those relations were of the most friendly and philanthropic character; indeed, the only hope of regenerating the natives of India was by means of the planters, and it was a great matter of regret that the planters had not been allowed to hold land at a much earlier period of our rule in India. Now, they are pretty much the same class of men as that from which the civil servants are taken; of the same rank of life as myself; and I believe them to be neither better nor worse than I am in these matters; but from my knowledge of the habits of the Anglo-Saxon, I am persuaded that if India had been open at an early period to the purchase and acquisition of land by planters, and still more by the civil service (I rejoice beyond measure that the civil service has been debarred from holding land), all the good estates would, by some process, have passed out of the hands of the natives into the hands of these philanthropic gentlemen.

1132. To use an American expression, they would have improved them off the face of the earth?—Yes.

1133. Mr. Villiers.] You are referring to former times, are not you?—Yes; now our supervision and our laws are stronger; England is brought nearer to India, and the natives are more wide awake. But here is some evidence, neither of planters nor of servants of the Company, but of perfectly impartial witnesses; it is the opinion of the missionaries of Bengal, in conference assembled, of the action of the planter system upon the natives. This is the report of a conference that was held in Calcutta, in 1855, of Bengal Protestant missionaries, not Government servants, but perfectly impartial persons. They deliberated upon a number of subjects, which they considered to be of the most importance with regard to their operations, under different heads. One of the heads was, the Influence of Indigo Planting. This is what the Rev. Mr. Schurr says of the planters, which is not exactly like the picture drawn by the planter himself, of the effects of their intercourse with the natives:—"The planting of indigo in the districts of Nuddea, Jessore, and Pubna is another protected system where individuals profit by the poverty and misery of tens of thousands. In these districts the planters invariably try to obtain zemindary rights, by either purchasing or leasing estates. These obtained, they are the feudal lords of the ryots and their lands. It is therefore not to be wondered at, that on such estates the above-mentioned evils are aggravated rather than diminished. If the planter enjoys the friendship of the civil servants"—(I think this will account for its being stated that in many instances the civil servants hold themselves aloof from the planters, from a feeling that they cannot safely be upon a footing of close intimacy), "he can oppress, imprison, and ill-treat the ryots with impunity. By some planters' orders, villages have been plundered and burned, and individuals killed. The planter holding a talook, considers himself entitled by his zemindary rights to force every ryot to sow indigo on any of his lands, and to any amount. The ryots consider it cruelly unjust that they should be compelled to cultivate on land for which they themselves pay the rent, a crop which yields them no return, and thus merely to labour for those with whom might is right; they must do this sometimes on land which belongs to other zemindars, who refuse to lease it for the cultivation of indigo. The ryot who dares to refuse, meets with severe punishment, and the zemindar is frequently ruined by either lawsuits or affrays. In order to have a legal hold on the ryots, advances are made to them; but on most they have to be forced. If once in the factory-book, there is no chance for a ryot to get out of it again; for a constant balance is kept against him, so that even an appeal to the law could not liberate him. I know instances where ryots went with the money in their hands to pay their balances, but their offers were refused. Indigo in Lower Bengal does not pay the ryot, and is a forced cultivation. It has been computed that the money advanced or otherwise allowed for indigo, barely covers the expenses of cultivation to the ryot. Be the produce ever so good the planter's servants always manage to divide the profit among themselves, and the only loser is the defenceless ryot. The best land is selected for indigo; frequently the ryots bribe the servants to substitute inferior land. If the cultivation paid them no such intrigue would be required, for they are wide awake to their own interests; but the indigo not procuring them even salt for their rice, they are compelled to look out for their subsistence from the other crops they cultivate. On these alone they can rely, and it is their interest to retain their best lands for them. If the rice crop fails, the misery is indescribable; in many parts they have to cultivate half their land for indigo, yet it would be hopeless for them to fall back on the out-turn in
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case the rice should fail. In bad rice seasons they must have recourse to the mahajan, or money lender, who exacts no less than from 30 to 75 per cent. Even the richest harvest will scarcely cover the debt accumulating by compound interest, and the poor fellow is hunted by the mahajan in the moonsiff's court, and oppressed by the indigo cultivator, and by these two evils he is frequently crushed."

1134. Mr. Lowe.] Are you reading this as your own opinion?—No.

1135. Mr. Campbell.] Do you believe the statement which you have read to be the fact?—I believe a good deal of it.

1136. Chairman.] Does it represent your opinion?—I think there is a great deal of truth in it: too much truth in it.

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Henry James Baillie, Esq., a Member of the Committee, Examined.

1137. Chairman.] YOU are Secretary of the Indian Government?—Yes.

1138. You are desirous of putting in a document which has been transmitted to you, I believe, from the Bombay Government, by Lord Elphinstone?—Yes. (*The same was delivered in.*)

1139. Mr. Villiers.] Does that document purport to contain the contradiction of any evidence which has been given before this Committee?—I believe it does. I have not read the whole of it.

1140. Will you state the purport of the document?—I believe the purport of the document generally is, to contradict evidence given before this Committee.

H. J. Baillie, Esq.
M.P.

Vide Appendix.

Jovis, 24^o die Februarii, 1859.

MEMBERS PRESENT :

Mr. Campbell.
Mr. De Vere.
Mr. Gregson.
Mr. Kinnaid.
Mr. Lowe.
Mr. Arthur Mills.
Mr. Nisbet.

Sir Erskine Perry.
Mr. Richardson.
Mr. John Benjamin Smith.
Colonel Sykes.
Mr. Vansittart.
Mr. Villiers.

THE RIGHT HON. CHARLES PELHAM VILLIERS, IN THE CHAIR.

Ross Donnelly Mangles, Esq., called in; and further Examined.

1141. Chairman.] I BELIEVE you wished to make some addition to your former evidence?—There is one point which I wish to mention, namely, the amount expended in public works for reproductive and useful purposes. That expenditure before this Committee has been disparaged, and there has been a reference made to what is called the "chronic deficiency" in the Indian revenue. I take the five years beginning 1852-53, and ending with 1856-57, and I will show the Committee the results. I omit 1850-51, and 1851-52, although in both of those years there was a small surplus of revenue over expenditure. In 1850-51 the surplus was 415,866*l.*, and in 1851-52, 531,265*l.* I omit those years, because I am not able to contrast the expenditure in public works with the revenue. In the first of the five years that I have taken, namely, 1852-53, there was a small surplus of revenue over expenditure amounting to 424,257*l.* In the four succeeding years, 1853-54, 1854-55, 1855-56, and 1856-57, there was a large deficit of revenue, amounting in the aggregate to 4,867,869*l.*, from which I deduct 424,257*l.*, being the surplus of 1852-53. There remains, therefore, a net deficit of revenue to meet expenditure in those five years of 4,443,612*l.* in the aggregate.

1142. Was the deficit progressive in each year?—No, just the contrary; I will put in the statement of the deficit each year.

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[*The following Statement was delivered in :*]

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"SURPLUS or Deficit of Revenue in each year since 1852-53, per Annual Accounts presented to Parliament.

	Surplus.	Deficit.
	£.	£.
1852-53	424,257	—
1853-54	-	2,044,117
1854-55	-	1,707,364
1855-56	-	972,791
1856-57	-	143,597 "

Witness.] I turn then to the expenditure for public works, and in the same five years I find there was expended for buildings, roads, and other public works, exclusive of repairs and of military buildings, an aggregate sum of 6,418,663 *l.*, from which deducting the deficit of 4,443,612 *l.* which I have shown, it follows that if those public works had never been carried out, instead of a deficit there would have been a surplus of 1,975,051 *l.* I will hand in a statement of the amount expended in each year.

[*The following Paper was delivered in.*]

"GENERAL Abstract Account of the Amount expended for Buildings, Roads, and other Public Works, exclusive of Repairs and of Military Buildings, as per Accounts presented to Parliament for the following years :

1852-53	-	-	-	-	-	-	-	-	£. 435,559
1853-54	-	-	-	-	-	-	-	-	705,886
1854-55	-	-	-	-	-	-	-	-	1,334,932
1855-56	-	-	-	-	-	-	-	-	1,918,192
1856-57	-	-	-	-	-	-	-	-	2,024,094 "

1143. Sir *Erskine Perry.*] Can you procure for the Committee, from the India House, any papers showing the character of the public works upon which that money has been expended, dividing it under two heads; first of all, those works that are necessary to be undertaken by the State, as the great landlord of the country, and, secondly, those works which may be said to have a reproductive character?—I apprehend that the distinction which the Honourable Member has drawn is not a practical one, because many of those works which the State undertakes as landlord, such as works of irrigation, have also a reproductive character.

1144. That is what we very much desire to have; there are some works which the State in India must undertake; if they do not, nobody will; there are others which they may undertake, with a view to a direct increase of the Revenue. If the India House could furnish such an account it would be extremely useful?—If the Honourable Member will draw up a requisition for it in terms, I will do my best to procure it.

1145. Do not you agree with me that that expenditure upon public works is indispensable for the conduct of Government as the great landlord throughout India?—I have taken out the military works.

1146. That is a very small item, is it not?—No. The Committee would be astounded to see the expense to which the Government of India has gone, for most wise and humane objects, no doubt, of late years, in the erection of barracks.

1147. You gave the Committee some very sound views upon the colonization of India generally, and you stated your opinion that colonization in the ordinary sense is wholly inapplicable to India, and you also gave some very liberal opinions as to the expediency of inviting English capitalists to settle in that country?—Yes, I have always entertained that view very strongly.

1148. Were those views participated in by the old Court of Directors?—Many of them held that opinion, I think, with me; and some, perhaps, a different opinion.

1149. Did not the majority of the old Court of Directors hold directly contrary opinions?—I do not think they did. I am not speaking of the old by-gone days when the commercial monopoly of the Company existed, and when there was a great commercial jealousy of interlopers. I do not think that that feeling has existed since the Court of Directors have been merely the delegated rulers of India. It is only since that time, of course, that I have had any experience of their feelings and opinions.

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1150. Is it not the case, that until the voice of this country was distinctly heard in Parliament, the Court of Directors made the most vehement opposition to any settlers going to India at all?—I suppose the Court of Directors, in common with the rest of the community, have gradually become upon that point, as upon other points, more liberal. I can remember when there was a very small minority in Parliament in favour of the abolition of the Corn Laws, and other matters of a like nature.

1151. Is not Professor Wilson a servant of the Company?—Yes.

1152. He makes this statement: "It was asserted by the India Company, that the fresh arrangements would, of necessity, follow the trade, and that a great number of persons would settle in the country, upon whose steps craftsman and labourers would necessarily follow, and European colonization, however slowly, would surely take place:" is that a correct statement of the views of the Directors, do you think, at that period?—I believe many of their opinions were very erroneous; so great a man as Sir Thomas Munro, as his evidence will show, held erroneous opinions as to the effect of the settlement of Englishmen in India. I always have been strongly in favour of that settlement.

1153. They also said, in either case, that there was an immediate or remote danger that the loss of India would follow the opening of the trade?—The Honourable Member is evidently referring to a period before the opening of the trade; that is rather a matter relating to our grandfathers than of the present day.

1154. Is it not the case that the traditional opinions of a corporation like the East India Company descend for a long period?—They have not obtained lately, according to my experience, during the last 10 or 12 years.

1155. In stating so broadly as you did the expediency of English capitalists going in great numbers to India, were you expressing the views of the old Court of Directors?—I must ask what you mean by the old Court of Directors.

1156. As it existed up to the year 1858?—Yes, I think they were the views of the majority of the Court of Directors at that time.

1157. And as to the more particular question of giving them property in land, do you think the views of the Court of Directors were equally liberal and equally broad?—The Honourable Member is aware, no doubt, that the right of Englishmen to hold land in India was granted by the Charter of 1833, and, immediately afterwards, with the full assent of the Court of Directors, carried out by legislation in India. From that date an Englishman might hold zemindaries or land in any of the old possessions of the East India Company as freely as a native might.

1158. Has it not been the traditional feeling of the Court of Directors that it is very inexpedient to give an absolute title to the soil in India?—If the Honourable Member means that many of the Court of Directors and other public servants have been opposed to allowing the redemption of the land revenue, I have no doubt that that is the case; and I think it still is a very moot point whether it would be wise to permit such redemption, because the money might be spent, and then we should be left without a revenue.

1159. *Chairman.*] You mean that it is a moot point in the Council?—No: in my own mind. Still my leaning would be, that if it were done in moderation, and not to any great extent, it might be allowed. But I do not understand how, in the permanently settled provinces, where the revenue generally bears a very low relation to the gross returns of the soil, the having to make that payment should be any serious obstacle to the settlement of Europeans; because the zemindar now is allowed to deposit Government paper in the Government treasury, the interest of which is equivalent to the assessment upon his zemindary, thereby rendering it absolutely certain that as long as he chooses to leave that paper in deposit, his estate cannot be brought to sale, because the accruing interest will pay the revenue.

1160. *Sir Erskine Perry.*] Are you not aware that long since the charter of 1833, with respect to the growth of cotton in Western India, where the greater portion of the cotton is grown for exportation, Europeans in Bombay have protested in the strongest terms against not being able to get an absolute title in land, with reference to the special circumstances attending the cultivation of cotton?—With great deference, I think, so far as I have read the Reports of the Chamber of Commerce of Bombay, they have put forth some not very wise statements, or opinions, upon the subject of the influence of the land revenue system upon their pursuits.

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1161. After stating the particularities attending the cultivation of cotton, its liability to be cut off, the imperfection of the native seed, and a number of risks that kind, they state this: "Where such risks and such delays are sure to be encountered, the capitalist necessarily looks to be reimbursed by ultimate security of long possession; but this is unfortunately denied him in Guzerat. Notwithstanding the last Company's charter-rules, that British subjects may hold lands in any of the old British possessions, the terms which, in your letter of the 30th of May 1840, you communicated to the Chamber, as those on which alone the Court of Directors permit land to be granted to persons desirous of engaging in the culture of coffee, cotton, and other products, wholly exclude a real *bonâ fide* tenure. The Court, in the despatch therein quoted, expressly forbids Europeans from being allowed to purchase the land out and out; all that is permitted is a lease of years; and the utmost extent of lease under any circumstances is fixed at 21 years. The land is, moreover, rendered liable to seizure, and the lease to forfeiture, at the discretion of the Collector, and no judicial appeal is allowed. On such a tenure the Committee think few British subjects will be found to risk their capital. Nothing short of the absolute and perpetual property in the land (subject, of course, to a fixed rate of taxation) will give that confidence which is necessary to cause capital, time, health, and labour to be freely expended upon it; and when that possession is given, these will probably not long be wanting." Have you anything to say against the wisdom of those observations?—In the first place, the papers to which I referred were very long. I said that there were statements in them which did not appear to me very wise. I had not in my mind the particular statement which the Honourable Member has read, nor any other particular statement; but the subject generally. And, in the second place, my answer, out of which this discussion has sprung, referred to lands, as the Committee will be pleased to recollect, under the permanent settlement in Bengal and Behar. And, thirdly, I have to answer, that in that very district of Guzerat, Mr. Landon, who has not attended to all those bugbears of danger and difficulty, has settled there, and has been eminently successful, as I am happy to believe, in producing cotton, and in conducting this very business, which the Chamber of Commerce of Bombay state to be impracticable, on account of the difficulties with which it is beset. What may be meant by the land being "liable to seizure and the lease to forfeiture at the discretion of the Collector," I cannot understand; because, to the best of my knowledge and belief, no land is liable to seizure or forfeiture so long as the occupant pays the assessment on it.

1162. Would you say that the general view is unsound, that if a property were given in the land in that manner it would very much conduce to the better cultivation of the soil, and the greater production of cotton in particular?—An Englishman may place himself exactly in the position of a ryot in those districts, and the position of a ryot is to hold land under settlement for 30 years, to do what he pleases with it. I am not aware that an Englishman is under any disadvantages in those districts, other than the ryot is under. The ryot can certainly cultivate the land with perfect freedom and security.

1163. You surely are not contemplating that an English capitalist would put himself in the position of a ryot, who is a mere ploughman?—The ryot is not necessarily a ploughman. Under the ryotwarree system, there are many ryots possessed of very considerable farms. In Madras, in Coimbatore for example, and in Bombay also, there are hundreds and thousands of acres held by ryots. The word ryot tallies very much with what we call an agriculturist. In Bengal, indeed, the ryot is an under-tenant; but throughout the district where the ryotwarree settlement prevails, the ryot is a man who deals with the Government direct for his land. He may have a large tenure, or he may have a small one.

1164. Are you aware what the average holding of a ryot is in the Madras presidency?—I am not aware of the exact amount; but, from the Hindoo law of inheritance, causing the division of land, and from other circumstances, no doubt the tenures in general are very minute; but I am informed by the best authorities, that in the districts of Madras the ryots get possession, by purchase, of very considerable quantities of land.

1165. Is it not the fact, that throughout the whole of the ryotwarree countries in Southern India, the ryot holding is a very small number of acres?—Yes.

1166. Then is not the character which I have given the ryot quite a true one, that he is analogous to a ploughman in this country?—No: the ryot may have a large tenure or a small one; the laws of inheritance have a tendency to break down

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down the tenure into small parcels; but a capitalist might possess himself, by purchase, of such a number of ryot tenures as would give him a very handsome farm or estate.

1167. I am speaking of the actual fact; is it not shown by the returns that the ryots, on the average, hold three or four acres?—I admit that they hold very small tenures. This discussion started from my saying that there was no reason why an Englishman might not place himself in the position of a ryot, and obtain possession of as many ryot tenures as he pleased, purchasing many holdings, or one, if that ryot had a large holding. An Englishman might hold one, two, five, or a thousand acres.

1168. You think a European might put himself in the condition of a ryot, but supposing he does not do so, can he acquire land?—I expressed on Monday my opinion, fully, that for the purpose of cultivation in India, it is not wise or judicious on the part of any Englishman to strive to possess himself of the land. I think he would be in a much better position by allowing the natives, who would do it much cheaper, to raise the produce by advances from him; and knowing the enormous price they have to pay to the village and town money-dealers for advances, they would gladly receive advances at a reasonable rate of interest from an English capitalist, and they would cultivate for him whatever produce he desired, and would supply it to him much cheaper than he could grow it for himself.

1169. That is your argument with the manufacturers at Manchester; you say, "Why do you not put your own shoulders to the wheel, as the indigo planters and growers of sugar have done"?—Yes.

1170. Is not there a broad distinction between the production of indigo and sugar, and the production of cotton; the production of cotton being a mere agricultural operation, whereas the production of indigo and sugar partakes to a great extent of the character of a manufacture?—So much the easier, if it be so.

1171. In the one case the capital of the planter could be applied to the production of indigo and sugar, whereas his capital has no reference to the production of cotton, which must depend upon the skill and capital of the grower?—I explained on Monday, and have repeated the explanation, that the English capitalist could sit down in his factory and make advances to the ryots, who are generally very poor. By that means they would be glad to grow whatever crops he desired, whether cotton, sugar, or indigo, and he should possess himself of the screws and other means of preparing the cotton for market.

1172. Therefore, you think the analogy, which I say is very remote, is really very strong between cotton, sugar, and indigo?—I think it is even in favour of my argument, that the process is easier and simpler with cotton than with either indigo or sugar.

1173. Are you aware that Mr. Shaw of Bombay states that the production of native cotton in Bombay is about 60 lb. per acre?—I have read that.

1174. And that the whole produce per acre is about ten shillings?—I have read that.

1175. Is that produce to be increased, except by the application of capital to the soil?—I believe that capital could be applied in the way I have pointed out.

1176. Surely you are aware that the ryots in that part of India, where cotton is grown, have no capital whatever; but on the contrary are bound, hand and foot, to the village usurers?—That is the very reason why I said that an Englishman going with capital to the cotton districts of India, would be in a position of great advantage.

1177. Do you think that any English capitalist would lend money to a ryot if his impoverished state, as I describe it, is correct; do you know of any analogous case of a landlord in this country lending money to a pauper tenant, to enable him to cultivate his farm?—There is a great analogy in India; it is what is done with respect to indigo and sugar every day.

1178. Is not indigo an article that can be brought to the English capitalists' factory, and there, by English skill and English capital, manufactured into a drug?—The cotton may be brought in its unclean state to the saw-gin of the English capitalist, there cleaned by him, and pressed by him with his screw press into bales, and sent down to the coast. I can see no distinction, except that it is easier in the one case than in the other.

1179. In the one case the capital is applied to the manufacturing of the article;

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article; but in the case you suggest, the capital is applied to the growing of the article?—The Honourable Member must know that in indigo and sugar the capital is applied to production. The English capitalist makes large advances to the ryot who grows the plant. It is the very matter complained of in the extract which I read from the conference of the missionaries the other day, that the planters get the natives too much into their power by making advances to them.

1180. Those advances are merely for the food of the cultivator, for the seed, and for sowing the land, but not for the improvement of the soil at all; whereas you will admit that to increase the production of cotton, you must lay out capital on the soil?—I am not sure of that, there are different opinions upon the subject; I think Professor Royle was of opinion that irrigation, which has been so much insisted on, would not benefit cotton.

1181. Are you of opinion, if an English capitalist held any portion of land in the Bombay territory, free of assessment, but subject to any tax that the Government might please to put on, that the production of cotton could not be increased?—It might be so; but I think an English capitalist would be wiser, as a matter of mercantile adventure, to work through the ryots; I think that what Mr. Landon has done, five, ten, or fifty other Englishmen might also do, and probably succeed quite as well as he has.

1182. Mr. Campbell.] Are you aware of the comparative cost of cultivating 1,000 acres of cotton and 1,000 acres of indigo?—No, I am not.

1183. Are you aware that before indigo can be grown at all, expensive works must be erected for the manufacture of that indigo?—Yes.

1184. That is an outlay that a poor ryot could not undertake, whereas no such outlay would be imposed upon him in the cultivation of cotton?—No; it appears to me that all these questions and all these answers tend in favour of my argument, that it is easier to manage with cotton than with indigo or sugar.

1185. Mr. W. Vansittart.] I fancy you quite agree with me, as a general principle, that the most profitable way for Englishmen to obtain cotton is to buy the produce of the ryot?—Clearly; I always have been of that opinion: I have stated so to Manchester deputations when I had the honour of being Chairman of the Court of Directors; I have stated so in the House of Commons, and in this Committee.

1186. Sir Erskine Perry.] You have quoted Mr. Mill's doctrine on rent as the best source of taxation; I will not examine you as to the theory, but I wish to call your attention very minutely to the rule, the practice that it leads to, on the part of the Government, in the resumptions of land; you seem to hold that all holders of enam property may be considered as robbers of the public; you think it is very unwarrantable for an individual to claim to be exempted from taking a share in the taxation of the country?—I did not say that they were robbers of the public; I said that the claim to be free for ever from bearing any share of the public burdens was so very extreme a claim, that I thought we were bound thoroughly to investigate all such pretensions, and in case they had not the very best foundation, to make each person bear his fair share of the public burdens, I said I believed that to be the duty of the Government, as the trustees of the public; and I say, if it were possible to imagine that the people of India could form a constitutional Government, they would insist immediately upon everybody, with those exemptions, bearing their proportions of the public burdens, and that I thought the Government, as the trustee of the people, was bound to act as the people, if they were enlightened, would act for themselves.

1187. The passage of your evidence to which I allude, is this: "When people, therefore, talk of giving up this or that parcel of land, and giving up the revenue to A. or B., they are in fact, if they could see it, robbing the community of so much to which they are entitled for the expenses of the country"?—What I said then, I stand to now.

1188. With those views, of course the Government is not only justified, but called upon by every duty, to resume lands wherever they have the least claim?—Whenever they have a proper claim.

1189. The views of the Government of Bengal, I believe, have been that the doctrine of what you call *nullum tempus*, was the correct one on which to proceed?—I think they passed a law in 1803, known as the Law of Limitations in Bengal.

1190. Upon that doctrine, the resumptions which you spoke of the other day, in Bengal, to a great extent proceeded, did they not?—They did, to a certain extent, no doubt.

1191. I believe

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1191. I believe the ordinary Statute of Limitations was first of all, 60 years in Bengal as it was in Bombay, in private suits as to property, was it not?—I am not aware of the Bombay law.

1192. And it was afterwards reduced to a shorter period of years, was it not?—I believe it was; I wish to speak with great reserve as to the Regulations, without having an opportunity of refreshing my memory by turning to them.

1193. With respect to the resumption of land, is it not the case that the Government claimed for themselves the power of suing at any period?—No; because the Law of Limitations expressly refers to Government claims of that nature.

1194. Are you sure that you are speaking accurately?—Quite sure.

1195. Are you not aware that under the Resumption Act of 1828 the Government claimed to be specially exempted from being bound by the Law of Limitations?—I do not like to speak without book, but I think the Law of Limitations is a law of 1803.

1196. Were you not the secretary of the Government at the time when this Resumption Act of 1828 was passed?—No, I was much too young.

1197. You were secretary of the Bengal Government, whilst that Act was in operation?—Yes.

1198. You are aware, no doubt, that that Act caused great excitement in the Bengal Presidency amongst the landowners?—I am not aware that it did; it has been so stated; but I am incredulous.

1199. Probably you have forgotten that about 20,000 landowners petitioned the Government with respect to that Act?—The landowners of Bengal were alarmed at the notion that inquiries would be instituted as to whether such and such lands were within the limits of their estates, as those estates were settled at the time of the permanent settlement, because of the great increase of the cultivation of jungle lands; their real fear was the investigation of what are called towfeer lands, or excess lands.

1200. The point to which I am calling your attention is this; whether it is not the fact that the Government by law obtained the right of opening up these titles, without any limitation of time?—No, they did not, because there certainly is a limitation of time; and if I had the Regulations here I could refer to the law. I will give the Honourable Member proof that it cannot be as he states. The Privy Council have recently decided a case in favour of the Rajah of Burdwan, upon the limitation point, which they could not have done if the law of Bengal had set it aside, because the Privy Council can only decide upon the law as it exists in Bengal. The Privy Council could not have decided the case against the Government upon the limitation question, if there had not been a limitation by law.

1201. Are you aware that the Government of Bengal, and the Revenue Commissioners, proceeded upon the ground of the limitation not applying to the Government?—No, I am not aware.

1202. If the appeal was upon that particular ground, and the Privy Council ruled that the Government of Bengal was wrong, your recollection does not furnish you with facts upon the point?—No: it may be a vain thing to say, but I believe, if I had been counsel before the Privy Council in that case they would not have decided it as they did. For this reason: the whole question turns upon the origin of the cause of action, and I think it could have been shown, to the satisfaction of the Privy Council, that the origin of the cause of action in that case was within the period of limitation.

1203. Perhaps if you find that you are wrong in your recollection that the Government did not take the view that I state, you will furnish that contradiction to the Committee at the next meeting?—I hardly think it a material point. My principles and my opinions, with regard to the exercise of what is called resumption, are quite irrespective of any question of limitation. If the law gives a right of limitation, no doubt the parties are entitled to the whole benefit of the law.

1204. Did not the Government of Bengal proceed exactly on the views which you stated to the Committee in your former examination, that whether that doctrine of *nullum tempus* applied to the Government or not, they were, in fact, resuming lands in every direction, without any reference to the length of time the parties had been in possession?—I think the Honourable Member will find that

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that not in one case in 500 or 1,000 was the Law of Limitations pleaded by the parties before the court.

1205. Is it not the fact that the Government, over and over again, stated to the parties, in answer to petitions, that the Law of Limitations did not apply to those resurreptions?—I do not believe that that is so.

1206. Was not the petition in Rajah of Burdwan's case, to bring himself within the Statute of Limitations, which the Government of Bengal held not to apply?—Perhaps the Honourable Member is not aware that the Rajah of Burdwan never pleaded the Statute of Limitations before any local tribunal, but, for the first time, before the Privy Council.

1207. Is not that because the Government of Bengal had absolutely determined that the Statute of Limitations did not apply to these suits?—No, it is not.

1208. Are you able to say, with the same positiveness, that the Government of Bengal, in any one instance, has allowed the Statute of Limitations to apply to a resumption suit?—The Government of Bengal have nothing to do with the adjudication of those cases; they have committed it to judicial hands, and in the few cases in which the Statute of Limitations was pleaded before such tribunals, doubtless they decided each case upon its merits, with reference especially to what I have said of the origin of the cause of action, which is really the whole pivot upon which such a question turns. Let me explain to the Committee what I mean by the origin of the cause of action. The law of 1793 first declared that all lands held free of assessment were not included in the permanent settlement, but were liable to be investigated, which it did in the most distinct terms. It gave to a large class of holders the privilege, whether the tenure was good or bad (this is merely an illustration), of holding that tenure for life; therefore, in such cases the origin of the cause of action could not arise until the death of the holder in 1793, which may not have occurred even now. Until that event the cause of action could not have arisen; the tenure was not liable to investigation, the law having confirmed the holder in a life-tenure, whether it was a heritable tenure or not, till that life dropt. The origin of the cause of action might be indefinitely postponed. That is the law of 1793, upon which the whole question turns.

1209. What I am trying to bring your attention to is, whether the Government of Bengal have acted in pursuance of the doctrine of *nullum tempus*, which you stated applied to the Government. Did the Government of Bengal act upon that policy?—No, I think not.

1210. *Chairman.*] You believe that the Government never directed that principle to be applied in the adjudication of those cases, but left it to the operation of law, which did seem to limit the tenure to the lives of the occupants?—No, the Right Honourable Chairman has misunderstood me. I said I was as sure as I could be of anything that the Government never laid down the principle of *nullum tempus*; they have the law upon their own statute book, which gives the limitation; it is a mistake to suppose that it is simply a question of time, since 1793, or 1765, or any other date. I gave an illustration of one case, and there are other illustrations that I could give, if it were not too tedious, to show that it is not simply a question of time, but is a question of what is called the origin of the cause of action; and that if that had been pleaded, I think the Privy Council might have been satisfied in that very case of the Rajah of Burdwan, that he was not entitled to plead the Statute of Limitations, because the cause of action had arisen more recently, namely, from the death of the person who held the tenure in 1793.

1211. The question which has been put to you is, whether there was not a rule of action quite independent of the Statute of Limitations?—The Committee must understand that there is no rule but the law in Bengal, and that the Government had no power, except by legislation, of laying down any rule for the guidance of the courts, to which they submitted all those cases. There were laws enacted, and the Government could not declare, and the judges of those courts would have snapped their fingers at the Government if they had made a declaration, that the doctrine of *nullum tempus* was to be observed.

1212. *Sir Erskine Perry.*] The law has been decided by the Privy Council, that the practice of the Commissioners, and the orders of the Government, were in effect to set aside that law as not applicable?—I repeat, that the orders of the Government are of no avail whatever.

1213. Are you aware of a petition that was presented to the Bengal Government,

ment, in which the petitioners say that the attention of the Government was pointedly drawn to the general disregard by the resumption officers of the rule of limitations contained in the regulation which barred the claim of the State after 60 years' possession. It was contended that under that rule the Government could claim no revenue. The Bengal Government in their reply, contained in Mr. Secretary Halliday's letter of the 15th January 1839, denied the validity of the rule, that is, the rule standing on the Law of Limitations. After that, was not the Rajah of Burdwan's case decided in the Privy Council, in which it was held that the Statute of Limitations did apply to Government cases?—If Mr. Halliday's letter of that date were produced it would be found, I apprehend, that what he does say is something very different from what the petitioners allege he did say. I have reason to know something about that letter, because, although it is signed by Mr. Halliday, I believe it was written by myself shortly before I left India.

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1214. Are you aware, the Privy Council having decided that the law of 1803 was binding on the Government, whether that law was ever attended to by the Government officers in their resumption suits?—Wherever it was pleaded I have no doubt whatever that it was attended to.

1215. Is it not the case that resumptions have been made wholly irrespective of that law being in existence?—I know of no resumption case where that law was pleaded and attention brought to that law without the point being argued by the judge in his decision: if the decision of the judge was in favour of the assessment, he assigned his reasons for thinking that law not applicable to the case.

1216. Is it not notorious that, until the decision of the Privy Council in 1851, the Statute of Limitations was never held to apply to resumption suits?—I do not believe that in one case in a thousand, if so many, the Statute of Limitations was ever pleaded by any party in a case of resumption in Bengal.

1217. May not it be that the Government laid down the same doctrine that you lay down as a sound rule for the Government to follow?—The Government and its officers were bound by the law. The answer of the Government to a petition is not an instruction to a court of justice; the Government of Bengal have no more power to give instructions to a court of justice, than Parliament has the power, except by Act of Parliament, to give instructions to a court of justice. The Government never presume to give instructions to their judges; if they did the judges would set that instruction entirely at nought.

1218. Can you give any one instance in which the Government considered itself bound by any period of time having elapsed?—The Government considered itself bound by the decision of the courts and by nothing else; if the courts had decided that the action was barred by limitation of time, the Government would have submitted; if the courts did not so decide the Government would have acted upon that decision.

1219. After that decision in the Rajah of Burdwan's case, do you know whether the Government made any restoration of lands which had been resumed under an ignorance of the law as applicable to them?—No, I do not think they did.

1220. Do not you believe that there are a great many cases in Bengal which come within the same rule of exemption as the case of the Rajah of Burdwan?—I believe the decision in the Rajah of Burdwan's case, for the reason which I have stated, as an erroneous decision by the Privy Council, through their attention unfortunately not having been called by the counsel to what I have described as the origin of the cause of action. If their attention had been called to that circumstance, I believe the decision would have been the reverse of what it was.

1221. *Chairman.*] Was there no one to support the decision before the Privy Council?—Yes, but that point was not seen or understood by the counsel on behalf of the Government of Bengal.

1222. *Sir Erskine Perry.*] Is it not the case that in every appeal that has been brought to this country from the acts of the resumption officers, the decision has been against the East India Company?—I only know of two cases, there may be more; one was the case of the Rajah of Burdwan to which you have referred, and the other was what I call a towfeer case in the district of Monghyr or Bhagulpore, generally known as the Ghatwally case.

1223. I have before me the judgment of the Privy Council in the case of Rajah Lelanund Sing v. The Government of Bengal, delivered on the 25th of July

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1855. In that case the Privy Council say, this "is an attempt to disturb upon insufficient grounds a settlement which subsisted without dispute for above 40 years, during all which time the right to disturb it, if it exists at all, existed with as much force as when the proceedings were instituted. The claim has been persisted in after several decisions against the Government by their own officers acting as judges: the decree in their favour has been finally obtained upon grounds different from those on which it was originally sought, and the appellant has been exposed to a long and most expensive litigation. Under these circumstances their Lordships think that they should do but imperfect justice if they did not humbly recommend to Her Majesty that the respondents should be ordered to pay to the appellant all the costs which they have received from him under orders of the judges below, and should also be ordered to pay to him the costs which he has himself incurred in these proceedings, including the costs of the present appeal." Is not that a case also in which the doctrine of *nullum tempus* had been acted upon by the courts below?—That is a case, as the Honourable Member will see, not of a rent-free tenure, but a case of what I call towfeer or excess lands, and quite of a different character. The claim was, that the lands were not included within the limits of the zemindar's estate, as settled in 1793. Now I must say for the Government of Bengal, and individually for myself, that the Government and I, in my humble position, always set our faces against the institution of these towfeer cases; they are extremely difficult to prove, and the Government were disposed on all occasions to give the most liberal construction to the terms of the permanent settlement, and never to question whether this land or that land was included within the limits of the estate as settled at the permanent settlement.

1224. *Chairman.*] To what period do you refer, when you say that they were so disposed?—All along. It will be found, out of a thousand cases that have been decided or investigated, not one in that thousand relates to land in excess of the permanent settlement, but relates to land avowedly held free of assessment on invalid rent-free tenure.

1225. The Privy Council say, "The great question in the case is, whether lands of this description are liable to be resumed under Regulation I, of 1793." The reason I refer to that is, to see whether the Government in that case also did not apply the doctrine of *nullum tempus* as to their claim, which claim was overruled by the Privy Council?—I am not aware that in that case the *nullum tempus* principle was at all referred to; I believe it was purely a question whether the land was or was not included within the limits of the estate as settled in 1793, by Lord Cornwallis.

1226. *Chairman.*] The judgment of the Privy Council appears to refer to time; they say it is a settlement of 40 years standing?—They refer to that as a hardship to the individual; they do not apply the Statute of Limitations; they say that it is a hard thing to investigate the question after the land has been settled for 40 years. I do not think they refer to the Statute of Limitations at all.

1227. Sir *Erskine Perry.*] Have you seen the judgment of the Privy Council in Moheshur Sing's case?—I saw it, but I did not read it; it was very long.

1228. On the 1st of October 1836, the deputy collector commenced proceedings; he is not a judge, I believe?—He is a judge in those cases.

1229. The deputy collector commenced proceedings by calling upon the landowner to show his title, and by what authority he held his land free from assessment; is that the mode in which a resumption suit was commenced in Bengal, under the law then existing?—The Honourable Member will find in the Regulations (I cannot speak off-hand, for many years have passed since I looked into them) II. of 1819, and III. of 1828, the whole process described.

1230. In your experience, that is the mode in which a resumption suit would be commenced in Bengal, is it not; that the deputy collector commenced proceedings as I say, by calling upon the landowner to show his title?—I dare say he would.

1231. Secondly, the zemindar intervenes, and petitions to protect his interest, which I suppose he would be entitled to do?—Yes.

1232. On the 28th of January 1838 the Collector decided and pronounced 14,000 beegahs of land liable to assessment, and on the 6th of December 1841 the Special Commissioner on appeal decided in favour of the zemindar. Who is the Special Commissioner in such a case?—The Special Commissioner was the Court

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Court of Appeal, established by the Regulation III. of 1828, as a judge in those cases.

1233. Not being a judge in any other matter?—Not being a judge at that time in any other matter. They were called Special Commissioners; but they were men of high standing and high character in the service, and of judicial training, who were appointed Special Commissioners to decide that particular class of suits.

1234. Resumption cases?—Yes.

1235. Were Special Commissioners taken from the judicial bench?—I believe in every instance they were taken from the judicial bench. I remember the names of the gentlemen who were Special Commissioners in my day. I believe they were taken from the very top of the judicial bench.

1236. In Bengal, is it not the fact, that the members of the judicial bench are only taken after they have been 20 years in training in other departments?—Many of the older men have never been in any other department than the judicial department.

1237. I am talking of the last 20 or 30 years; is it not the case, that no man is appointed a judge in Bengal except from other departments of the service?—They rise to it from other departments.

1238. Not from the judicial department?—Formerly, till the office of register was abolished, some of the men were brought up altogether in the judicial department.

1239. During the last 25 years that practice has not been in operation; is it not the case that the judges in Bengal are taken from the Collector's department, and you yourself have stated that that is the very best course of training for them?—If the Honourable Member refers to dates, he will find that those Special Commissioners were appointed under the law of 1828, which is 30 years ago, and those men were men of old standing then, and therefore, whatever value there is in a judicial training from the beginning, probably they had that judicial training from the commencement of their service.

1240. The date of the Special Commissioners' decision is dated the 8th of March 1842?—The law of 1828 was the law under which the Special Commissioners were appointed.

1241. The judgment was confirmed on that day by the Special Commissioners, and on the 21st of September 1847, five years and a half afterwards, the decision being against the Government, a Petition of Review was presented by the Government to another Special Commissioner, who would be the person to present that Petition of Review?—The Revenue authorities, probably the Government Remembrancer of Legal Affairs.

1242. He would present the petition to the Special Commissioner, who was appointed judge to hear the suit?—Yes.

1243. On the 24th of April 1848 this Special Commissioner reversed the judgment of the year 1842. Has it been the practice in India, after a decision against the Government that the Remembrancer or any authority of the Government should bring on the case again for new trial five or six years after the decision?—I apprehend very rarely; such cases may have been where any special flaw was detected, or thought to be detected in the proceedings.

1244. If it is the practice, I suppose you agree with the Privy Council in their decision that they were "imperatively required by justice to condemn the Government in the costs incurred, both in the courts below and upon the appeal in all the proceedings since the 8th of March 1842"?—I daresay the decision of the Privy Council was very right. I have stated to the Committee, and I wish to state more plainly if possible than I did before, that I have always been opposed in principle to investigations of what are called towfeer or excess cases, of which I apprehend that was one; and I have always thought the proceedings of what is called resumption, should be confined to lands avowedly held by the parties free of assessment; the investigation of the right to hold the lands without paying revenue at all, not being extended to cases where the whole question was whether such and such land was or was not included within the limits of the estates settled under the permanent settlement; and if the Honourable Member will take the trouble to inquire, he will find that in such cases there have been probably not five in a thousand, that have been under investigation at all, and I heartily wish that none had been under investigation.

1245. You stated the other day that these resumption proceedings by officers

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not judges were put a stop to in Bengal?—They are all over, and are done with. Allow me to add something to my previous answer. From that general opinion which I have expressed, I wish to exclude all questions relating to Sunderbun jungles, and to other enormous tracts of jungle; whether they were or were not included within the permanent settlement. I remember, when Regulation II. of 1819 was passed, the question of the right of the Government to the enormous Sunderbun jungles, which cover all the lower part of the delta of the Ganges, was raised, and Mr. Holt Mackenzie, then the Revenue Secretary to the Government, expressed an opinion that the zemindars would claim probably those parts of the jungle which immediately bordered upon their estates; but it was highly improbable that they would claim the heart of that primeval forest. But the fact was, when the Government invited, as they did by their law, claimants to come forward, every acre of that enormous forest, which covers many thousands of square miles down to the sea, was claimed by this or that zemindar, who felt that they could lose nothing by making the claim, and that they might gain something; and the whole of that vast forest was claimed as included within the estates permanently settled. That was manifestly an absurd claim. I did not intend, when I said that investigations into towfeer cases are much to be deprecated, to include such tracts as the Sunderbun forests, where there is such an enormous extent of primeval forest which has never been trodden by the foot of man.

1246. Mr. A. Mills.] In what year was that?—The investigations as to the Sunderbun jungles began in 1819.

1247. Sir Erskine Perry.] Still, the proceedings under the Resumption Act of 1828 have been put a stop to in Bengal, have not they?—Yes, they have been put a stop to by the exhaustion of the matters litigated.

1248. Is it not the fact that, after the decision in the Rajah of Burdwan's case, such strong representations were made to the Government as to claims of parties in the same situation, that the Government was induced to put a stop to any further proceedings?—I believe at that time the whole of the business was done.

1249. That is strongly alleged to be the cause of stopping the proceedings; are you able to contradict it?—To the best of my knowledge and belief it is not so. I know that in very many districts the matter was virtually finished even before I left India in 1839.

1250. As to the civil service of India, you have stated very strongly an objection to appointments being made from any but an exclusive service. Your objections are, first, that it will lead to much jobbery; and, secondly, that the men will not be known to the Government. But is it not easy to apply the same rules to prevent jobbing that now exists by law with the authorities at home to nominations to India. Would it not be quite possible to extend the statute, with respect to first nominations, to any class who were to be eligible for the service?—I think it might.

1251. Therefore your argument is not a strong one in favour of an exclusive civil service?—Both objections do not hold good with regard to all cases; either the one or the other of the objections holds good with regard to all cases.

1252. Supposing it was competent for the Governor-general to appoint from the army in India, from the uncovenanted servants and from competent natives, would it not be a very effectual check on jobbery to prescribe the same limitations that exist at present, namely, a knowledge of the native languages, and a residence of so many years in India?—No doubt that would greatly tend to modify the objections, but now, in very many cases in what are called the non-regulation provinces, military men and uncovenanted men are capable of being appointed, and are so appointed every day.

1253. Would it not entirely destroy the argument which you have brought forward?—It would invalidate that part of the argument which relates to jobbery.

1254. It would not then be competent to send from this country those "dab-chicks" that you spoke of, or for the Governor-general to appoint a nephew or a favourite who came out by the last ship to an office of emolument?—No, perhaps not.

1255. Then, with respect to the servants of the Government being known to the Governor-general; if the service were selected by competition, for example, in India, would not the same knowledge of the servants by the Government exist,

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as is the case with an exclusive civil service?—No, it would not be possible that it should exist to such an extent as when a young man enters the service as a profession for life, as quite a young man, and in former days almost as a boy; the Government can trace that man's career from his youth up to mature years, and they have the advantage of an absolute knowledge of his character and attainments.

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1256. Nevertheless, the Government of India would have exactly the same knowledge of the servants of the State, as the Government of this country and the Government of France have of their servants?—Hardly that, because in this country, with rare exceptions, men do not attain to high offices until they have been tried in subordinate offices.

1257. If men were put in by competition in India from merit, from the military service, would not exactly the same knowledge of the qualifications of the servants of the State exist, as exist with reference to the civil servants?—No, I think not, because now you know the man from his boyhood; besides, every man that you admit in mature life to the middle of the service, whether taken from the military service, the uncovenanted service, or sent out from England, would detract from the value of the prize which you are now offering to young men to go out to India to enter the service from the bottom; and the necessary consequence of employing such men and bringing them into the middle of the service, or the top of the service in mature life, would be *pro tanto* to diminish the inducement to young men of ability and character to enter that service; and if it were done largely, would altogether destroy the value of that prize, and no man would enter the service from the bottom, when he was liable to be superseded in the manner supposed. Therefore, you appear to me, by proposing that system, to be destroying with one hand what you are endeavouring to build up with the other. You are trying to get the *élite* of the rising generation in England, highly educated gentlemen, to go out as apprentices in the civil service.

1258. If the nomination is left to the authorities in India they would commence the service entirely with young people, unless they do as at present, take experienced men from the army, who already have been a length of time in India. You seem to suppose if the civil service is abolished that the officials would be sent out from this country, but you have already admitted that with proper rules laid down by the Government, nominations of that kind would be an impossibility?—It might be made impossible, but I think it is a much better system to train men from the beginning; you cannot have both systems in operation at once; you would destroy, as I said before, with one hand, what you were attempting to build with the other. You are trying to induce the best educated young men with the highest principles to enter your civil service, but you would altogether destroy the inducement for them to enter that service if you exposed them to competition with men coming in 25 years later.

1259. With respect to the courts of justice in India, you have contended very strongly against the introduction of English courts of justice, English lawyers, and the English language; has it ever been proposed to introduce English courts and English lawyers all over India?—I do not think I said that it had. Before the Committee last Session it was strongly argued that there should be English courts of justice at the provincial capitals throughout India.

1260. That is to say, courts of justice presided over by Englishmen in those districts of India where English planters are congregated, was not that the proposition?—I do not think there was any limitation of that sort; it was stated that English courts should be established at places like Moorshedabad and Patna.

1261. Are not those places the capitals of the districts in which English planters are to be found?—No doubt English planters are settled all over the permanently settled districts, and those places are the provincial capitals.

1262. Are you of opinion that it would be a great disadvantage to India if, instead of English collectors, now administering justice in those districts, English barristers, competent to administer justice, were employed?—I am not aware that English collectors are employed in administering justice except in certain classes of cases relating to land; the administration of justice is by English judges.

1263. Are not the Bengal judges taken from the class of collectors after a residence in the service of 20 years and upwards?—Yes.

1264. They have no judicial training up to that period, have they?—Yes, they have judicial training as collectors; a large class of cases, as I have

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explained,

R. D. Mangles, Esq. explained, is decided by the collectors: revenue cases, cases relating to land, rent, boundaries, and the like.

24 February 1859. 1265. Are you of opinion that it would be an evil to place English barristers, competent in other respects, in the position occupied by those collectors who have had the judicial training that you speak of?—I think it would be an evil.

1266. You think the knowledge of the manners and the languages of the natives which is possessed by the civil servants of the Company would counter-balance any superior knowledge of law and jurisprudence to be possessed by the English barrister?—Yes, I think it would; I said so on Monday.

1267. On what ground can you contend that it would not be possible to get an English barrister with a knowledge of the languages, and such a knowledge of the habits of the people a residence among them for years would obtain?—There is no doubt that after a long term of years they would acquire the same knowledge or a portion of the same knowledge that the civil servants do; but the civil servants who have gone through the lower grades have already possessed themselves of that knowledge, and I do not believe that any length of time sitting in a court of justice as a judge would give that knowledge which is acquired by civil servants in deciding boundary disputes, in deciding questions of rent and the like, which now fall to the lot of the revenue officers.

1268. Do you think that civilians have a thorough knowledge of the habits, manners, and customs of Indian people?—I think they have a very large knowledge, and a larger knowledge than could be attained by men who had not gone through the same training.

1269. With respect to the bench in India, you have given a very strong opinion that eminent men could not be procured from this country to fill the Indian bench? Yes, and I gave my reasons; and I will give them again at greater length for thinking so. I find even for the bench of the Supreme Courts in India that men of the first eminence, with great respect to the honourable Member, do not go out from England to fill those appointments; and I do not find that the leading barristers of the bar here would accept even a chief justiceship in India. I know, and I so stated, that when Mr. Peacock took office as a member of council, with 10,000*l.* a year, the whole bar was in amazement at his accepting such an appointment, and giving up the chances of his profession here.

1270. *Chairman.*] Do you state that from your own knowledge?—Yes, I state it from my own knowledge. I know also that the advocate-generalship in Calcutta, which is an appointment with a salary of 4,500*l.* from the Government, and all he can earn in the Supreme Court, and I should say that an advocate-general of ability in Bengal makes from 8,000*l.* to 15,000*l.* a year, probably, has been refused time after time by those members of the bar here to whom it has been offered.

1271. Were those men of great eminence?—They were eminent men, but the appointment was never offered to the very leading members of the bar, because it was known that they would consider it almost an affront that such an offer should be made; they were men of the second rank. I have heard Sir James Hogg say that he has offered it, and it was refused by five or six, or as many as seven or eight leading barristers before he got a man to accept it.

1272. *Sir Erskine Perry.*] Allow me to call your attention to the names of Sir James Mackintosh, Sir William Jones, Sir Lawrence Peel, who went out as Advocate-general, and Sir Edward Ryan, and many more who might be mentioned; do not you consider that they were men of eminence?—I apprehend that none of those gentlemen, however able they afterwards proved themselves to be, were in great practice at home.

1273. Does it also follow, if English barristers are to be appointed to the provincial courts, that they would not be obtained from the Calcutta bar if salaries of 3,000*l.* a year are to be offered, which I believe is the salary of the Bengal judges; and that they would not be able to pass in the Bengalee language?—I apprehend that the leading men of the Calcutta bar are making more than 3,000*l.* a year.

1274. Could not competent men be found in a bar of 20 or 30 for such a position, just as competent men are found in England to take judgeships of county courts at 1,200*l.* a year?—I apprehend that 1,200*l.* a year in this country is a far better thing than 3,000*l.* a year in India, and if you were to offer 1,200*l.* a year in England to gentlemen in the Civil Service, who are drawing

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3,000 *l.* a year as judges in India, you would find the Mofussil bench in India speedily deserted.

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1275. Do not you think from the Calcutta bar a salary of 3,000 *l.* a year, or even 2,000 *l.* a year, would attract competent men just as a salary of 1,200 *l.* a year attracts competent men to county court judgeships?—Without any disparagement to the Calcutta bar, with the exception of one or two leading men, I have never had the good fortune to know men at Calcutta equal to the leading men of the Civil Service.

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1276. How long is it since you were at Calcutta?—Twenty years.

1277. What knowledge have you had during the last 20 years of the state of the Calcutta bar?—My whole time and attention have been directed to the state of affairs in India, and I think my knowledge upon the subject is competent.

1278. Is there any means of knowing what the qualifications of a man at the bar are unless he gets business?—That is the very point that decides it; if he is a competent man he gets business, and if he is not a competent man he does not get business.

1279. Therefore, it is wholly impossible, is it not, for an absentee from Calcutta to speak of the qualifications of those members of the bar who are not in business?—If a man is not in business according to his standing, I apprehend he is not a competent man, or he would have business. I think the amount of briefs that a barrister gets is, generally speaking, a very good test of his qualification.

1280. That remark also applies to the English bar, I presume?—Yes.

1281. If there are 50 competent men at the bar, must they all get business?—I apprehend they do. In England, there is a very large sphere of business, and they get it in one department or another.

1282. Do you think the Calcutta bar would not supply a sufficient number of men for these few provincial courts that we have heard of?—I think not; and I go further and say, that I do not think it is desirable that they should be supplied from that source.

1283. Do you think the natives would strongly object to such judges sitting for the administration of justice in the English language, with interpreters between them and the witnesses?—I think that the natives in the provincial cities would object to justice being administered by men who needed an interpreter.

1284. With that opinion, can you account for the popularity which appears to exist, looking at the petitions which have been presented, with respect to the Queen's courts throughout India?—I altogether deny the assumption of that popularity. Some twenty-five years ago, when it was suggested to extend the jurisdiction of the Supreme Court to the suburbs of Calcutta, petitions, I apprehend, more numerous than those to which the honourable Member refers, were presented by the natives, earnestly deprecating any such extension.

1285. Do you disbelieve the statement in the petitions from Calcutta, Bengal, and Madras which have been presented within the last few years, highly extolling the existence of those courts, and praying for their extension?—Yes. I believe that these petitions were in a great measure got up by the attorneys, or other like interested persons.

1286. Although they purported to come from the natives, and were signed by the natives, you think that they were, in point of fact, forgeries?—Not at all. The honourable Member must understand the difference between a petition being got up and forged.

1287. You mean to say that the petitions were not the genuine expressions of those who signed them?—I do.

1288. *Chairman.*] Are the attorneys natives?—No, Europeans.

1289. *Sir Erskine Perry.*] You have also spoken of the acquaintance of the civilians with the languages of India, and you made that a strong argument of your preference of civilian judges over English judges. Have you read this statement of Captain Cowper's which has been laid before the Committee?—Yes.

1290. Does not Captain Cowper contrast the excellence of the special Enam Court with the ordinary courts presided over by civilians, because the latter did not know the languages as well as these special officers who were assigned to the duty?—I think Captain Cowper speaks of men having been selected for that special business on account of their superior knowledge of the Murathee language.

1291. Is not the Murathee language the language of the people in the Deccan?—I believe it is; I think it is very easily intelligible that the Government select-

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ing officers for special duty would be able to pick out the most eminent scholars, only wanting a few men they would be able to get men specially conversant with the language in which they were called upon to administer justice.

1292. Is not the fault Captain Cowper finds with the ordinary civil courts, that the judges were not sufficiently well acquainted with the language of the people?—No; Captain Cowper's statement is, that they were already so overburdened with the ordinary business (which is perfectly true) of the judicial office, and with the ordinary suits of the natives, that they had not time to give attention, as those special Commissioners did, to the particular functions which they were called upon to discharge; he speaks merely of how desirable it is to have men who have no other duties to distract their attention from the investigation of those particular tenures.

1293. Captain Cowper says that this is the advantage of the special Enam Court, "the superior knowledge of the Murathee language possessed by the officers appointed to the Enam Commission Mr. Warden himself has admitted."—Yes, I have stated that that is the case. It is very natural that the Government should be able, in selecting half a dozen men for this particular duty, to choose specially good Murathee scholars.

1294. Does not that fact show very clearly what has been very much in dispute in this Committee, that the judges of the Mofussil Courts do not possess a thorough knowledge of the vernacular language of the country where they administer justice?—No, I think it shows what I have stated, that it is possible to get men for a special duty where you have a whole service to select from, specially qualified for that particular duty.

1295. Qualified by a superior knowledge of the language?—Yes.

1296. Mr. Warden was a Judge in the Bombay Presidency, was he not?—Yes.

1297. And had passed the whole of his career in the judicial service?—I dare say it is so.

1298. Are you able to state, from your knowledge of the Government of India, whether Mr. Warden did not pass as the best judge of his day in the Bombay Presidency?—I have no knowledge of that.

1299. Have you ever heard that his judicial qualities were not highly esteemed in the Bombay Presidency?—No.

1300. Was the contrary the case. What was the opinion of Mr. Warden as a judge?—I really do not know.

1301. I thought you knew everything of these matters. Was not Mr. Warden a Judge of the Company's Supreme Court of the Sudder Adawlut?—Yes, he was a Judge of the Sudder Adawlut. I have no doubt he was a competent judge.

1302. Is not it a matter of notoriety, that he was one of the most eminent judges in the Company's system, of his day?—I really do not know that he was, or that he was not.

1303. Mr. Warden stated in his evidence, "When I first went to India I was stationed at Dharwar, on the frontier between the Presidencies of Madras and Bombay, and whenever I went to the Kutcheree I was liable to have persons appear before me, speaking one Canarese, a second Murathee, and a third Telingee. This difficulty was readily overcome by the native officials, who, as they read either of these languages, turned it so rapidly into Hindoostanee, that it was difficult to believe this last language was not before them." Captain Cowper observes, "Had Mr. Warden added that, having no knowledge whatever of any one of the languages thus rapidly turned over, he was unable to know whether the Hindoostanee rendering bore any reference to the original speech, he would have described fairly to the Committee an operation, which sufficiently accounts for any amount of misapprehension and consequent error on the part of Mr. Warden, or any officer similarly circumstanced;" therefore throwing a slur upon Mr. Warden as not knowing the languages that came before him in his judicial capacity?—I have a recollection of that question. I apprehend Mr. Warden in that answer was not speaking of himself, but of the facility and rapidity with which in the Mofussil Courts the native officers turned what was said in Murathee, or Telagoo, or Tamil, whatever it may be, into Hindoostanee.

1304. He says, "I was stationed at Dharwar, on the frontier between the Presidencies of Madras and Bombay, and whenever I went to the kutcheree, I was liable to have persons before me, speaking so and so;" does not that statement show that the knowledge of native languages which you attribute to the civil servants of the Company is very much exaggerated?—I do not think it is fair

air that I should be called upon to arbitrate between Captain Cowper and Mr. Warden, as to whether Mr. Warden did, or Captain Cowper does, well or better, the one than the other, understand those languages.

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1305. Mr. *Campbell*.] Would not the Court of Directors receive a report of the qualifications of their officers in the high position in which Mr. Warden stood?—I have no doubt they would. 24 February 1859.

1306. Sir *Erskine Perry*.] My question is not personal to Mr. Warden or Captain Cowper in the slightest degree. It is very much disputed in this Committee, whether the civilians have that thorough knowledge of the languages of the country which is ascribed to them?—If Mr. Warden confesses that he did not understand those languages, I suppose he did not.

1307. Is it not the case that, within the large district of the Bombay Presidency there are three or four languages, and no civilian in Bombay is able to say, "I can speak to the witnesses in their own vernacular tongue;" I ask that as a general question, without reference to Mr. Warden, or any one?—No doubt, in Bombay and Madras, where there are many vernacular languages, the matter is much more difficult than it is in Bengal or the North-west Provinces, where there are in fact only two languages, Bengalee in Bengal, and Hindoostanee in the North-west Provinces; and it is very possible and very probable that one judge, for example, may only be a competent Murathee scholar, and have but a little knowledge of the other languages; or, *vice versa*, a very good Talagoo scholar, and not a Murathee scholar. I apprehend the Government exercise, to the best of their power, the discretion of appointing the Murathee scholar for the Murathee district, or the Telagoo scholar to the Telagoo district. The Bombay civilians pass examinations in two languages; they are allowed to choose which two they will pass in. I know that there have been very vigorous attempts of late years in Bengal to secure a larger knowledge of the native languages to the officers of the Government; and the system has been extended both to Madras and Bombay, and the young civilians now undergo two examinations after they have entered the service, and after they have left the college, in addition to the examination which they all undergo upon leaving the college. Therefore I hope and believe that a much larger and more intimate knowledge of the native languages than ever existed before is now common amongst the civilians of all the presidencies.

1308. Therefore, the admission that you make as to Madras and Bombay, namely, that three, four, or five different languages may be used before the judge, shows that the civilians in that country cannot have the knowledge of the languages which has been ascribed to them by other witnesses?—I believe that many of them are competent scholars in two or three of the languages.

1309. Is it not the case, owing to the diversity of languages, which Mr. Warden states, that an interpretation in a common *lingua franca*, such as Hindoostanee, is the usual practice throughout that presidency?—I am not aware whether it be or be not so.

1310. If it is so, and if these different languages come, in each trial, before the judge, would not an English barrister be just as competent to decide the case, having the evidence given to him through an interpreter, as a civilian, who also has the same process applied?—In the first instance, my answer is, that that applies only to the judges in Madras and Bombay, and not to the Presidency of Bengal, in regard to which the whole matter now under discussion applies; because the provincial cities of Bengal and the North-west were the places specially mentioned, as the places at which it was desirable to have English judges. In those districts there are two languages, Hindoostanee and Bengalee; and our officers are thoroughly competent, as I believe, to administer justice in those languages. As regards Bombay and Madras, I believe that our officers under the improved system of examination of which I have spoken, are fast becoming even more competent than they were. I believe that in two or even three of the languages in which the witnesses speak, probably, our judicial officers are quite competent. Therefore, they would have a great advantage over a barrister who knew none of those languages.

1311. If English barristers were placed in those towns in the neighbourhood where planters are settled, would not a very small number, such as 10 or 12 at the most, be sufficient, referring to those parts of the country with which you are acquainted, where the indigo planters are settled, in Behar, Tirhoot, and so on?—No doubt, if there were only 10 seats of judicature, 10 judges would be sufficient.

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1312. Would not they be sufficient for the wants of the indigo planters and Europeans settled in those districts, and would not they be near enough to make an appeal to their tribunals an easy process?—Yes; but the objection exists that I have already stated. The natives who are engaged in lawsuits with these very planters have the best claim to be considered, and they would have a strong objection to having justice administered in a language that they did not understand.

1313. Mr. Campbell.] I gather from your evidence that you consider it extremely objectionable that officers, civil or military, in India, should be proprietors of land, or engaged in any pursuit, other than their professions?—Yes.

1314. Or that they should be upon habits of intimacy with the planters, as being calculated to defeat the ends of justice?—I think it is undesirable that they should be on very intimate terms with the planters.

1315. You object to their being holders of land or of property of any kind in India?—Yes.

1316. Has this always been your view?—Yes.

1317. Your objection, of course, would apply more strongly to heads of departments?—Of course it would.

1318. And to the late Court of Directors, or the present Council for India?—Yes.

1319. Did you never hear of directors being shareholders with planters, or proprietors in their own sole right, or mortgagees of indigo factories?—I have heard of their being mortgagees, but never of their being proprietors. I think I have heard that the late Mr. Charles Grant had an indigo factory, which he held. The honourable Member is aware that formerly those who were in the commercial service of the Company were permitted to trade and to hold lands.

1320. I am speaking of a more recent period; are you aware that Sir James Weir Hogg had an indigo factory in Tirhoot until very recently?—No, I am not aware.

1321. Can you name any persons who are interested as mortgagees in Bengal factories, who were directors, and are now in the Council of India?—I believe that directors, who are now of the Council of India, have been mortgagees of property in the provinces.

1322. The rate of interest derivable from such mortgages is generally 12 per cent., and the exchange 2s. 2d., it being 2d. above the par exchange of 2s., or 8 per cent., would make a gross interest of some 20 per cent., would it not?—I never knew a man lucky enough to get 12 per cent. in any one of those cases, and the rate of exchange of course depends upon the general rate of exchange, it may be good, or it may be bad.

1323. In the case of Hill's and White's factory, what rate of interest, and what rate of exchange may you have received yourself as mortgagee?—I am not mortgagee now; I was a mortgagee once, and I ought to have received 10 per cent., but I did not get it, I am sorry to say. I was obliged to give up a good deal of back interest which I never could get. I suppose I did not receive more, altogether, counting what I lost, than 5 per cent.

1324. In your capacity as director and partner, beneficially interested in such estates, is it possible that you were an acquiescent party in the gross oppression and fraud upon the native ryot to which you have deposed?—I never was a partner, and I do not know any director or man connected with the India Company who was a partner: I am sure there are none.

1325. You mean not now?—No.

1326. Or proprietors in their own right?—I believe not.

1327. Are you not aware of the fact, that very large remissions are constantly made by the indigo planters to the ryots on their books?—I dare say there are; I am not aware.

1328. You do not concur in the opinion that the ryot, on offering to pay off his balance, has had that balance refused to be received by the planter?—It was stated by the missionaries; I do not know whether it was true.

1329. Are you not aware that the ryot annually has credit for his profit, and receives money if not in debt, for the fazil or surplus plant delivered by him as each crop is reaped?—I dare say that is so.

1330. Is it not generally considered an advantage to have a director a mortgagee of a factory?—I should think not: not more than anybody else.

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1331. Does it not secure the nomination of the sons of the planter to military appointments, and the like?—No, I think not. R. D. Mungla,
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1332. In the case of Mr. Hills, are you not aware that his sons have been appointed to various cadetships in the army, the engineers, and otherwise, by reason of the connexion between a director and himself?—I do not know on what account, but I believe that some of Mr. Hill's sons (one to my knowledge) have been appointed; and I am happy to believe that the one to whom I refer won the Victoria cross before Delhi; he was engaged in that well-known hand-to-hand conflict, in which the Artillery officer, Lieut.-Colonel Tombs, cut down the man that was going to kill young Hills. 24 February 1859.

1333. As to the condition of the districts where the planters are resident, and carry on their commercial pursuits, in what state are they, compared with the condition of the districts where European planters, as settlers, do not exist?—There is no doubt that there is a very large circulation of money in those districts. I believe they are flourishing. The honourable Member need not examine me as to the settlement of Europeans in that sense, because I have expressed a very strong opinion in favour of the settlement of capitalists. With all the concomitant evils, I believe the advantages greatly preponderate.

1334. Then, those districts are more prosperous and productive than the other districts, in which European capital, skill, and energy do not exist?—Yes; the more valuable products are raised in larger quantities.

1335. Do not you think that the natives generally prefer European employment to employment by the zemindars?—I have no doubt of it.

1336. To what cause do you attribute that "cold shade," that Captain Ochterlony deposed to, that the services cast over European settlers in India?—I do not believe in its existence. I am not answerable for Captain Ochterlony's opinions. I am sure I did not feel it when I was in India.

1337. Then you do not believe that his brother, an uncovenanted officer, was superseded by a junior officer, comparatively speaking incompetent, in the covenanted service?—I know the case to which you refer had nothing to do with any "cold shade," or any feeling of animosity towards English settlers.

1338. *Chairman.*] If I remember the case rightly, as far as the witness stated, it had reference to the preference of a younger man?—No; it was not a question of individuals at all.

1339. *Mr. Campbell.*] Captain Ochterlony deposed that the gentleman selected by the governor, Lord Harris, by the Council at Madras, and by the Chamber of Commerce at Madras, from his efficiency for a situation on the Neilgherries, was superseded by a person at a salary three times the extent of the salary that he received, because he was not in the covenanted service; and that was done by the Court of Directors?—The honourable Member is mistaken as to the facts of the case. The whole correspondence has been laid before the Committee, from which it will be seen how very different the facts are from those which the honourable Member has stated.

1340. What do you think of the encouragements to the settlement of Englishmen in India, foreshadowed by Lord Stanley in his statement the other night to the House?—I am very favourable to European settlement, and always have been, and would give every proper encouragement to it, consistently with justice to the people of India.

1341. On the late occasion of the mutinies, did the magistrates who were selected from the planters and other uncovenanted men in India, discharge their duty satisfactorily to the State?—Excellently, no doubt, in the great majority of cases: they acted as Englishmen might be expected to act under the circumstances.

1342. You are of opinion, I believe, that the appointments of collector and magistrate should be united?—I am.

1343. Do not you think the judgment of the magistrate and collector might be warped in questions wherein he was deciding upon questions relating to land, and upon which as collector he had already decided?—I think, of course, that in this as in all other cases, there is something to be said on both sides of the question. But I believe the advantages of having an officer of considerable standing, which the collector is, as a magistrate, preponderate over the disadvantages. I think it is very desirable to have the two offices united.

1344. In reference to cotton, do not you think the inaccessible nature of the country that generally produces cotton, the want of the facilities of roads and railways, or means of carriage for the cotton, may have been the chief impediment

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in its production?—It has been a very great impediment. I do not think it has been the chief impediment. I think that if those who are anxious to get cotton had laid themselves out for that purpose, with the same spirit and energy with which others laid themselves out to get indigo and sugar, they would have got it in spite of those impediments. I have always deeply lamented the great want of attention paid to providing roads in India; and I am happy to believe now that the railroads are in a state of forwardness, that difficulty will be very much obviated.

1345. Are you aware that as regards sugar and indigo, the cultivation of those staples is carried on along the banks of navigable streams in India?—Very often so, not always.

1346. Did not you attribute the great poverty of the people in India to the universal employment of the people in the production of agricultural crops?—No. I attributed it to the enormous number of hands employed in raising the produce, and to the smallness of the ryots' tenures; consequently that a very large proportion of whatever they raised was consumed by the ryot and his family.

1347. Whatever the production may be, if the means of carriage do not exist, are not the products comparatively valueless?—Yes; I feel very much the want of roads in India. I believe it is a great drawback to its prosperity.

1348. Are you aware that during the famine of 1837, in Upper India, rice was comparatively valueless in Bengal for want of the means of carriage; and that food was perhaps 700 per cent. higher near Cawnpore and Lucknow, than in the remote districts of Bengal?—I believe it has very often happened that in a time of famine grain was very cheap in some districts, and at a famine price in others, owing mainly to the want of roads.

1349. You would date, I suppose, the great increase that has taken place in the exports and imports of India from the period at which the commercial monopoly of the East India Company ceased?—Quite so. I am happy to believe that the present amount of exports and imports is very small compared to what it will be.

1350. *Chairman.*] After this recent change you think there will be a further extension of commerce?—I do not think the recent change will be the immediate and direct cause. I hope that it will help it forward; but I think things were advancing very fast before the change.

1351. *Mr. Campbell.*] With regard to the efficiency of the civil servants, might not that be further secured by competitive examinations after certain periods of service in the same way that Her Majesty's officers are now subjected to examination before they obtain each step of promotion?—I think there is practically that sort of competition, because I believe that the best men get promotion much faster than inferior men.

1352. Is there any system of competitive examination after the competitive examination that occurs here?—No.

1353. So that it is practically a seniority service?—Yes; it is a seniority service, very largely affected by comparative merit.

1354. Are not you in favour of the extension of the employment of natives in the uncovenanted service in India?—Yes.

1355. Do not you think it would be an advantage, before you employ those natives, that a college or an institution in this country should be established for their education, so that their education in the day might not be neutralised by the bad examples that are set them when they go to their homes at night?—I think it is very desirable that the resort of natives for education to England should be encouraged on every ground.

1356. It is not of sufficient importance to warrant the Government establishing an institution for the purpose in this country?—No, I think not; I think it had better be left to themselves.

1357. *Chairman.*] Do Hindoos lose caste by coming to England?—A high-caste Brahmin must, unless he chose to place himself under very great privations on his voyage; but I apprehend that the feeling will wear away very soon. Some Brahmins have come over; Rammohun Roy was a Brahmin.

1358. It is not enough to deter them from coming here?—It is not enough to prevent men of strong minds from coming here.

1359. *Mr. Campbell.*] I presume you have not the same apprehensions that you entertained 12 months ago, with reference to the effect of the transfer of the government from the Company to the Crown?—I have good hopes of the present system,

system, seeing that it is in a great measure in the hands of the same men, or the same class of men.

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1360. As regards the natives, have you the same opinion of them that you may have had some years ago?—Of course after what we have seen, I have not. We had the experience of a century of fidelity of the sepoy; but that confidence has been utterly destroyed. It is impossible that any man can entertain the same opinions now.

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1361. You are not desirous, are you, of the continuance of a large native army?—Certainly not.

1362. Are you aware whether the political residents at any of the courts in India have been requested, or that it has been at all suggested to them, to interest the rulers of those countries in the extension of railways leading to their territories, or passing through them?—I cannot doubt that this has been done.

1363. Are you aware whether, to any extent, the native princes are holders of the guaranteed railway shares of the Government?—I am afraid not; I do not know of any case.

1364. Do not you think it would be judicious for our political residents to initiate some such course of conduct?—I think it would be extremely desirable that they should be stimulated to take part in the improvement of their country. I believe that this is done.

1365. I suppose, considering the insecurity which the independent rajahs, such as the Gwalior Rajah, felt during the late mutinies, you will have no difficulty in arranging with them the permanent retention at their cost of a large portion of our European force now held upon our pay in India?—I think it will be practicable.

1366. Have any attempts been made in that direction?—I understand that a European force is to be stationed at Gwalior.

1367. If such a force is so placed, would it not be competent for the Government to require, with reference to the financial difficulties of the country at this moment, that those independent states should possess themselves largely of our loans that appear to be so pressing?—I think it is very desirable that they should be our creditors. I think it would give us a great hold upon them.

1368. You think it would be a material pledge of their fidelity?—I think it would be very desirable in that sense.

1369. On the subject of exchanges, before the Council for India was established, did not the East India Company on all occasions negotiate their wants in this market?—They did; but not since the mutiny broke out.

1370. Was not that because the Government of India were not in a condition to meet their bills?—Exactly.

1371. I wish to bring under your notice a statement, which I am sure you will endorse as correct, with regard to the practice of the East India Company; I am about to read to you a portion of a letter which I had the honour to write to Lord Stanley on the 27th of July 1858: "In reference to those Returns which I shall move for to-day, I am in a position now to satisfy you that the East India revenues have sustained a loss of from 200,000 *l.* to 300,000 *l.* annually by the system of negotiation adopted by the Court of Directors. The balance of trade between Europe and India is adjusted by the purchase and remittance of silver bullion and Court bills; the former, in most occasions, to double the amount of the latter; silver bullion should, therefore, be the standard of exchange, and its price is regulated by supply and demand, as Court bills should be, subject to no hasty, unnatural and unwarrantable fluctuations; for example, between the 23d of January 1855 and the 29th of the same month, the Court drew 2,000,000 *l.* upon India with no pressing necessity, at the low rate of 1*s.* 11 *d.* per rupee; on the 29th the rate was raised to 2*s.*, or 4 per cent. advance; on the 11th of February the rate was again raised to 2*s.* 1 *d.*; and on the 26th April again to 2*s.* 2 *d.*, or 12 per cent. in excess of the rate at which three months before 2,000,000 *l.* had been sacrificed, at a loss to the State, compared with this latter rate, of 240,000 *l.* silver bullion during this time scarcely fluctuated at all; on the 23d of January it stood at 5*s.* 1½ *d.* per ounce; and on the 26th April, 5*s.* 1¼ *d.*; the majority of these bills were not bought for legitimate trade wants, but for re-sale in this market; at a large profit, on behalf of the favoured few who were in the secret of what was to be done, and would be done?—My answer is, first, that I am quite certain there were no favoured few in the secret of what was to be

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be done. I am quite certain that the secret of the Court of Directors with regard to the rate at which they were going to draw, was always admirably kept. I do not believe there ever was an instance in which any person had prior intimation of any alteration in the rates of exchange. Secondly, I say, that the price of bullion in the market necessarily regulated our drawing; for if we had offered our bills at a price higher than that at which silver bullion could have been sent to India, no man would have taken our bills; that regulated the exchange; when we wanted money, we were obliged to offer our bills at a rate that would bring money; as soon as we had got the money that we wanted, we raised the rate of exchange; we regulated our transactions according to our wants, and the state of the market. We could not get more than the price of bullion warranted, because, as I have said, if we had demanded more, men would not have taken our bills; but they would have sent bullion when they wanted to make remittances.

1372. Do you deny the fact, that between the period I have indicated a fluctuation of 12 per cent. in the exchange on your bills took place, and that silver bullion during that period fluctuated hardly at all?—It is impossible that I should come here with the knowledge in my mind as to particular facts alleged to have taken place in 1855, with respect to the rates at which the Company drew their bills. Of this I am quite certain, that they were influenced solely by their own want of money, and that they got that money as cheaply as they could get it. They may have made a mistake sometimes, in lowering the rate too much, probably; but they never made a mistake in raising it, because they raised it, when they did not want more money, and gradually up to a prohibitive rate. When the time came that they did not want money, they did not distress their treasuries in India by drawing when they did not want it. When they did want money, they went down or up by small fractions generally, so as to get just the money they wanted, and no more. They certainly were very careful, as they were bound to be, not to make any sacrifice.

1373. If your annual drawings on your own account had been five millions, would you have surrendered two millions at a discount of 12 per cent., at the rate then established, and three months after that, would you have sold your requirements for the year at rates establishing such a loss, or would any merchant, upon his own account, submit to such a loss?—I apprehend the later rates, to which the Honourable Member refers, were intentionally prohibitive rates; that when the Court had got what they wanted, in order not to draw any more upon the treasuries in India, they raised the rate to a prohibitive height.

1374. Without going into any further details, does not the principle occur to you as very striking, that you did not put the rate at 2s. 2d. from want of demand; the moment the rate closed at 1s. 11d. you had applicants at 2s., and you had applicants at 2s. 1d.; practically, would it not act thus, that the public, knowing you had only five millions to draw, when you had drawn two millions at 1s. 11d., had only to go in by a large City combination, and apply for a million from you at 2s., knowing the fact that their so applying would render it imperative upon you to raise the rate to 2s. 1d., so placing in the pocket of those individuals the 4 per cent. thus created?—It is like taking a loan; those people who are bold enough to take the loan at first, are very often able to sell it afterwards at improved rates. Still, we were obliged to offer terms upon which we thought we could get money.

1375. Your annual requirements do not need to be exhausted in three months' purchase?—We never asked for more than we wanted; and as soon as we had got what we wanted, we raised the rate, in order to prevent our getting more.

1376. Were you not establishing, by the process of issuing these bills of exchange, a margin of 4 per cent. on behalf of the public, in each transaction, to your own prejudice?—We did not offer at a lower rate of exchange than we thought just low enough to draw the money.

1377. When you found all your requirements for this country were met, was it not competent for you to stop drawing bills at all, instead of drawing at a rate which established a progressive large margin in behalf of the first purchasers?—So we did, by placing the exchange at prohibitive rates: we never actually closed our home treasury. Certain people, such as trustees, must have bills, whatever the rate of exchange may be. We put it at a rate at which we were sure that the great bulk of those who wanted bills would not come to us.

1378. Assuming that your annual requirements were five millions, and you
advertised

advertised a monthly sale of 400,000 *l.*, could such a loss arise, or would not the rate be more uniform than it was in the case of the fluctuations to which I have alluded?—I did not come prepared to go into the general question, whether this or that plan would or would not have been the wiser one; but it is manifest, that the same class of speculators whom the Honourable Member says took the larger sum, might, in like manner, have taken, monthly, the smaller sum, and then re-sold the bills.

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1379. Mr. *Lowe*.] I was sorry to hear you say the other day, that to the best of your knowledge and belief, as successful competitors in these examinations, you have not had a single first-class man from Oxford; that you were not sure you had had a second-class man from Oxford; that you have never had a wrangler from Cambridge; and that you believe that you get quite the skim milk of the rising men of England?—I am afraid that it is so.

1380. On what grounds do you base that statement; how do you know what those men were?—Because the schools and colleges from which the different successful candidates came are published. I have made inquiries, and from general knowledge, I do not believe that any of them belonged to the classes of which I have spoken.

1381. Feeling a little responsible in the matter, I applied to the Civil Service Commissioners for information, and they were so good as to furnish me with the honours obtained by the candidates for the examination of 1858; I should be very glad if you would look at it (*handing a paper to the Witness*); the names with asterisks are those of the successful candidates; those names with crosses affixed to them are the names to which I wish to draw your attention; will you be good enough to read the names with crosses before them, in that list?—Brasenose, "Open scholarship at Brasenose; Hulmeian exhibition; Pusey and Ellerton's Hebrew scholarship; first-class classics in the first public examination; second-class classics for degree;" Corpus Christi, "Open scholarship at Corpus; a first-class in classics, and a third in mathematics, at the moderations of Easter, 1857;" Wadham, "First class in first public examination; first class in second public examination;" Magdalen, "First class in moderations, Easter, 1857;" St. Peter's, Cambridge, "Twenty-third wrangler; second class in natural sciences tripos; college prizes for classics and classical composition; a mark indicating 'distinguished in botany,' in natural science tripos; college scholarship."

1382. Will you refer to the case of three gentlemen who did not remain long enough at the University of Oxford to take their degrees, but nevertheless distinguished themselves?—Queen's, "Open scholarship;" Merton, "Post-mastership;" Boden, University "Sanskrit scholarship;" University, "Open scholarship." I am heartily glad to find myself so far mistaken. I have always been in favour of competitive examination, and I have regretted sincerely what I believed to be a failure.

1383. Are you not aware that at the time when these competitions were instituted, a great number of other competitions were instituted; for instance, have not the whole of the fellowships in the University of Oxford been thrown open to public competition, as well as the Artillery and Engineer services?—Yes; and there is a competition for commissions in the army.

1384. Must not the effect of that be, to cause a heavy drain upon the talent that was then available for the purpose of competition?—Certainly.

1385. Will not the effect be to raise up a larger crop of ability; as the prizes may increase for which that ability may contend, may we not look forward to an increase beyond what we have obtained, in that class of candidates?—Yes.

1386. With regard to rent, you say you are of opinion, with Mr. James Mill, Mr. John Stuart Mill, and others, that rent is an excellent subject of taxation?—Yes.

1387. What do you mean by rent, in that sense?—According to the definition, I believe it is Mr. Ricardo's, rent is what remains over and above, after the profits of stock and the wages of labour have been satisfied.

1388. That is to say, in other words, that which is paid for the difference between the superior quality of land over inferior?—Or, rather, I should say that which is paid for the natural monopoly which there is in land. If you want more hats or more coats, you can make more hats or more coats; but you cannot make more land in a given situation.

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1389. The reason why you think so is, first, that land is a natural monopoly which must exist in somebody's hands, and that it can be taken by the State without in any way diminishing the capital of the country; that is the usual reason?—I think so; and also that rent is a fund, if I may so speak, created by society. If there were nobody but agriculturists, there would be nobody to buy the produce, and no rent; therefore I think it is the most legitimate source from which the wants of society can be supplied.

1390. Do you consider that rent, as you have correctly defined it, is what has been taken by the Indian Government from the ryot?—Yes: I believe in former years in some places they took more than the legitimate rent, but I believe no principle is now more thoroughly understood, and has been for 20, 30, or 40 years past by the Indian Government, than that it is a short-sighted rapacity—foolish as well as cruel—to take more than the rent; and I am satisfied that they have attempted most earnestly to limit their demands well within the rent; instructions to that effect have been sent out from this country over and over again. When Lord William Bentinck laid down his scheme for the settlement of the North Western Provinces, he earnestly pressed upon the settlement officers to ascertain, by every means in their power, what the real rent of land was, and to go some 25 or 30 per cent. under that in their demands upon the landowner.

1391. If the Government of India confined itself to rent, in the sense that you mean, would the Government have received anything for the very poorest quality of land?—I apprehend they receive very little.

1392. Ought they to have received anything according to your theory?—I do not think that the matter of the diversity of soils is exactly the point upon which rent turns; I think it turns much more upon the natural monopoly of land.

1393. Is not there a great abundance of land in India, now, not in any private hands?—There is a great deal of waste jungle.

1394. Is not land thrown out of cultivation from injudicious assessment, in Madras for instance?—There may be in Madras, with which I am not so conversant; but there is none in Bengal or the North West Provinces.

1395. I understand you to say that the Government allows for the expenses of cultivation, wages, and the capital employed, and a fair profit upon that capital?—Yes.

1396. And then claims to take what is over and above that?—Not the whole of it by any means; what they tried to take in the North West Provinces, in the cases I have in mind, was from 70 to 75 per cent. of the rent, having taken every means in their power to ascertain what was the legitimate rent.

1397. If that be so, how could you get anything from land which was no better in quality or in position than land which is lying waste?—We got very little.

1398. Ought you to get anything on your own theory?—I do not know; I have not followed out that question. I never understood why rent could be said to depend upon there being a diversity of soil in lands. I can understand why it depends upon there being only a limited amount of available land.

1399. Mr. A. Mills.] What do you mean by the expression, "natural monopoly of land"?—You cannot make more land; if you want more hats or more coats you can manufacture more hats or more coats, but in the case of land, for example, close to London, which rents at 5 *l.* or 10 *l.* an acre, you could not by any process bring more land there; it is the natural monopoly of the man who has a field of land close to London, and nobody can compete with him.

1400. Mr. Lowe.] I understood you to say, that you considered the great poverty of India was attributable, as I take down your words, to the undue proportion of the population that was employed in cultivation?—Yes, I believe that is it.

1401. Do you mean that there are more people engaged in cultivation than are necessary, or that too much is produced, and there is not a market for it?—I mean that more people are engaged in raising produce than is necessary. For example, a farmer employs in England 10 labourers, and he raises upon his farm all the produce, or nearly all the produce, which that farm is capable of yielding; if that land were in India it would be divided into small plots, and instead of there being 10 labourers, there would be 50, 100, or 200 ryots; and those who raised the crop would in a great measure consume it, and there would be no surplus left to go to market.

1402. Then, you attribute the poverty which exists in India mainly to the subdivision

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division of property?—And to the larger number of hands employed in raising the produce. In England you may raise (I am speaking of numbers vaguely) 100 quarters of wheat by means of 10 hands, and there are only 10 mouths to be fed out of the crop, but in India you would raise the same crop by means of 100 hands, and they must all be fed.

1403. What is the cause; is it the want of good tools and good machinery to assist the people of India in their labours?—There is an enormous agricultural class who are settled down upon the land like those under the cottier system in Ireland.

1404. Is it not the want of capital in the land; is not the whole economy of labour in England, except the physical superiority of the Englishman to the Hindoo, affected by the capital in the land?—By that certainly, and by the system of large holdings.

1405. Do not you think that the Government, being the landowner, tends to discourage the employment of capital in the land?—The Government is not the landowner.

1406. Does not the system of Government being the receiver of rents discourage, in your opinion, the investment of capital in the land?—No more than the Duke of Bedford being a landowner discourages the investment of capital, or Mr. Coke being the landowner discourages the investment of capital by his tenants. I do not see any distinction. In England, no doubt, a very considerable part of the rent is what is paid for buildings and for improvements.

1407. Which are generally put up, or effected, by the landowner, and for which he is entitled to make a deduction?—Yes. I apprehend in the permanently settled provinces, where some landowners have as large incomes as any landowner's income is in England, there is an enormous capital realised from the possession of the land, and yet there are no improvements made.

1408. When we get into the zemindary settlements we get beyond the reach of the Government; you mean to say, that the Government cannot make the zemindars do their duty to their tenants?—I find that, even for their own interests, they do not.

1409. Any more than the Irish landlords did in former times, that is beyond the reach of legislation. But in the ryotwarree settlements, for instance, does not the position which the Government occupies as the landlord (the Government being almost of necessity not an improving landlord) discourage the progress of scientific cultivation, and occasion the great waste of labour of which you have spoken?—No, I do not think that can be the cause, because I see that the opposite cause does not produce the opposite effect in the permanently settled districts.

1410. Is not that because you have landlords who model themselves upon the Government, and are, like the Government, unimproving landlords?—No; I take it, it is because they model themselves upon the customs of their ancestors.

1411. As long as the land continues in the hands of the Government, the Government being necessarily an unimproving landlord, you cannot expect the Government to establish a department for the purpose of making advances to its tenants?—I cannot say that the Government is an unimproving landlord. A great deal has been done of late years by the Government in works of irrigation; and advances, called "tuccavy," have been made to the ryots of late years for the purpose of assisting individual cultivators in the cultivation of their land; those works have been considered of great advantage to the ryots.

1412. Do you think that that is a good system, or coming within the legitimate functions of the Government?—Hardly.

1413. Is it not on the verge of what one would regret to see a Government engaging in?—Yes.

1414. Is not Government like a bad landlord that cannot do much for his tenants, such a landlord as you would not like to be yourself?—I should like to see in the North Western Provinces a sufficient amount of rent left in the hand of the zemindar to give him an interest in improving the land.

1415. I will go one step farther; you have stated that you approve of the measures recently adopted by the Secretary of State and the Council for India for allowing freehold settlement by the redemption of rent?—I am not aware that I have expressed an opinion upon that subject.

1416. Perhaps you do not like to do so?—I have no objection. I think it would be dangerous if it were carried to any great extent. I think the evil

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might not arise if it were done in moderation in small instances, but I am afraid, knowing what all Governments are, that if there were any large redemption of the revenue, the money might be spent and the Government left without a revenue. I think there is a danger of killing the goose that lays the golden eggs.

1417. *Chairman.*] Do you mean that it might be spent by the Government?—Yes.

1418. *Mr. Lowe.*] Ought not redemption of revenue to be accompanied by a measure appropriating the proceeds for the purpose of redeeming the debt?—Certainly.

1419. Perhaps you are aware that in America the railway and land companies have done so, and the money is appropriated under the law, so that the company has no power of spending it?—Yes.

1420. Would not that precedent be worth considering in the matter?—Yes, that principle has been pointed out to the Government in a recent despatch upon the subject.

1421. When you have ascertained what is rent in the fair sense in which you use the term, namely, that which remains over and above profits and wages, would it not be advisable to make a permanent settlement?—No, I think not. Lord Metcalfe used to say, that it was very foolish to settle our revenue, when we could not settle our expenditure. I think that the Government are entitled, upon the principles which I have laid down, to share in all improvements not made by the capital or labour of the zemindars or ryots; I mean improvements from such sources as canals and railways. I do not think it is desirable to fix the revenue in perpetuity.

1422. Then you disapprove of the permanent settlement in Bengal?—I think it was a mistake.

1423. In your judgment it gave the rent to the wrong person; if given at all, it should have been given to the ryot; but even if given to the ryot, it was an imprudent measure?—It was a benevolent mistake.

1424. You think that the Government ought to hold in its hands the power of raising the revenue it may want?—Yes.

1425. Does not the Government, in order to retain that power, make very heavy sacrifices; would not the Government be an immense gainer by the diffusion of the feeling of security and the improvements that would be stimulated, if the people knew that their rents could not be raised upon them?—We have pledged ourselves not to raise the revenue upon the ryot's own improvements.

1426. But the natives know that they have no certainty, owing to the continual revisions, of your adhering strictly to any plans, however well intended?—I think we should not have continual revisions. I am in favour of long terms of settlement.

1427. Why are you not in favour of permanent settlement?—Because I see great improvements made in England by tenants with 21 years leases, and these settlements in India would be, generally speaking, 30 years leases.

1428. Would not your argument apply if at the end of 10 years after you had given a 30 years settlement there came an immense emergency, such a thing as another Sepoy revolt, or anything more terrible, if possible; you could not then raise your land revenue a farthing?—No.

1429. If it is good for the purpose of giving people security and inducing them to improve, to withhold from yourself this right of raising the revenue for 30 years, why does the good stop there; why would it not be much better in perpetuity?—Because I believe, without contemplating any such disasters as we have seen from the Sepoy mutiny, that the expenses of the Government, if that Government continues to improve, must necessarily increase. We shall have a necessity for more courts of justice and a better system of police; we shall have many expenses, which can only be met by increased taxation.

1430. Do you consider that there is in the European sense of the word, except in the people who hold in jaghir, enamdar, and zemindar, under the permanent settlement, property in land in India?—No.

1431. Does not the ryot, under the ryotwarree system, consider that he has a valuable property in the land?—Yes.

1432. And a property that makes him anxious for the permanence of the Government under which he lives?—Yes, when he is enlightened enough to see the danger to which he would be subjected by a new government

1433. Do

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1433. Do not you think that we lose an immense conservative interest in India, by making the terms upon which land is held so little beneficial?—I think we do; but I think the advantages of having a fund to come upon, counterbalance that.

1434. Do not you think that that conservative influence would enable us to govern in some respects more economically, and that we should have less to fear if we felt that every landowner in India had an interest identical with that of the Government?—Yes.

1435. Has not that been the effect in Bengal, that our permanent settlement has relieved us from the necessity of maintaining any great military force?—I am afraid that is more from the unwarlike character of the people.

1436. Would not there be another gain, that you would save the endless expense of surveys and collection?—We have finished our surveys in the North West Provinces.

1437. But not in Madras or Bombay?—No; but I think even for judicial purposes and general purposes, it is most desirable that we should have an accurate survey of the country.

1438. Do not you look forward to a considerable improvement in the development of the agricultural resources of India?—Yes, a vast improvement.

1439. Will that necessarily tend to the subdivision of large estates, as it does here?—I suppose it will.

1440. Do not you foresee great difficulties in the apportionment of the Government rent, when that change begins to take place?—No, I think not; after the survey.

1441. You do not think there would be any trouble of that kind?—No.

1442. Do you think, supposing a new colony to be founded in Australia or America, the English Government, as owners of the land at first, would be acting wisely if it acted upon this principle, of letting land on leases, timed as near as possible, so as to give itself the rent?—No; I have always said, that it is only possible in countries where rent has never been private property.

1443. That would be the case I am putting?—No; because Englishmen export with them the feelings of Englishmen with regard to freehold tenures; they would not be satisfied; you would have a continually discontented population.

1444. They would be discontented, because their great desire in emigrating is to obtain property?—Yes.

1445. And that property, when obtained, ties them to the land, does not it?—Yes; I believe in England that all our direct taxation, which is mischievous in many respects, has arisen from the skill with which the landed proprietors have gradually shuffled off their own shoulders a great part of the burdens of the State. In France a very large proportion of the revenue is raised from the land-tax. The English landed proprietors have been wise in their generation. I believe that the last struggle to free the land from taxation, at the expense of the community, was as late as the reign of Charles the Second. Our revenue now is principally raised from Excise and Customs; but I believe that the Indian system is much more favourable to the development of the wealth of a country, for in India there is hardly any burden whatever upon trade or manufactures.

1446. *Chairman.*] Is the Indian Council quite satisfied with the present land revenue system?—I am.

1447. *Mr. Lowe.*] You do not think the considerations which I have put before you counterbalance the advantage of being able at the end of 30 years to raise the revenue?—No.

1448. When was the maturfa tax abolished?—It was abolished long ago, except at Madras, and I think it has been abolished there recently.

1449. It is now really quite abolished, is it?—Yes.

Lunæ, 28^o die Februarii, 1859.

MEMBERS PRESENT:

Mr. Campbell.
Mr. De Vere.
Mr. Gregson.
Mr. Kinnaird.
Mr. Arthur Mills.
Mr. Nisbet.

Sir Erskine Perry.
Mr. Richardson.
Mr. John Benjamin Smith.
Colonel Sykes.
Mr. William Vansittart.
Mr. Villiers.

THE RIGHT HONOURABLE CHARLES PELHAM VILLIERS, IN THE CHAIR.

Ross Donnelly Mangles, Esq. : further Examined.

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1450. Sir *Erskine Perry*.] WITH reference to the question which I put to you the other day, whether the Government of Bengal did not claim to institute suits for the resumption of estates, irrespective of any lapse of time ; will you kindly read those passages I have marked in a letter from the Government of Bengal to the Court of Directors, dated the 23d of February 1830 (*handing a pamphlet to the Witness*) ?—I should like the particular question and my answer referred to.

1451. I put this question to you over and over again : “ What I am trying to bring your attention to is, whether the Government of Bengal have acted in pursuance of the doctrine of *nullum tempus*, which, you stated, applied to the Government ; did the Government of Bengal act upon that policy ?—No, I think not.” I will call your attention to this passage, which contains the Government’s own statement of their conduct, in their letter to the Court of Directors on the 23d of February 1830 : “ As to the injustice of pushing strict inquiry before a new tribunal into tenures after so great a lapse of years, and the numerous changes which have taken place, very little, we conceive, need be said ; for all the regulations which have been enacted since the first regulations of 1793 have scrupulously provided that no lapse of time shall bar the right of Government to inquire, and that transfers of property, however and by whomsoever made, shall not exempt a title to hold lands rent free, from inquiry to ascertain its validity or otherwise.” In paragraph 130 they say, “ The circumstances of the petition being now avowed, and put before us with numerous signatures, has not induced us to alter the mode of disposing of it by a short resolution expressive of our determination to maintain the law, the efficiency of which has begun to evince itself in the proceedings of the Special Commissioner, as shown in the statements to which we have referred.” Were not you at that time the Secretary to the Government ?—I was not in India at that time ; I was at home ; I did not return to India till 1831.

1452. I thought you stated that you wrote the letter on which it is founded ?—I wrote the letter addressed to the petitioners in the year 1839, though Mr. Halliday signed it.

1453. *Chairman*.] You are not induced to vary your former answer in consequence of what has been read by the Honourable Member ?—No : the Honourable Member is under a misapprehension upon the whole subject. The fact is, that the laws immediately relating to rent-free tenure, beginning with the laws which Lord Cornwallis passed in 1793, which were the first laws,—and most indulgent laws as they were,—did, as the Government of 1830 said, declare the *nullum tempus* principle. Lord Cornwallis declared that in 1793, and all successive laws relating specially to rent-free tenure, repeated that declaration. But there was a law in reference to the general subject of limitation, passed, I think, in 1803, (I was wrong when I spoke of another date), which does give a limitation with regard to rent-free tenures, as well as to all other matters of dispute. But, as I have explained to the Committee, the question arises, in all these cases, as to the origin of the cause of action. All the laws relating solely to rent-free tenures, assert broadly the principle of *nullum tempus*. There is a separate Regulation, which incidentally mentioned, with other matters, the claim of the Government to

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to the rent of lands which does apply the principle of limitation; I repeat what I stated before with that explanation. I think it is like the old story of the chameleon,—Sir Erskine Perry is wrong and right, and I am right and wrong; but I should be quite wrong if I did not explain the point in regard to the law of limitation.

1454. Sir *Erskine Perry*.] Did not the landowners complain that the Statute of Limitations had no reference to and was not applied by the Government to their cases?—I apprehend the honourable gentleman, as a lawyer, well knows that parties must *plead* the Statute of Limitations. No doubt the Special Commissioners' courts would have gone into the question of limitation, if any party had pleaded before them the Statute of Limitations. They did not so plead it, and it was not the business of the Court to find a plea for the parties upon the ground of limitation; the whole of the laws relating to land-free tenures having laid down broadly the principle of *nullum tempus*.

1455. Mr. *Vansittart*.] Adverting to the subject of the absence of a law of limitation, complained of by Sir Erskine Perry, in regard to the Resumption Laws in Bengal, are you aware that, under the native princes, a public office called Bazeer Zameen Duster was established, in which was kept a register of lands exempt from the payment of revenue granted by the different native sovereigns?—I am not informed historically of the fact. I know that there was a Bazeer Zameen Duster, and such an office of record did exist under our own Government: it was kept in the General Treasury at Calcutta.

1456. When we obtained possession of India, was not that office in such a very confused state as to be useless as a reference?—I have no doubt it was. The whole of the records of the native Governments were in that condition.

1457. Did not Lord Cornwallis, seeing the necessity to reduce that office to some order, introduce a regulation, expressly in his celebrated code of 1793, "for trying the validity of the claims of persons holding, or claiming to hold, exempt from the payment of revenue to Government"?—There were two regulations in the code of 1793 for the trial of the validity of rent-free tenures; one, regarding what are called royal tenures, and the other regarding tenures which purported to be granted by persons other than those exercising royal authority. Here, I wish to state more particularly what I referred to loosely in my former evidence. I said, that so far from the resumption of rent-free tenures having been, as has been alleged, more rigidly administered by the British Government than by the former Governments, in the laws passed by Lord Cornwallis in 1793, taken in comparison with what has been done by the native sovereigns, there is the most absolute proof that the British laws have been far more lenient and indulgent than the practices (for there were no laws) of the native rulers. I can give my illustration in a very few words, almost in one sentence. By the laws of 1793, Lord Cornwallis enacted that a royal tenure, which is called an *altumga* tenure, should, if valid, be valid in perpetuity, and should descend to heirs, and be a good tenure for ever. Now, we have from Sir Thomas Munro in the Minute to which I have referred, and in the letter which he quotes from Walajah, the Nabob of the Carnatic, to the Government of Madras, dated 18th of October 1790, the most absolute proof that a native prince, a prince not more or less despotic than any of his compeers, did not in anywise recognise the validity of these very *altumga* grants which had been granted by his predecessors; for Walajah, who apparently had been written to by the Government of Madras upon the subject, to ask what was his practice in regard to such tenures, answered, "I am Prince of the Carnatic, and for these 40 years I have granted, resumed, and altered jaghirs in such manner as I have thought proper." Sir Thomas Munro, commenting on this letter, in his minute of the 15th of March 1822, says, "It appears from these facts that in the Carnatic *altumga* grants (the highest sort of royal grants) so far from being irrevocable, have not been so much respected as many of the ordinary jaghirs." Again he says, "The Commissioner of Poonah, in answer to a reference made to him on the subject, has stated that he has not been able to find a single *altumga* in the Deccan; and has transmitted a list of 590 jaghirs resumed by the Peishwa's government within the last 50 years." Again, he says, "In the Nizam's dominions, too, the resumption of jaghirs appears, from the note of his minister, Chundoo Lall, to have been regulated, as in the Carnatic, by the will of the prince;" and it is added, "There are no persons to whom jaghirs have been continued without some change or modification." I wish to show to the Committee,

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as I am sure is the fact, that the administration of the British Government in regard to this matter, which has been called so harsh and grasping, has been infinitely more lenient than that of any of the native princes; in fact, they have proceeded by law, and have laid down rules, and have acted under those rules; whereas all the native governments treated these matters merely as matters of bounty, to give, and discretion to resume; we have treated them as matters of right and of property.

1458. *Chairman.*] Is that minute of Sir Thomas Munro's an official minute?—Yes.

1459. Was he Governor of Madras at that time?—Yes.

1460. Colonel *Sykes.*] That was when the Imperial Government ceased to have any power in the Deccan?—It had no power there certainly; but equally in Bengal and Behar the Imperial Government had ceased to have any power when Lord Cornwallis confirmed those grants, and allowed the *altumga*, if it was a valid grant *ab initio*, to be a perpetual and hereditary grant. The laws of 1793, which are the foundation of and governed the operation, are far more lenient and indulgent to the grantees than the practice of any native government.

1461. Mr. *W. Vansittart.*] In the regulation of 1793 is there not a clause limiting the inquiry into rent-free tenures to the 12th of August 1765, that being the date on which the Dewany of Bengal, Behar and Orissa was made over to the late East India Company by Meer Jaffer Khan?—It is years since I looked into those regulations; therefore I do not like to speak with any certainty with regard to them. The question whether a tenure is hereditary is quite distinct from the original grant of a tenure. A tenure might be admitted by the law of 1793 to be a good tenure, *quoad* the holder; but it did not follow, as of necessity, by any means, that it was an hereditary tenure. That is a point which very much affects also what I call the origin of the cause of action. If an investigation had been instituted in 1793, a tenure might be quite good as regards the present possessor, and he might be entitled to hold it for his life without disturbance; but still the question remained, whether the tenure was hereditary.

1462. Are you aware if a family could prove that an estate had been legally obtained prior to the 12th of August 1765, that the special deputy-collector, or resumption officer at once confirmed and recognised the validity of the title?—I do not think he did; he had to ascertain whether it were in its nature, or by the terms of the sunnud (or grant) an hereditary tenure. If it were hereditary, and of that date, no doubt it would hold good; but I desire to speak with great doubt and caution with regard to any special matters contained in those regulations, to which I have not referred for many years. I have only come here competent to speak upon the general principles of our laws.

1463. The deputy special collector being satisfied that the grant was meant to be given in an hereditary manner, do you think I am exaggerating when I tell you that in my capacity of special deputy collector, I relinquished from resumption and Government assessment hundreds of cases so proved, namely, prior to the 12th of August 1765?—Yes, I have no doubt you did.

1464. In your opinion, therefore, has there not always been a law of limitation for Bengal, notwithstanding Sir Erskine Perry's anxiety to prove the contrary?—There was no doubt. The law of 1793 did contain certain rules of limitation, and made tenures good for life, at any rate, if they were prior to a certain date. The question of their being hereditary, was a separate question to be inquired into.

1465. With regard to the Bombay Enam Commission, are you aware that on the deposition of the treacherous Bajee Rao, Mr. Elphinstone was appointed Commissioner of the Deccan?—Yes.

1466. Are you aware that Mr. Elphinstone, knowing that a great many forgeries had been committed in Bengal to prove possession prior to 1765, set to work to inquire into the land titles, intending to confirm those legally obtained prior to the commencement of the war?—Mr. Elphinstone, as I understand it, and as I believe the case to be, declined to confirm or to dispute any titles at that time; he desired that the holders might be left in possession, not confirmed and not disputed, for subsequent careful investigation as to their rights.

1467. This being the case, therefore, have we not a law of limitation for Bombay?—I do not think the law of limitation which relates to the old provinces of Bombay does extend to the Deccan; I believe that Mr. Elphinstone's Government, after he himself had succeeded to the Government of Bombay, purposely

purposely omitted to extend the law of limitation to the Deccan; so I am informed.

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1468. *Chairman.*] You are stating your own belief upon that point; you do not know it?—That is my belief, generally.

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1469. Mr. W. Vansittart.] Is it not a fact, that all altumga or royal grants, being considered to have been given in perpetuity, were at once recognised and confirmed by the special Deputy Collector?—When they were valid.

1470. Is it not a fact, that all rent-free grants below 50 beegahs in Bengal were at once recognised and confirmed when they were made for religious purposes?—I think that is the law; but I desire to speak with great hesitation with regard to what is the law, without referring to it; I have not looked at the laws for years.

1471. Is it not a fact, that the missionaries of Bombay petitioned the Government of Bombay a short time ago, that as rent-free tenures were made to the gods, and not to human beings, they ought to be resumed?—They asked something to that effect.

1472. What was Lord Elphinstone's answer?—Lord Elphinstone declared that the rights of the institutions in question, supposing the tenures to be good as against the Government, were as valid rights of property as if the grants had been made to individuals. He insisted very strongly upon the right of property which has always been maintained; and there has always been a most scrupulous feeling with regard to grants for religious purposes, which were believed to be permanent in their nature, and not like grants to individuals, which might be only for life.

1473. With regard to the appointment of the Enam Commission at Madras, why has so long a period intervened in extending the operation of the Resumption Laws to that Presidency?—The great pressure of business, which has always been more than the Government of India could well struggle against; the business in India is extremely heavy at all times; the revenue and judicial business equally; and the Government have not found time to attend to that special matter. The loss has been very heavy to the Government, inasmuch as they have lost all the intermediate revenue of all invalid tenures. As in Bengal, so in Bombay, it was the want of time and of hands to carry out the matter.

1474. Do not you think it will be found that a very large proportion of the rent-free tenures in Madras have been made by the Nabobs of the Carnatic?—I think it will be found that a great majority of the rent-free tenures in Madras have not been made, even by any authority so respectable as the Nabobs of the Carnatic. I believe it will be found that they have been made by inferior officers of provinces or of districts, or have been made by the zemindars, or have been taken by the people themselves, without any foundation whatever, except fraudulent assumption. Now, in illustration of what I mean by grants made by themselves, I wish to explain to the Committee the merits of the case, so much insisted upon with regard to the *nullum tempus* principle, which was decided before the Judicial Committee of the Privy Council with regard to the Rajah of Burdwan, and which was a matter of very great value. I think you will see, when I have explained the case, that the Judicial Committee, ill-informed as I believe them to have been as to the real law of the case, and acting purely upon the technical ground of limitation, have given to a man that which he had not the smallest moral or equitable right to. The facts of the case are these. The Rajah of Burdwan is almost the only large landowner of Bengal who has preserved, happily for himself, his vast estates intact since the time of the permanent settlement. I believe the Rajah of Burdwan pays to the Government between 200,000 £. and 300,000 £. a-year in revenue, and probably his own income, after he has paid that revenue, is at least as much more. The origin of this grant, which has been now decided as his, free of assessment, for ever, was this. The former Rajah of Burdwan, in troublous times, when these matters were not attended to, granted to his own son a vast tract of land in rent-free tenure, ostensibly for the worship of the gods.

1475. Sir *Erskine Perry.*] At what date?—I do not know exactly what date.

1476. *Chairman.*] Prior to 1793?—Yes; when the settlement was made in 1793 in an off-hand way, without the smallest inquiry. The settlement was made with the Rajah, as all settlements were made, irrespective of all rent-free grants. In the Settlement Law of 1793, it is distinctly stated that the settle-

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ment was made irrespective of the rent-free grants into which the Government reserved their right to inquire at a subsequent period. This large tract of land, worth many thousands of pounds per annum (I cannot state here the exact amount), was excepted from the permanent settlement, and so it remained; and the effect of the judgment of the Judicial Committee of the Privy Council has been to give to the Rajah, over and above his enormous estates, this land for ever, free from assessment to the Government.

1477. Mr. W. Vansittart.] Did we not obtain possession of the Carnatic on the 25th of July 1801?—I think that was the date.

1478. What, therefore, do you think of the suggestion which I made in the House of Commons on the 19th of this month, that all grants, however obtained, prior to the 25th of July 1801, should be confirmed, and that inquiry should be held into all rent-free titles obtained since the 25th of July 1801; would not that give us a law of limitation for Madras?—I think that the proposal of the Honourable Member would be unfair to the State as representing the community, and to the rent-paying part of the people. I think that the investigations should ascertain whether those tenures which are existing are all good, and whether, if good in their origin, they are in their nature or by law hereditary, and should be continued for ever, to the detriment of the public.

1479. In regard to Mr. Warden's answers to Sir Erskine Perry's questions, stating that the *onus probandi* was thrown upon the enamdar, is it not just the very reverse, and that the Enam Commission takes upon itself the duty of proving that the landholder is not entitled to exemption from assessment?—I believe that is the state of the law.

1480. Sir Erskine Perry.] Is not that a question of the construction of a legislative act?—No, I believe not, because we have the statement of the Government of Bombay, in sending up Captain Cowper's letter, that it was not only the law but the practice, that the enamdar had merely to assert his possession and his right; not to prove it, just to allege it; that then it was the business of the Enam Commissioner, if he could, to disprove his statement.

1481. Mr. W. Vansittart.] Have you seen Captain Cowper's answer to Mr. Warden's evidence?—Yes.

1482. Captain Cowper is a highly intelligent officer, is not he?—He is a man of great ability.

1483. Mr. Warden, among Captain Cowper's other disqualifications for his office, says, that he is below 30, but Captain Cowper confesses to 39. Is not a man's judgment if he is ever to possess one, pretty well matured by that age?—I believe Captain Cowper to be a highly intelligent officer, and of fully sufficient age and standing to be master of his business.

1484. In regard to Sir Erskine Perry's question No. 1,298, that Mr. Warden passed as the best judge of his day in the Bombay Presidency; you surely do not allow that, do you?—I am not competent to answer the question.

1485. Are you aware that he was more than once reprimanded by the Government for injudicious acts?—I think he fell on more than one occasion under the censure of the Government at home, in regard to matters connected with making out the lists of jaghirdars and rent-free tenures in the Deccan; but I am not aware that he ever received any censure, and indeed it would have been very improper that the Government should have censured him, for any conduct in his judicial capacity.

1486. When he was judge of the Sudder Court, had he not some correspondence which ended in an answer almost tantamount to a censure from the Government?—Not upon a judicial matter certainly. There was a dispute regarding certain judges of the Sudder Court.

1487. With regard to the special Commissioners to whom an appeal could be made by the rent-free holder against the decision of the special deputy collector, were they not civilians of very long standing and of very high reputation?—Yes, they were very carefully selected to the best of my belief.

1488. Should you not say that they were fully equal in administrative ability and acumen to an English barrister?—Yes; they were picked men out of a large service.

1489. If India were to be polled from end to end, and canvassed as to which the natives would prefer for a judge, namely, a collector ignorant of the English law, or an English barrister ignorant of the native character, which in your opinion

opinion would be preferred?—I have declared what my opinion is ; and I believe that the opinion of the natives would coincide with mine.

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1490. That is, in favour of the collector?—Yes.

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1491. Mr. *Campbell*.] Have you any materials upon which to found that opinion?—I speak from my general knowledge of the subject.

1492. Mr. *W. Vansittart*.] Do not you think that, generally speaking, English barristers, in going out to India to fill high and important judicial appointments in the Presidencies, are disposed to square their opinions almost entirely with reference to the Presidency itself, and not with reference to the Mofussil?—I believe that a barrister practising in the Presidency towns must necessarily have a very slight knowledge of the state of affairs in the Mofussil.

1493. Is not a life in the Mofussil very different to a life in those beautiful cities, Calcutta, Madras, and Bombay?—Very different indeed.

1494. In those cities would a discarded vakeel from any of our courts, or a needy, pettifogging attorney, have any difficulty in getting up a petition of remonstrance, signed, in 24 hours, with as many thousand signatures?—He might be able to get up a petition.

1495. Do not a great number of petitions originate with marvellous speed, having a marvellous amount of signatures, in the capitals of the Presidencies?—It would be easy to get signatures, I apprehend, to almost any petition.

1496. Mr. *Campbell*.] Would not the influence of the Government and the servants of the governing body be more efficacious in getting up such petitions, than the few humble solicitors alluded to by the honourable Member?—The influence of the Government in the Presidency is not very great.

1497. Is it not great throughout the country?—Throughout the country it is great, no doubt.

1498. Mr. *W. Vansittart*.] He would have much greater difficulty in doing this probably amongst the deep thinking and less excitable population in the Mofussil?—It would not be so easy to get up a petition in the Mofussil as in the Presidency towns.

1499. The Queen having assumed the direct sovereignty in India, would it not be desirable to amalgamate the Supreme Court with the Sudder Dewanny and Nizamut Adawlut?—I think it would, and I have always thought so.

1500. Would it not effect a great saving of expense?—Yes.

1501. Are not the salaries of the Civil Service in the Judicial Department, civil and sessions judge, 2,500 *l.* per annum, and the Sudder judges 4,000 *l.* ; whereas the salaries of the judges of the Supreme Court are, the chief justice, 8,000 *l.* per annum, and the puisne judges 6,000 *l.* ?—I think the civil and sessions judges get 3,000 *l.* a year. I think the judge of the Sudder gets either 4,500 *l.* or 5,000 *l.* a year. I believe you have rightly stated, as far as I remember, the salaries of the judges of the Supreme Court.

1502. In regard to Sir Erskine Perry's question, 1162, comparing the ryot to a ploughman in this country ; is it not a fact that the revenue settlement of a village is very frequently made with the sirdar or head ryot of that village?—The village settlements in the north-west are generally made with the brotherhood, who are the proprietors in the village, and who are, in some instances, no doubt, personally labouring agriculturists. In other instances they are merely proprietors of the soil.

1503. A sirdar ryot is quite equal to a tenant farmer in this country in regard to position and importance, is he not?—In some instances he is even superior, as being a man of hereditary rights and hereditary property.

1504. Adverting to Mr. *Campbell*'s questions, or rather objections, as to the civil and military servants in India being allowed to become proprietors of land, has not Mr. *Halliday* recently appointed 90 indigo planters to be honorary magistrates in Bengal?—I do not know the number ; I believe he has appointed indigo planters, and also natives, to be honorary magistrates.

1505. Do you approve of indigo planters being made honorary magistrates?—Yes, where they are men of high character.

1506. I believe Mr. *Kerr*, the honorary magistrate for Mymensingh, did excellent service shortly after his appointment, with the aid and co-operation of his factory people and his villagers, when the convicts broke loose from the gaol of the Sudder station?—I am not aware of that fact.

1507. Are not indigo planters apt to hold more real influence in a district

R. D. Mangles, Esq. than is held by a magistrate?—Not if the magistrate is an efficient magistrate, certainly.

28 February 1859. 1508. Do not you suppose that an indigo planter possesses a great deal of local influence?—He may, but that is confined to a small tract of the district; whereas the magistrate's influence, he being an efficient man, would extend to the whole district. Of course, he would have influence over the indigo planter himself.

1509. Is not that influence due to their connexion with the land?—No doubt.

1510. Then, if you make indigo planters, over whom you have no control, honorary magistrates because of their local influence, would it not be better to make your educated civil servants, whose fortunes are at your disposal, planters and landowners, that they might also obtain local influence?—I think the position and official power of our officers give them sufficient influence; if they are men of the character and bearing which they ought to be, they will have vast influence in their districts. A good man, as a magistrate in an Indian district, more especially if he is a magistrate and collector, will always have an enormous influence amongst the people.

1511. Then you do not think it advisable that Government should encourage its servants to acquire local influence by the purchase of land?—No, certainly not.

1512. One word about natives; do you agree with Mr. Marshman that "750 rupees a month to a native is quite as much as 2,500 rupees to a European, and it enables the native to occupy the same position of respectability and dignity in his circle as a European with three times the amount"?—Yes, I think it does.

1513. Are not there many native officials who are drawing 750 rupees a month?—Yes, there are the principal Sudder Ameen.

1514. *Mr. Richardson.*] In your evidence of this day week you mentioned that great corruption exists in India amongst the native judges and police, and you recommended that they should be kept in check by European judges being appointed to hear appeals; would it not be better, wherever it was practicable, to appoint European judges to hear and decide the cases in the first instance?—No: I gave my reasons for thinking otherwise. The first reason is, that you must pay Europeans much larger salaries, to make it worth their while to hold these offices, and to settle in India as public servants; and, secondly, that the only way of bringing the natives forward and fitting them for the higher offices of Government, is to employ them, in the first instance, in subordinate offices, under European superintendence and control. I believe that the agency of Europeans in India is necessarily too expensive to admit of their being employed to do the rough work of administration, and that, viewed both as a matter of finance and as a matter of justice to the people of India, it is right and proper that the natives should be employed to exercise all primary jurisdiction, keeping the European as the superintendent of the system.

1515. Has not the pay of the native judges and police been insufficient to secure the services of those who were best qualified for the situations, and the least likely to be corrupt?—The position of the native judges of late years in respect to salary, has been continually improving and improved. Very recently the pay of the officers of police has been raised, but I have stated that the police are insufficiently paid. I think that they ought to have better pay, in order to make it their interest to be honest. When Lord Cornwallis assumed the reins of Government, he found the civil service in too many instances corrupt; they were paid most inadequately, and allowed to remunerate themselves. The Government in the early days of the East India Company paid their servants ludicrously small salaries; so much so, that Mr. Forbes, the author of the well-known work called "Oriental Memoirs," who was a civilian on the Bombay establishment, states in that work that he was obliged often to go supperless to bed from not having the means of giving himself a supper, and also that he could not afford candles to sit up at night to read by.

1516. *Mr. Gregson.*] About what date was this?—About 1770 or 1780.

1517. *Mr. Richardson.*] You have mentioned that there is a general system of dishonesty in the transit of goods; if that continues, will it not interfere with the settlement and development of the resources of the country; what remedy do you propose?—I said that cotton was liable to be dishonestly packed, and that therefore it was most desirable that European factors should be settled at the different provincial capitals to receive and press the cotton. It was relating only

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to the matter of cotton that I gave that opinion, and the remedy which I pointed out was, that Europeans should perform the functions themselves.

1518. And not with respect to other produce?—No; I do not know any other products that are so liable to be adulterated or to be misused as cotton is.

1519. You mentioned that the permanent settlement of Bengal had led to the clearance of jungle, and other great improvements; do not you think that the same beneficial results would take place if all the British possessions in India were permanently settled?—I think the jungle has been quite as extensively cleared in the North-West Provinces, where the settlement is not permanent. I mentioned that incidental benefit of permanent settlement; I mentioned on the other hand the great disadvantages of that settlement, which I think quite counter-balance that advantage. I believe if the settlement of Lord Cornwallis in 1793 had been made for 30 or 50 years, instead of in perpetuity, exactly the same effects would have been produced with regard to clearing the jungle, whilst the means of enhancing the revenue, if the exigencies of the Government required it, would have remained.

1520. Do you think that the cultivation of any new crop not previously grown in India, such as cotton, flax, or tea, could be remunerative at first?—Cotton has been grown from time immemorial in India. The natives of India were growing cotton, and making cotton cloth, at a period when our ancestors were painting their bodies and running about naked. Cotton is of the oldest date in India. For thousands of years, I suppose, cotton has been grown, and so has flax also. Tea is a new product, and that, no doubt, requires some time before it makes any return. The same is the case, I believe, with regard to coffee; but I believe that tea, with the encouragement that has been given to it by the late Company and the present Government, will become a very great article of export from India. The Assam Company has been eminently successful in cultivating tea, which they found indigenous in Assam; it is not the same plant, I am told, as the Chinese plant, but it is a plant which, when made into tea, commands at present the very highest price of any tea in the English market. The tea of Kumaon is also very good, and I believe that plantations are extending there.

1521. Is not tea grown in the Dhera Doon?—I believe it is; that is a province very near Kumaon.

1521*. What encouragements have the Government given towards the growth of tea at first?—The Government established tea plantations of their own. In the first instance, they sent Mr. Fortune to China to get seeds and plants, which they distributed; and they have notified that they are ready to give up their plantations to any persons coming forward with sufficient capital, and satisfying them that they intend and are able to carry out the enterprise.

1522. Has not the trade in opium proved very demoralising to the natives of India, as well as to the Chinese?—I do not know that the opium trade has been at all demoralising to the people in India. On the contrary, the regulations of the Government, which cause opium to bear a factitiously high price, have certainly tended, *pro tanto*, to prevent the use of it in India. The use of opium in India, considering the enormous amount of population, is very small.

1523. I think you stated, that if the Anglo-Saxon race are permitted to acquire land in India in perpetuity, the best estates will soon pass into their hands, and out of the hands of their native possessors?—The honourable Member has quoted the wrong tense. I said, if it had been so at an early period of our administration, when the Government and public opinion were weak, and the eyes of the Government and of the public in England were not fixed, as I hope they are now fixed, upon India; I pointed out what, in my opinion, would have been the consequence, if at that early period of our administration the acquisition of land by Europeans had been permitted.

1524. It would have been the case, upon that supposition?—Yes.

1525. Would not it have strengthened the British rule in India; and does it not also show that colonisation in India only requires land to be secured to Europeans; if proper encouragement had been given to them in times past, there would have been now many more settled in India, would there not?—In one sense it might have strengthened the British rule, but it would have so strengthened the British rule at the expense of very gross injustice and wrong, which would have rankled in the minds of the natives; and would have added to their other feelings of race and animosity to conquerors, that still stronger feeling of the detestation

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of those who had deprived them of what they value above all things, namely, their land; in that respect it would have weakened the British Government.

1526. Have you heard of any native Christians joining in the late revolt in India?—No, I think not; I think the native Christians, and even the educated natives, as a body, have been eminently faithful to the British Government. When I say educated natives, I mean the English-educated natives.

1527. Do not you think it is the duty of a British Government not in any way to discourage Christianity in India, but, at the same time, to abstain from any interference with the religion of the natives, or giving it any encouragement?—I think that it is the bounden duty of the Government not to discourage Christianity, certainly; and I think that the natives should be left to the free enjoyment of their own religion, also without the smallest encouragement to that religion by the Government.

1528. Am I correct in supposing that a Commission of Enam only extends to an investigation of the privileges of certain landowners, who claim exemption from Government taxes, and does not extend to dispossessing the proprietors of their lands?—If the holder of the enam is the proprietor of the land, certainly it does not extend at all to his dispossession. If, on the other hand, he is a man who merely holds the Government revenue, and has no proprietary right in the soil, when he loses the enam, if it be only Government revenue, of course he loses his whole tenure.

1529. The proprietorship in the soil remains?—Yes, in the person who held it before.

1530. Do not you think, as a general principle, that all the land should pay a fair proportion of the Government taxes, when the proprietors get the protection and benefit of the Government?—That is the principle which I have always affirmed, and which I think is quite unquestionable. I think it is a principle which has been lost sight of by those who have raised so loud a cry in favour of the rent-free holders. I think they have forgotten that sound principle, that all subjects should bear an equal share and proportion of taxation. If the Committee will allow me to say so, I really think that there is no analogy so near to the case of the rent-free holders of India as the case of the French *noblesse*, who enjoyed absolute exemption from certain taxes. There is no tenure in India so old as the origin of the privileges of the French *noblesse*, and not even Burke objected to subjecting the French *noblesse* to equal taxation:—he admitted it to be an act of justice.

1531. Do not you think that a knowledge of the English language should be encouraged in India amongst the natives?—I do; and I have always been of that opinion.

1532. Do you consider that the planters generally are persons whose testimony may be relied upon as to the state of India in the localities in which they reside?—I think the planters are very much prejudiced against the Government, and more especially so when it was administered by the East India Company. I hope that, now it is in the hands of the Crown, their feelings will be more friendly towards the Government than they have been.

1533. Do you consider that the covenanted servants of the East India Company are likely to be uninterested parties themselves?—They are the officers of the Government, and are likely, no doubt, to be prejudiced to a certain extent in favour of the system which they administer.

1534. If on the one hand the planters may not be altogether uninterested in their statements, the servants of the Company may be considered as interested parties also?—Yes: I should desire the evidence of the planters on the one hand, and the evidence of the servants of the Government on the other, to be taken with the grains of salt which are necessary on each side, to render it fair, and that reason and just argument should decide the question between them.

1535. Does not the Indian Government get a considerable revenue from the establishment of shops for selling spirits and opium all over the country?—Yes, there is an excise duty.

1536. Has not the establishment of those shops been forced, in some instances, upon the proprietors when they did not wish it?—I am not aware of any such cases.

1537. Mr. De Vere.] Do you remember the evidence which was given last year by Dr. Hooker, with respect to the possibility of establishing an advantageous trade with Central Asia?—I have a general recollection of his evidence.

1538. He

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1538. He stated, I believe, that the commercial products of Tibet were very important, consisting principally of borax, gold, salt, shawl-wool, musk, jewels, and ponies; and he stated also, that the inhabitants of Tibet would gladly become purchasers of our woollens and Indian-grown teas. That was so, I think?—I can well believe that there might be an advantageous trade. There is a great disadvantage from the enormous mountain-range which separates the plains of India from Tibet; the difficulties of carriage, and the great jealousy of the Chinese Government; but those obstacles might be overcome in the course of time, and a good trade established, I have no doubt.

1539. Dr. Hooker stated, I believe, that the frontiers of Tibet were, at the time he gave his evidence, closed against us by the Chinese and Sikkim authorities?—Yes; I think he did. I consider the jealousy of the Chinese as the great obstacle.

1540. Can you inform the Committee whether, in the recent negotiations with China, any steps have been taken to remove the restrictions to the admission of our tea and the products of India and Britain generally into the Chinese dominions, beyond the Himalayas?—No; I am not aware that they have. I would say with regard to tea, that the produce at present raised is too small, and it commands so very high a price in India itself, that I do not consider it likely that there will be at present, or for many years to come, until the plantations of tea have greatly extended, any very considerable traffic between India and Tibet in tea.

1541. Do you believe that there will be a considerable traffic in woollens?—Yes; I think they would like our woollens.

1542. Do not you believe that an advantageous traffic might be established from Tibet into India, consisting of the articles of produce to be found in Tibet?—I think there might.

1543. Are you then of opinion that it would be advisable to open commercial relations between India and Central Asia, if it should be found practicable to do so?—Most decidedly; with all parts of Central Asia. The navigation of the Indus has been undertaken, and fairs have been established upon the banks of the Indus, with the view of opening and encouraging that trade, and I believe they will have that effect.

1544. Can you state more particularly to the Committee the nature of the restrictions which are imposed by the Chinese and Sikkim authorities upon our trade?—No; I cannot state any more than that I believe it is a general jealousy; not so much a jealousy of trade as a jealousy of the entrance of Europeans into that country; and the trade, if it is to be carried on at all, must be carried on mainly by the intervention of the natives of that country.

1545. Dr. Hooker stated that the Chinese tea which is sold in Tibet is brought from the coast of China, a distance of between 3,000 and 4,000 miles. If we were to bring our teas across the Himalayas, a much shorter distance, into Tibet, is not it probable that we should be able to undersell the Chinese teas, at a considerable profit?—I have stated that I think it will be a long time to come; the produce in India at present is very small; it is very highly valued in India itself; it has so large a home market, which it must fill first, before it can be sent into Tibet. I apprehend many years must elapse before any considerable exportation of tea from India into Central Asia can take place. I believe the Kumaon tea sells in the North-west Provinces at a price which forbids its coming even to England; it is all bought and consumed upon the spot.

1546. Colonel *Sykes*.] In answer to Question 1089, you stated, "Now, the land itself is private property; that I have never denied; it has been a moot point; but I have always held that the land has been private property; but the rent of the land, by the hypothesis, is what remains after all the expenses of cultivation were returned?"—That is my opinion.

1547. Upon what ground do you form that opinion, that the land is not the property of the State?—I know that in parts of India, where native customs and the habits of the agricultural classes have not been entirely overwhelmed and destroyed by centuries of oppression, the people cling to their property in the land in the most tenacious manner. I remember a beautiful passage in a minute of Lord Metcalfe's, in which he speaks of the tide of revolution sweeping, wave after wave, over India, destroying thrones, principalities, and powers, but leaving the tenure of the land undisturbed. I know it to be the case that in the Deccan more especially, and in other parts of India, the proprietors