

transactions were by word of mouth." Dr. Moore also speaks highly of the character of the shroffs or bankers, and merchants of India; a protested bill, or a protested hoondee, he says is very rare.

2 Rep. 3829.

RESUMPTIONS.

As the power to possess land in fee-simple is of manifest importance to the settler, your Committee were induced to make some inquiry into the effect of the resumption by the Government of lands claimed to be held in free proprietorship by the natives. It is maintained that good faith has been violated by the Government in certain cases, where a full right of ownership in the land has been first allowed, and then withdrawn from the natives. These Acts of Resumption are said to have created great distress 20 years ago, when lakhiraj-lands were resumed in Bengal. Mr. Marsham states that "the resumption of these lands has caused great disaffection;" and that the Government had "allowed its claims to sleep too long." Mr. Hawkins bears testimony to the "strong feeling in favour of the old landowners," or talookdars, in India; and more than one witness maintains the interference with talookdarries to have been one cause of the late rebellion. It is obviously too late to require natives, after 60 or 70 years' possession, to prove their title to a property in land; but the "resumptions" which appear to have produced the greatest sensation are those of the "enams," or rent-free lands, after a long lapse of years, in Bombay. On this subject the evidence of Mr. Warden is very strong. It is alleged by Mr. Warden that the burthen of proving the proprietary right is thrown by law, not upon the Government which opposed the title, but on the landowner, or enamdar, who held it. This allegation is denied by Captain Cowper; but there can be no doubt that Resumptions, especially after long intervals of possession, tend to shake the foundations of property, and to disturb the feelings and opinions of the smaller, as well as of the more extensive, landowner.

1 Rep. 9549, and Sir J. Lawrence.
3 Rep. 396.
1 Rep. 4326.

1 Rep. 10001.

1 Rep. 6068.

ACQUISITION OF LAND IN FEE-SIMPLE AND REDEMPTION OF LAND-TAX.

During the investigation of this Committee, the Government appears to have partly, if not entirely, conceded two points of great interest to British settlers, the right to acquire land in fee-simple, and the power of redeeming the land-tax in Bengal. "If," say the witnesses, "you will grant Europeans waste land in perpetuity in India, India will prosper, like Java and Ceylon." There are, no doubt, many parts of India (described or alluded to in the Evidence) where waste lands, in habitable and healthy situations, could be thus granted by the Government: as in Assam, the neighbourhood of the Neilgherries, Kumaon, Gurwhal, and other districts. Some of the civil servants of the Government, as well as settlers, are favourable to such a policy. It has been suggested that it might also be expedient to allow to purchasers of the fee-simple of land the power of paying their purchase money by instalments.

1 Rep. 2681.

1 Rep. 5413.
2 Rep. 2695.

REDEMPTION OF LAND-TAX.

For a similar reason your Committee have from the first, looked favourably on the concession of a power of redeeming the land-tax; in favour of this concession (which applies especially to Bengal) there are many witnesses. It is said that the redemption of the land-tax and the possession of land in fee, would strengthen our rule both among the zemindars and ryots. "It would," say the Bengal Missionaries in their Petition to Parliament, "at once encourage the capitalist and the small tenant to make investments in land." Government would be released from the expense of collecting the land-tax, and landowners would be gainers, by being relieved from the exactions of the native tax collector. It appears also that the principle of redemption is approved of in the minutes of many of the officers of Government, as Mr. Ricketts, Mr. Dunbar, and others, whose evidence is given in the Appendix, on the subject of Mr. Grant's Land Sale Bill; a clause of which Bill (the 25th) appears to confer a power on the landholder of buying his land in fee-simple, by depositing a certain amount of Government notes. Opinions adverse to the redemption of the land-tax may, however, be found in the evidence of Major Wingate, Mr. Theobald, and others.

1 Rep. 3678.
App. p. 291.

1 Rep. 4018.

1 Rep. 1022.
7643.

FIELD ASSESSMENT SYSTEM.

The field assessment system of Bombay, adopted there since 1847, is stated by Major Wingate to be favourable to the investment of capital in land by settlers; under it the settler can take of the Government any quantity of land without being the sub-tenant of a zemindar, and without suffering from the zemindar's forfeitures, as he would do in Bengal.

There

ENLARGEMENT OF
LEGISLATIVE
COUNCIL.

There is one very important point on which the witnesses appear to concur; that is, the introduction of non-official Europeans and natives into the Legislative Council of India. The example of Ceylon is quoted to show the good effects of this reform. It is stated that one of the defects of the Legislative Council is a want of local knowledge. Such knowledge the reform suggested would supply.

LOCAL
GOVERNMENT.

It appears to your Committee that there is wanting in India less of central, and more of local, government. It is stated by Major Wingate, that "the administration in Bombay is paralysed by the centralization of supreme authority in Bengal." Roads may be wanted in Bombay, but the want of roads in Bombay cannot be equally appreciated in Bengal. On the other hand, it is stated, that to the officers of the other Presidencies Bengal itself is "nothing less than a foreign country."

FORCED
LABOUR.

A system of "forced labour," under the coercive power of the Government, prevails in parts of India. Ryots may be withdrawn by the agents of Government from the service of companies or of individuals. The arbitrary exercise of this power may be a cause of much annoyance to settlers. Instances of its exercise are mentioned in the evidence. It is injurious both on general grounds, and because it gives an opportunity for the tyranny of intermediate power; so often exercised in India without the real knowledge, though under the apparent authority, of the Government.

Many complaints have been made before your Committee of the want which is felt by settlers, as well as by natives, of a circulation of gold, and of Government paper in India. It appears that it would be a great advantage for India to possess a well-regulated, well-secured, and at all times convertible paper currency; in short, a Government paper. Silver, for reasons which became obvious when the influx of Californian and Australian gold set in, was made the only legal tender in India. It is stated in the evidence that, even just before the rebellion, it was the practice to convey a lac of rupees guarded by a hundred soldiers.

Your Committee welcome with satisfaction the account given by many witnesses of the improved state of feeling between the settlers and the natives. It is clear that, for governing a country like India, important as may be laws and institutions, much must also depend on the silent but certain influence of manners. It is painful to read the following statement made by a most competent witness; that "the natives have not been so kindly treated by Europeans as they ought to have been. I know that they feel it deeply. When they are treated with respect and honestly dealt with, Europeans may acquire great influence over them." It is also painful to find it averred that "drunkenness is a great obstacle to the settlement of Europeans of the poorer class in India." Let those who unexceptionally condemn the native character reflect that it is the growth of ages of misgovernment, and that there are many instances of the just and temperate European winning the confidence and attachment of the natives. An instance of the great ascendancy which good conduct and good management may acquire is to be seen in the success of Mr. Fischer; whose influence is stated to be widely and beneficially felt in the province of Salem. It is mentioned by Mr. Saunders, that during the recent mutiny the respectable natives protected his property during his absence; that the neighbouring zemindars worked his plantations and restored to him the profits after the mutiny was over. While, therefore, your Committee have felt anxious to embody in their Report such general and practical information as relates to European settlement in India, they desire to express their hopes that individual co-operation may not be wanting to promote it. Every Englishman should go to India with a deep sense of his responsibility, not only to those whom he is about to govern or among whom he is about to reside, but to his own country; whose character for firmness, justice, and forbearance he is bound constantly, zealously, and by personal example, to maintain.

2228.

1 Rep. 2640.

2715. 2780.

2858.

Sir J.
Lawrence.
3 Rep. 333.

1 Rep. 7197.

1 Rep. 7297.

9 August 1859.

PROCEEDINGS OF THE COMMITTEE.

Jovis, 7^o die Julii, 1859.

MEMBERS PRESENT:

Mr. Ewart.
Mr. J. B. Smith.
Mr. A. Mills.
Colonel Sykes.

Sir E. Perry.
Mr. William Vansittart.
Mr. Gregson.
Mr. Kinnaird.

Mr. EWART was called to the Chair.

Mr. *Lawrence Oliphant* examined.

Ordered,—"That there be laid before this Committee a Return of the average duration of Civil Suits in the several Courts of India from 1852 to 1857, both inclusive, with columns showing the number which have been upon the files more than one year, and for each year up to a maximum period" (Colonel *Sykes*).

Motion, "That, with the exception of Sir John Lawrence, the Committee will not hear further evidence" (Sir *Erskine Perry*).—Motion, by leave, withdrawn.

[Adjourned to Tuesday, at Twelve o'clock.

Martis, 12^o die Julii, 1859.

MEMBERS PRESENT:

Mr. EWART in the Chair.

Mr. A. Mills.
Mr. J. B. Smith.
Mr. William Vansittart.
Sir Erskine Perry.

Colonel Sykes.
Mr. Kinnaird.
Mr. Gregson.
Mr. D. Seymour.

Letter from Mr. Mangles, enclosing a letter from Major Wingate, in correction of Questions 1676 and 1679, of Session 1858; to be printed in Appendix.

Sir *John Lawrence* examined.

[Adjourned to Thursday, at One o'clock, to consider Draft of Report.

Jovis, 14^o die Julii, 1859.

MEMBERS PRESENT:

Mr. EWART in the Chair.

Mr. J. B. Smith.
Mr. William Vansittart.
Mr. A. Mills.
Mr. Gregson.

Colonel Sykes.
Mr. Kinnaird.
Mr. Lowe.

Return to Order, 7th July (Duration of Civil Suits), read; to be printed in Appendix.
The Committee deliberated upon their Report.

[Adjourned to Monday, 25th, at One o'clock.

Mercurii, 27^o die Julii, 1859.

MEMBERS PRESENT :

Mr. EWART in the Chair.

Mr. A. Mills.
 Sir Erskine Perry.
 Mr. Richardson.
 Mr. Villiers.
 Colonel Sykes.
 Mr. Kinnaird.
 Mr. William Vansittart.

Mr. Knight.
 Mr. Lowe.
 Mr. Danby Seymour.
 Mr. Baillie.
 Mr. Gregson.
 Mr. J. B. Smith.

Report proposed by the Chairman read a first time, as follows :

" 1. Your Committee think it right to begin their Report by a restriction, obvious almost to every one, of the sense in which Colonization must be applied to India. Though sanctioned in its application to India by modern usage, and by such high authority as that of Lord Metcalfe, the term 'Colonization' must clearly be limited to a class of superior settlers, who shall, by their enterprise, capital, and science, set in motion the labour and develop the resources of India.

" 2. Nothing more obviously strikes an inquirer into the foundation and progress of our Indian empire than the contrast which, as regards British residency, it presents to our other dependencies. While free settlement, as in the neighbouring island of Ceylon, has formed the basis of our Colonial system, and the cause of its prosperity, the exclusion of free settlers has marked the origin and the progress of our Indian Government. Whatever may have been its motive, that Government, in so doing, appears to have abandoned a natural for an artificial system. Such minds, indeed, as those of Lord William Bentinck and Lord Metcalfe saw, in the future increase of British settlers, the only permanent prosperity of British India; and English, and even Indian opinion, has gradually followed the track of these more observant and profounder minds.

" 3. Even although the principle of free settlement has been recognised by the British Legislation, traces of the old exclusive system lingered till the last moment, and are said to linger still. Though they may be removed in fact, they are said still to exist in feeling. Thus we are told by a very competent witness, that a 'cold shade is thrown over European adventurers in India;' and by another, that a feeling of 'dislike to settlers' exists among civilians; that the civilians, as distinguished from the settlers, are 'too much of a caste;' and that the covenanted service is 'as it were, the nobility of India.'

1 Rep. 5531.
 1 Rep. 9815.
 1 Rep. 6190.
 2 Rep. 2283.

" 4. This result is evidently caused by the artificial system to which we have alluded, and not generally by the acts or intentions of the able and honourable men by whom the civil service is conducted; though, as we shall hereafter state, the needlessly high amount of their salaries has a tendency to separate them into a class, and to encourage their exclusiveness while it limits their extension.

" 5. It appears even now to be doubted by legal authorities whether Europeans can enter, without a licence, those parts of India which have been acquired within the present century. This doubt your Committee think should, by legislative enactment, at once be removed.

1 Rep. 871.
 2 Rep. 4898.

" 6. It is cheering to find it stated by witnesses generally, that 'wherever Europeans have settled, a marked improvement in the country has followed;' the various products of the land have been developed. Settlers have naturally taken the lead in introducing steam navigation, and in discovering its indispensable auxiliaries, coal and iron; in the extension of roads (one of the earliest improvements which civilisation ought to confer), and in generally lowering the cost of production.

1 Rep. 2630.

1 Rep. 2018.
 1 Rep. 1541.

" 7. It is very justly observed by Mr. Marsham, that from their intercourse with the people settlers must naturally 'know more what is passing in their minds' than those employed by the Government; the position of the settlers rendering them the most natural and most vigilant observers of the tendency of native opinion. It is also encouraging to a Christian mind to find it stated by the secretary of the Baptist Missionary Society, the admixture of Europeans raises the standard of morality, and purifies the moral atmosphere around them.

1 Rep. 9618.

Mr. Underhill,
 2 Rep. 4709.

" 8. Nor ought we to pass over the facilities for the acquirement and application of capital caused by the presence of Europeans. Where they settle, the rate of interest, often exorbitantly high, becomes reduced. The circulation of ready money dealings among the natives is extended, and there is a steady rise in the rate of wages.

1 Rep. 2776.
 1 Rep. 7176.
 1 Rep. 2831.

" 9. Another good effect of settlement is its tendency to promote maintenance of order. It has been often said, and truly said, that there appears to have been no danger of mutiny in Lower Bengal, the principal resort of British settlers. A large extension of their number

1 Rep. 110.
 1 Rep. 2966.

- 2 Rep. 3942. over India would be the surest guarantee against any future mutiny. The Government of India has very wisely encouraged this influence by bestowing upon settlers the rank of honorary justices of peace. The necessities of society had, indeed, virtually conferred on them this position, the natural result of their situation. They became arbitrators, because the people called on them to arbitrate.
- 2 Rep. 4772.

" 10. A larger settlement of Europeans over the temperate regions of the Himalayas, attracted at once by the congeniality of the climate and the brilliant prospects of tea cultivation, may spread over our northern frontier of India a body of settlers, the best security against foreign invasion, as well as against internal discord. Such an extension of settlers might also, it is hoped, gradually relieve the finances of India in their most serious point of pressure, the magnitude and costliness of a numerous army. Secure in the moral and material influence of European residents, we might gradually approach that normal state of British government in which the nucleus of a thoroughly efficient, though diminished, force might replace, by its vigour and concentration, the magnitude and the danger of an Oriental army.

- 2 Rep. 2640. " 11. It is cheering to observe that European settlers are more respected than of old. They are stated, indeed, to be no longer the same race of men. The sons of officers and clergymen have replaced the rougher species of settlers, the pioneers of enterprise and trade in former times.
- 2 Rep. 2398.

- 1 Rep. 858. " 12. An objection to British settlement in India has been raised on the ground of climate. It appears to your Committee that the dangerous effect of the climate of India has been considerably exaggerated. The planters from Lower Bengal are described as a 'healthy and hearty' race of men; and such of them as attended before your Committee appeared more to resemble English farmers than Anglo-Indian emigrants. They ascribed their enjoyment of almost unvarying health to frequent exposure to the open air, a result which must attend the settlement of Europeans in the other parts of India generally; since so large a number will be employed in the cultivation of the tea-plant, and in other agricultural occupations. Similar statements, tending considerably to modify pre-conceived opinions as to the dangers of an Indian climate, proceeded from settlers in other parts of India also.

- 1 Rep. 274. " 13. But one of the special branches of the subject remitted to the consideration of your Committee was the applicability of the hill-districts of India to the reception of European settlers. 'There is hardly a province throughout India,' states a most competent witness (the more so because he is an eminent medical man), Mr. Martin, 'where there are not mountain ranges available for civil and military residence.' Mr. Martin's attention was naturally first called to this circumstance with reference to the army; and he has long since submitted to the Government of India a report on the necessity, for the preservation of the European army, of the permanent removal of a considerable portion of it to the hills. 'The monotony of a barrack life on the plains of India, without congenial employment or resource,' are stated, by several witnesses, to be 'destructive both to mind and body of the soldier.'
- 1 Rep. 199.

- 1 Rep. 212. " 14. It appears that these 'hill-climates' have not been sufficiently explored. It is desirable that local officers should report respecting them (as has been ably done by Captain Ouchterlony in the case of the Neilgherry hills) to the several governments of India, and that such reports should be made public, for the benefit of British settlers. So far as your Committee have inquired, climates of the most genial description, and equal to the climate of this country, may be found at a due elevation on the Himalayas, on the Neilgherries, perhaps to the eastward of the Mahableshwar mountains, and in other ranges yet unexplored, especially in the South of India. At about 4,000 feet above the sea level the Himalayas offer an European climate. To the eastward, indeed, of that extensive range, the prevalence of rain may be frequently a serious objection; though not so formidable as is generally supposed. Further to the westward the rain-fall sensibly diminishes, till the climate acquires its greatest perfection, about the situation of Cashmere. The rain-fall also lessens towards the north, as well as towards the west; no rain, to any extent, falling in Tibet. No wonder that it was natural in such favoured regions as the hills of India the idea of asyla for the children of soldiers should have arisen. The celebrated asylum due to the humanity and forethought of the lamented Sir Henry Lawrence, at Mount Aboo, was the first example. It has been wisely suggested that similar asyla might be formed elsewhere; with the double view of benefiting the soldier, and of forming an educational and industrial resource for the merchant, agriculturist, and manufacturer of India. There, in a climate like that of our own country, the children of soldiers and of others might be trained, with a special view to the future improvement of India, and with a peculiar knowledge of the people and the country. Mechanics, supervisors, practical agriculturists, railway men, are greatly wanted in India. The planters state that young men acquainted with the native languages are much required for their own establishments. So educated, they might also be employed, as commercial travellers are in this country, for pushing the commerce and manufactures of Great Britain and of Europe in the East. Civil engineers are also stated to be much wanted. This want is now being supplied under Lord Stanley's administration. Your Committee hope that, through this agency, natives themselves may gradually be fitted to become civil engineers.
- 1 Rep. 5315.
- 1 Rep. 110.
- 1 Rep. 6986.
- See the Evidence of Gen. Tremenhore and others.
- 1 Rep. 3536. 2716.
- 1 Rep. 5539.

- " 15. Few objects of contemplation can be more interesting than the formation and progress

gress of these colonies on the hills. Attracted by the search of health, a few invalids resort to a hill district; residents of a more general character follow; in process of time a church arises, then a school, then a library; the population thickens as the good effect of the change becomes known; the surrounding native populations throng to supply the wants of the infant European colony; till a large population, British and native, gradually fill and improve the whole district. Many such oases of health and civilisation are arising in the hills. We may adduce, as an instance, the case of Darjeeling, in Sikkim, about 300 miles north of Calcutta; described in the interesting evidence of Dr. Hooker. It appears that the population (4,000 or 5,000 in 1848) doubled itself during the two years of Dr. Hooker's residence there under the energetic government of Dr. Campbell. The natives of Bhotan, Thibet, and Nepal flocked to be employed and enriched by the colonising Europeans. The rapid increase of wealth and population is described by Dr. Hooker as more resembling that of an Australian than an Indian settlement. Dr. Campbell successfully established a fair in the neighbourhood of Darjeeling; attracting the natives from all the surrounding countries. In a similar manner Captain Ouchterlony describes the rapid growth of a colony on the Neilgherry hills. In the year 1845 a tract of forest was discovered favourable to the growth of coffee; till then the haunt of tigers and wild elephants. Settlers rapidly resorted to it. In the year 1856 the wilderness had become a colony; the forest had been cleared for miles; excellent roads extended in all directions; large villages rose, bazaars, and well-conducted schools. Great improvement has resulted, as at Darjeeling, to the surrounding natives; almost every cottage has its coffee ground; vast jungles have become cultivated, and malaria has disappeared. It is said that settlement in the hills will tend more than any other circumstance to attach European families to India. The capitalist, living himself in a higher climate, may visit lands and direct the progress of labour in the plains. Railways will give a great facility to residence in the hills. One is already contemplated to Darjeeling.

1 Rep. 542, &c.

See Dr. Hooker's Evidence. 1 Rep.

1 Rep. 784.

1 Rep. 252.

1 Rep. 253.

"16. It is to be regretted that there is so little level ground on the southern inclination of the Himalayas. Northward the slope is gradual. Southward the mountains descend precipitously into the plain. The only villages of any extent in the whole length of the range are those of Nepal and Cashmere. The development of the cultivation of the tea-plant, which appears to grow most willingly all along the range, is a providential resource for European labour and European settlement. It may serve not only as a means of frontier defence for India, but as a means of commerce with Central Asia (which region it may hereafter supply with tea) and with Lower India. To this subject the Committee may refer hereafter.

1 Rep. 5255.

"17. The well-known position of the Neilgherries in Southern India is said, by one who long resided there, to offer 'the finest climates in the world,' 'with a rich soil, abundance of the necessities of life, and proximity to the fine harbour of Cochin.' On the subject of their admirable fitness as a station for troops, and on more general points, we may refer to the interesting evidence of Captain Ouchterlony, and to his report made to the Government of Madras in the year 1848. Many military men are said to be now residing there, in a 'climate far superior to that of England.' There are three climates at three different elevations; and the rainy season may be escaped by migration from one part of the hills to another. Clouds, throughout the summer, temper the severity of the sun. The roads to them are very good. There is a large extent of waste land fit for cultivation. The tea plant is said to thrive admirably in the Neilgherries. Fuel was formerly much wanted in the Neilgherries; but peat has been found generally distributed over the hill-tracts, sold at the low rate of 2s. 6d. a ton. The increase of the population at Ootacamund has been from 9,383 in the year 1848, to 56,900 in 1856. This increase has proceeded, as in the already-cited instance of Darjeeling, mainly, or entirely, from the country round. Every acre is stated to be available for farms or for residences. On these hills, it is suggested, superintendents of estates in Mysore, Coimbatore, Malabar, and Canara might reside; and the railway will open them to the residents in Salem, Madras, and other places. The adjoining territory of Coimbatore is one of the most celebrated parts of India for the cultivation of cotton; which may be further developed in Salem and Trichinopoly. The coffee grown on the slopes of the Neilgherries is stated, on the excellent authority of Colonel Onslow, to be among the best in the London market. The cultivation is said to be highly remunerative. The cultivator of a coffee estate, long resident there, states his profits to have been 100 per cent. He adds, that British settlers, understanding the cultivation of coffee, might certainly make a similar, or approximative profit. The lands whence this profit is derivable were all formerly forest lands, the haunts of elephants, tigers, and other wild animals. As may naturally be supposed, many planters are now engaged in the cultivation of coffee in this district. A supply of labour is however wanted in the Neilgherries; and this, as will hereafter be seen, is one of the problems to be solved in the future settlement of Europeans in India. Other and more common products are, potatoes, wheat barley, hops, dairy produce, sufficing for the wants of many thousands of troops and of settlers. It was found that excellent beer might be cheaply brewed on the Neilgherry hills. On the Neilgherries alone, according to Captain Ouchterlony, there are 200,000 acres perfectly waste, but well adapted for farming. There are also vast stores of water applicable to irrigation.

1 Rep. 747. 5296, &c.

1 Rep. 5462.

1 Rep. 768.

1 Rep. 5261. 5399.

1 Rep. 5262.

Mr. Fowler.

1 Rep. 5621.

5622.

5626.

5692.

5622.

1 Rep. 5271.

2 Rep. 722.

1 Rep. 5278. 5493.

"18. It is also said by the same witness that the Pulney hills, although not so high, enjoy a delightful climate. They, too, will be opened by the completion of railways. The Shevaroy and Coilamully hills (names little known, and not to be found in even so popular a work as 'Thornton's Gazetteer of India'), offer a most healthy climate, and are especially suited

suited to children, with a maximum height not exceeding 4,500 feet. The Baramahl and Coimbatore Hills are yet unsurveyed, but they deserve exploration. The Travancore Hills are also said to be unexplored; indeed, it is stated that there is no part of India of which we know so little as of Travancore. All those, and similar ranges, should be efficiently explored. It is said that generally in the country we have described there is a great opening for settlers, especially in connexion with the port of Cochin, the trade of which place is largely increasing, and at which port, instead of at that of Beyoor, the railway should have found its terminus; it is said to be an important point to sweep away the bar from the harbour of Cochin. 'It is not too much to predict,' says Captain Ouchterlony, 'that this may become one of the most populous districts of India, for permanent settlement.'

1 Rep. 5288.
1 Rep. 5278.
1 Rep. 5285.
Capt. Ouchterlony.

"19. Mysore and Coorg are stated to offer a most inviting field for British enterprise. The 'resources of Mysore,' says Colonel Onslow, 'are not generally known. Of all countries,' he adds, 'it is the most favourable for settlement.' The country of Mysore rises high above the sea, having an average altitude of about 1,500 feet; in the south, of nearly 3,000 feet. Many English pensioners and other inhabitants are settled there at present, much preferring such residence to a return to England. They are stated to want a better title to land reclaimed from the jungle, and an immunity from the chance of future arbitrary taxation by the Native Government. Mysore contains a population of 4,000,000. It produces abundantly coffee, sugar, wheat, oilseeds, hemp, cattle of a remarkably pure breed, and is probably capable of producing tea. The climate, during eight or nine months of the year, is very suitable for an European; fever, however, is found there. Bangalore is a most healthy region; it is 2,800 feet above the sea-level. So many Europeans reside there that an almost European town is rising at Bangalore. Chapels, churches, and other public buildings already give it an European character. Soldiers marry and settle there, and live, as it is stated, in a climate far superior to that of Europe. The vicinity of the Neilgherries and other hills give European families the benefit of a change, when a change is needed.

1 Rep. 6346.
Col. Onslow.
1 Rep. 6352. 6401.
6356.
6772.
6773.
6775.
6348.
6363.
6638. 6368.
6374.
6382.
1 Rep. 6392.
1 Rep. 6424. 6437.
6464.
6537. 6485.
6487.
1 Rep. 6936.
1 Rep. 5307. 5501.
1 Rep. 7909.
Major Wingate.
1 Rep. 7549.

"20. The wages of labour are very low in Mysore; capital is much wanted there. European capital (as already stated) could be successfully applied to the cultivation of coffee and sugar, and of cotton also, a very fine quality having been produced. The cultivation of sugar, especially under the influence of irrigation, is greatly increasing. The chief grain is a very small, but nutritive grain, called *ragi*. The quality of the coffee is very fine, the price it brings being nearly equal to the price of Mocha. Its principal locality is the west of Mysore and Coorg. The jungle land in Mysore is put up to sale; it is sold free from land-tax, but an excise duty is payable on the coffee it produces. This system is preferred to a land-tax, because if there is no produce there is no tax. It is easy of collection, and equal on all kinds of coffee. This exemption from land-tax only extends to the coffee-producing land, because coffee alone will grow in the place of the primeval forest. The production of wool is increasing in Mysore, the merino breed having been successfully introduced by the enlightened British resident at the Court of Mysore, Sir Mark Cubbon, who is, in fact, the ruler of the country. The wool of Mysore is already much noticed in the British market. Very fine iron is found in Mysore, but fuel, for the present, is wanting. On the vegetable products of Mysore the effect of irrigation is said to be 'prodigious.' There exists an immense number of tanks in the country, fed by the rains on the Western Ghats. These tanks extend for miles, and under them the sugar-cane grows in profusion. It may be a point of interest to settlers to know that great improvement has arisen from the abolition of at least 600 taxes and transit duties in Mysore; the result has been an immense increase in the revenue. No wonder that, with all these advantages, the population and prosperity of Mysore are increasing rapidly. The roads and bridges in this well-managed country are said to be excellent, and a simple, though summary system of law prevails, free from the technicality of the Regulation system. One want remains, that of cheaper labour. Here, as in other places of settlement, it is desired that land should be disposed of in fee-simple, as in Ceylon. Reference has been made to settlement in the Mahableshwar Hills, to the westward of Bombay. To these the excessive amount of rain-fall is the great objection; but it is stated that to the eastward of these hills the fall of rain is considerably less, amounting only to 50 or 60 inches in the year. It is thought probable that Europeans could live continuously in these parts, and that they would be a fitting situation for an asylum for soldiers' children, or for barracks.

2 Rep. 2886. 3194.
2 Rep. 2992.
2998. 2987.
3632. 2665.
2673.

"21. Another favourable position for settlers has been indicated in the great resort, up to the present time, of tea-growers, in and near the country of Assam. Not far from Assam, on the Cossya Hills, 5,000 feet high, where, in the opinion of a medical man, Dr. Barry, Europeans and their descendants could continuously live. The climate is represented as 'a delightful and beautiful one.' The distance from the hills to the nearest tea-grounds is about 30 miles. A resident, it is said, on these hills might direct the labour of the plains. Tea will grow also on the hills. Their distance, however, from the principal tea district is 300 miles. The population of Assam amounts to about 1,000,000. The climate is better than that of Bengal. The country is stated to be in a most orderly state, survey and registration having been completed there. There are no zemindars as in Bengal. Assam is stated by Colonel Vetch to contain more waste land than would supply all England with tea. They have there a simplified code of law, based on the Regulations; the parties in the suit being at once called before the judge, those parasitical tribes, the Mooktiars and Vakeels, are dispensed with. The police requires improvement. The principal obstacles to the settlers (besides the want of power to buy the fee-simple of the land) are the dearness of

of labour, and the baneful habit of taking opium by the natives. One point of great importance to Assam is the steam navigation of the River Bramahpootra. That system of navigation was begun in the year 1850. The shortest voyage by water from Calcutta to Gowhatty in Assam used to last, in the country boats, three months. The passage is now made by steamers in 11 days. Coal is said to be found all along the southern hills in Assam; a free-burning coal, making little ash, and coking well. Iron, also, in apparent abundance, is to be found in the hills. The making of iron is indeed the occupation of the hill people. Every stream in Upper Assam yields gold-dust. It appears that silk might be largely cultivated. The people themselves were formerly clothed in silk; a considerable quantity of it is now exported. The China grass, an article of very great value, grows in Assam; what is now wanted is a machine to separate the fibre from the stalk. Caoutchouc, also, an article of importance, is produced in Assam. It may be an useful practical hint for settlers, that the cost of living for one person would be in all about 120*l.* a year; and that in three years he would 'cover his expenses.' The country is so intersected by streams, that almost all communication is by water.

2 Rep. 3190.

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"22. Separated from Assam by the Naga Hills lies the tea-growing country of Cachar. Before tea cultivation began, this region was almost unknown. Twelve tea companies are already established there. 'In Cachar,' says Dr. Barry, 'there are thousands upon thousands of acres available for tea.' As in Assam, labour is difficult to procure; there is, however, no opium-eating among the labouring population of Cachar.

3172.

3164. 3168.

"23. The terms on which land is held in Assam and Cachar are complained of both by Colonel Vetch and Dr. Barry. 'If a certain portion is not cultivated within a certain time, all right is forfeited, not only in that portion, but in the cultivated portion also.' Now a contingency like the dishonesty of a native agent may cause the non-cultivation of a portion of the land. The land may even be forfeited in consequence of the unforeseen absence of the proprietor. Both witnesses agree, Colonel Vetch and Dr. Barry, that, in justice to the settler, he should have the power to acquire the land in fee-simple. They also state that a supply of labour should be facilitated by extending the emigration system to Assam and Cachar, under the same regulations which prescribe its application to the Mauritius, and that a line of steamers would with this object be highly beneficial. But it is also reasonable to expect that higher wages will be offered to tempt the needy emigrant from places where he is now unemployed to the dearer market of Assam.

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"24. It has been truly said by one of the earliest witnesses in evidence, that one of the first obstacles to settlers is the want of access to the interior of the country. It is a melancholy reflection, yet one of the first which offers itself to the investigator, to think how late we have been in India in inaugurating great public works important to the commerce, the intercommunication, and the sustenance of the people. The well-known reflection of Burke will suggest itself to every mind. One of the first objects of the Government should have been, and now ought to be, in the words of one of the witnesses, Mr. Theobald, 'to enable settlers to penetrate in all directions.' Yet how late has it been in forming even public roads! The Government held the country two-thirds of a century before a main line of road was commenced even in the most populous parts of India. This is an oversight which even those witnesses who have been connected with the Government of India acknowledge and deplore. It was justly considered one of the principal causes of the want of a due supply of cotton for India by the Committee on Cotton Cultivation, presided over by Mr. Bright in 1848. The grand trunk road, began in Lord William Bentinck's days, is yet unfinished; and probably never will be, having now been overtaken by the railways. It is stated that Mr. Halliday has complained in a minute to Government of the wretched state of the roads so near the seat of government itself as the Presidency of Bengal. One witness asserts that at a distance of 40 miles from Calcutta, there are no roads practicable for carts. It is stated by a witness recently there, that even now a road from Calcutta to Jessore is only just being made. 'Between Calcutta and Dacca,' says Mr. Underhill, 'the bridges are broken down, and the road is in perfect disrepair.' This was so late as the year 1854. It is stated that there are no roads to connect Calcutta with Moorshedabad, as well as with Dacca or with Patna; and that the roads in Bengal generally are quite impassable during the rainy season. In Guzerat the roads have long been pre-eminently bad. Mr. Mackay, in his Report on Cotton Cultivation, shows them to be mere caricatures of roads. Even now that they have been attended to, it seems that they are only formed of a summer material, and are quite impassable in the wet season of the year. It appears that the roads in Southern India are much better. It is stated that in Mysore the good state of the roads, accompanied with encouragement to settlers, are the main causes of the prosperity of the country. 'I can thus,' says Colonel Onslow, speaking of Mysore, 'see a rise in a few years of 30 per cent. in the revenue of my own division, which I attribute to road-making in a part of the country where formerly a wheel-track was never heard of.' Yet, in the adjoining country of Malabar, the roads are represented as being very bad, and as badly bridged. Coffee of the most excellent quality and highest value in England, cannot be sent from the Neilgherries to a seaport from want of roads. It is one of the advantages conferred by settlers, that by their efforts, or their complaints, they cause an improvement of the roads, and, indeed, that they are impatient of mismanagement in general. It is stated that one concern in Jessore has itself made 50 or 60 miles of road. It would seem to be of importance that settlers, zemindars, and natives, generally should be led to interest themselves in the state of roads. The formation of local committees with such objects appears to be an obvious mode of interesting and instructing the natives in the practical management of their own concerns.

1 Rep. 411.

1 Rep. 877.

2 Rep. 1081.
Mr. Mangles.

1 Rep. 1816.

1 Rep. 1590.

1 Rep. 8244.

1 Rep. 8246.

1 Rep. 981. 2010.

1 Rep. 8304. 6365.

1 Rep. 6946.

1 Rep. 6547.

1 Rep. 5636. 748.

1 Rep. 2010.

1 Rep. 2304.

" 25. Your Committee regret to find that the transit duties, abolished in the English parts of India, are still retained in some of the native states. Thus the zemindars resident on the main stream and tributaries of the Godavery arbitrarily and independently levy, or lately levied, such duties. British intervention should everywhere be employed for the abolition of such imposts.

2 Rep. 4528.

" 26. Among the important undertakings by which the prosperity of India might be promoted, one which seems to have early impressed itself on Oriental nations, but which till very lately has been almost entirely neglected by the British Government, is an extended system of irrigation. This is a point regarded as one of the utmost importance to settlers in India, as well as to natives. 'Irrigation,' says Colonel Onslow, 'renders production a certainty; the want of it causes wide-wasting famine.' If combined with a system of canalization, it lowers the cost of transit, according to Colonel Cotton, cent. per cent., while the average return on the new irrigation works in the Madras Presidency is 70 per cent. per annum. Irrigation, in fact, appears to be the key to the material prosperity of India, and with it to the social and moral improvement of the people. The first effect of the irrigation works in Rajamundry, even before they were completed, was to prevent a famine. Works of irrigation are stated by Captain Haig to increase the amount of products threefold. In Rajahmundry the people formerly imported food to the amount of 36,000*l.* annually. Since the system of irrigation was formed, they export it to the amount of 300,000*l.* annually. The profits on them are also stated by him to equal from 30 or 40 to 50 per cent. There is no doubt that a large revenue might be derived from the establishment of irrigation works by the Government, and that without complicating the operation by connecting it with the land-tax, but by simply selling the water at so much per cubic foot, as is done in Italy and France. There are those who deem it objectionable for Government to undertake these public works on account of interference, expense, and delay. But even if left to private enterprise, the irrigational works of India must greatly increase the wealth and reproductive powers of the population. Magnificent as are the works already finished or begun, they have not yet been executed by any means to the extent required. Countries like Scinde, impervious to other means of improvement, are yet improvable by irrigation, especially as the Indus, like other streams flowing between alluvial banks, is raised above the level of the surrounding country. 'A large amount of the rivers of Southern India' (says Captain Ochterlony), 'fed by the rains of the monsoon, are allowed to run waste to the sea.' Canals, anicuts, and reservoirs of water, of which so many remains still exist, the silent records of the industry and prosperity of former times, are obvious means of utilising by art the natural water power of the country; but the concurrent evidence of several witnesses seems to converge in the opinion that the most beneficial mode of irrigation, wherever it can be accomplished, is the combination of irrigable with navigable canals. It is maintained, that for a nation still so backward as India, one most important consideration is cheapness of transit. This appears to be the opinion of that very eminent engineering officer, Colonel Cotton. It is said that by such a combination we should at once multiply and convey the products of the soil. Elaborate calculations are given by Captain Haig, of the relative cost of water and railway conveyance in England, America, and India, and the inferences drawn from his premises appear to be these: that for a country in its state of infancy, and even adolescence, water is the most suitable instrument of traffic, and that if it succeeds (as Captain Haig considers it does) in America, much more must it be suitable to the yet undeveloped powers of India. It is observable that on canals of this kind in India, no toll for transit need be levied, since the income drawn from irrigation will abundantly supply the place of such an impost.

1 Rep. 4826.

Dr. Moore.
2 Rep. 2819.

2 Rep. 4236.
2 Rep. 4203.
Capt. Haig.
2 Rep. 4203-4.
4275.

2 Rep. 4204.

2 Rep. 413.

1 Rep. 5372.

Balston. Capt.
Haig. Col. Onslow.
1 Rep. 5919.
2 Rep. 4214.
Col. Onslow.
1 Rep. 6517.
2 Rep. 4367.

" 27. Irrigation must be doubly advantageous to the British settler; directly, as a source of pecuniary profit; and indirectly, as a means of extended agricultural production. It seems most accordant with the resources and the wants of India, of which it is generally admitted, in the evidence, that agriculture is the principal and natural source of wealth. It is alike beneficial to the natives, who can perform the manual work of agriculture more cheaply than Europeans, and to Europeans whose province it is to direct and superintend; in fact, to set in motion native labour. There is ample verge for such operations in a country where they still plough the cotton-fields with a wooden plough, where the preservation of manure is entirely neglected, where much of it is burnt for fuel, much thrown away, or exposed to the sun and rain, and where the state of agriculture is described as being the same as when Alexander the Great invaded India.

1 Rep. 342.

1 Rep. 59. 5262.

1 Rep. 70. 77.

" 28. The attention of the House of Commons was several years ago directed, through the Report of a Committee, to the production of cotton in India. The opinion of that Committee as to the indispensable necessity of cheap conveyance for the extension of cotton cultivation, is amply supported by the evidence taken before this Committee. This necessity is peculiarly true in the case of an article of which the bulk bears so large a proportion of the value. Roads, and railways, and canals are obvious improvements. The attention of your Committee has been specially drawn to the improvement of the navigation of the Godavery, which would open to capitalists and cultivators the country of the Nizam, and the extensive cotton-fields of Berar. British settlers would improve the production of cotton by the introduction of the saw-gin and the cotton-press. These instruments they might use themselves, or let out to the natives, as agricultural machinery is let out in England. Great loss is now caused by the admixture with the cotton of dirt, refuse, and water, to increase the weight; evils which European superintendence, and European machinery would at once remove. It appears, however, that the quality of the Indian cotton must be improved before

1 Rep. 179.

2 Rep. 4376.
1 Rep. 6701.
1 Rep. 7691.

before it can compete successfully with the cotton of America. Till then it must rather supplement, than compete with, the American supply. The colonist should himself, on the spot, direct the labour of the native, otherwise he will be liable to failure and to fraud. The saw-gin is now used in the South Mahratta country, where the first plantation of New Orleans cotton was made in the year 1845. It appears that in the year 1856, 112,000 acres of New Orleans cotton were then under cultivation in that country. In Guzerat it is stated that the management of cotton is much improved: more care is taken in packing and in cleaning. But one settler only in Guzerat, Mr. Landor, employs the saw-gin; his cotton always commands a higher price in consequence. Mr. Landor states that his machinery does the work of 3,000 natives. It appears that the famous Dacca cotton is still produceable. But the demand for jute, linseed, and other articles required during the Russian war, has diverted the labour of Dacca into a new direction. The good effect of irrigation on the cotton plant is stated in the evidence of Mr. Balston and Colonel Onslow. Irrigation appears to have the effect of lengthening the staple. The effect of it has been, according to Mr. Balston's evidence, to raise it from a small stunted plant, producing 50 or 60 lbs. per acre, to a large perennial, producing 500 or 600 lbs. of superior cotton, worth 150 per cent. more than the present native field-grown cotton. The spinning of cotton, so far as it has been tried, is said to have been very successful in Bombay, where the shares in spinning companies are at a very high premium.

1 Rep. 1749.

4 Rep. 5485.

1 Rep. 7738. 7736.

1 Rep. 8333.

1 Rep. 5967. 5984. 6740.

1 Rep. 5967.

1 Rep. 772.

2 Rep. 2875.

1 Rep. 43.

1 Rep. 8321.

Appendix, p. 261.

2 Rep. 394. 533.

"29. It is stated that the effort of European capital and European superintendence may be well directed towards the cultivation of wheat in India. General Tremenhære and Dr. Moore state that wheat can be grown more cheaply in India than in America. Splendid crops of corn are said to wave over the Punjab, which is often one vast expanse of corn. The wheat of Broach is said to be the best in Western India; Bombay is almost entirely supplied from Guzerat. Some details on the price of wheat may be found in the evidence of General Tremenhære. The finest wheat is stated to have been sold at Jubbulpore at the price of 12 s. a quarter. Wheat and barley are said to grow extremely well in Scinde, but for want of due means of transit, the grain is left to rot on the ground. The price of excellent wheat on the banks of the Godavery, says Captain Haig, is 1 s. or 1 s. 6 d. a bushel, a large portion of which might be made available for export at Coringa. Colonel Turner describes the growth of *solcus sorgum* in Scinde as surpassing anything he has seen. It is manifest that a prodigious effect must be produced on this and on other agricultural products of India by the new facilities of traffic which will be given by roads, railways, and canals, as well as by the well-directed capital, science, and personal superintendence of Europeans.

"30. Your Committee has not received much evidence on the growth of sugar. It is clear, however, that it must share in the general effect of the application of European science and improved communication.

"31. They think it right to notice the facility now shown to exist of procuring excellent and abundant sugar from the species of date tree botanically called the *Phoenix sylvestris*. This tree is said to contain more saccharine matter than the sugar cane. When once in bearing, it continues to yield a supply for 50 or 60 years. It admits the advantage of allowing other crops to be grown between the trees. Date trees will grow throughout Bengal; but it is only within an area of 100 miles by 200 in a north-easterly direction from Calcutta, that they will produce sugar. They require the influence of the sea breeze, neither too near nor too far from them. If, says Mr. M'Kenzie, one-twentieth of this land were under cultivation, it would supply about 900,000 tons, nearly three times the late average consumption of Great Britain. It is stated that to give security to European possessors of date sugar land, there should be an extension of the 26th section of the sale law to such property, enlarging the benefit of that law from the 20 years applied to other property, to 50 years in the case of date sugar, the term for which the land is under date sugar cultivation.

Mr. M'Kenzie's Evidence, 1 Rep. 3727, &c. 3731. 3734

1 Rep. 3727.

1 Rep. 3967.

"32. Your Committee has already adverted to the immense supply of tea now gradually being opened to the capital and skill of settlers on the whole line of the Himalayas, and probably in corresponding climates, like that of the Neilgherries, in other parts of India. It is highly probable that a taste for tea will extend itself over India. Relative prices and qualities considered, there is also every reason to hope that the tea of the Himalayas may displace the tea of China in the markets of Central Asia. 'The tea plant,' say the Messrs. Schlagentweit, 'might be cultivated all along the Himalaya range, so as to produce an almost unlimited supply of tea; it is cheaper and better than the tea of China.' It appears also that there are different qualities of tea (though all apparently good) in the different places of cultivation. The culture of the tea plant opens an immense opportunity to the settlers from Europe. There is no sort of cultivation, according to the testimony of Colonel Vetch, more congenial to European ideas, habits, and constitutions. An account is given in the evidence of the more advanced tea cultivation of Assam, and of the terms on which the Government of India disposes of the land. The same terms appear to apply to Kumaon and to other countries near the Himalayas. Colonel Vetch, lately the Political Agent in Assam, is highly favourable to the sale of land in fee-simple to the settlers. Your Committee rejoice at the liberal concessions of the new Government of India on this subject, and believe them to be highly favourable to European settlement. The Assam Tea Company appears to have been formed in the year 1837. In 1840 they produced 10,000 lbs. weight of tea; in 1858 the production had risen to 770,000 lbs.; this year (1859) the production will probably exceed 800,000 lbs.; and in four years hence it will probably rise to 2,000,000 lbs.* There are now at least 20 factories in operation in different parts of the province. In Debrooghur, where not long ago the jungle swarmed with wild elephants and

1 Rep. 7003.

Dr. Hooker's Evidence, 1 Rep. 7083. See the Evidence of Col. Vetch, Dr. Berry, and others

See Col. Vetch's Evidence, 2 Rep. * But see Q. 2764.

2 Rep. 2750 2764. beasts of prey, there are 10 plantations. The cultivation is now extending itself to Middle and Lower, in addition to Upper Assam. It is stated that the profits of the Assam Tea Company amount to nine per cent. But it is probable that much higher returns of profit would be made by individual enterprise. Obstacles to settlement are found in the danger from fever (which, however, disappears as the jungle is cleared away), and in the dearth of labour, aggravated by the evil propensity of the Assamese population to consume opium. It causes debility in the constitution, and degeneracy in the race. The consumers of it are the ready victims of cholera: even the children are consumers of opium in Assam. The Assamese grow it in their gardens. It has been proposed by Colonel Vetch to attempt a correction of the evil by imposing a licence-duty on the growth of opium.

Appendix, p. 261. " 33. The war with Russia naturally called out the fibre-producing power of India. This impetus once given to production of fibrous plants, appears likely to continue. Hemp, equal to the best hemp of Russia, if it were only, like Russian hemp, sorted and picked, might, it is said, be grown within the Saugor and Nerbudda territories sufficient for the consumption of all England. The line of railway projected through those parts of India will probably have the effect of turning European skill and capital in that direction.

Mr. Dewar, 2 Rep. 4111. " 34. Great complaints of the want of a supply of flax are made by the linen manufacturers of this country. Many mills are on this account closed or working short time. It is stated in the evidence that with a good supply we might double our linen trade. It appears that there is the promise of an abundant supply in the Punjab. But the right mode of preparing the flax is not understood. It is considered that an agent should be sent out on the part of the Association for the cultivation of flax, through whose instrumentality due instruction might be given to the natives. It is well known that their attention has hitherto been given to the production of the seed rather than the improvement of the fibre. For the export of flax the rising port of Kurrachee would have the advantage over St. Petersburg of being open all the year.

2 Rep. 5402. " 35. No development will be more important under the rising prosperity of India than that of its coal and its iron. Evidence will be found in the Report on both these subjects; rather allusively, however, than in detail. Railways will open the coal of Burdwan and of the Nerbudda District, and bring both into connexion with the supply of iron; the coal of the Nerbudda is stated to be a peculiarly good coal, especially adapted to the purposes of steam conveyance. Very good coal is also to be found in Assam, as well as iron, neither of them far from the waters of the Burmahpootra. General Tremenhoe speaks of the large masses of iron seen projecting from the hills of Tenasserim, and of considerable deposits in Kumaon and Gwalior. Captain Haig describes immense stores of iron to be found on the Wain Gunga, a tributary of the Godavery. The iron of Jubbulpore will be developed by the railway passing near it; it appears that there are 1,200 small furnaces there already. Appendix, p. 262. The people of Sheffield, according to the statements of the Mayor and Master Cutler of that place, who appeared as witnesses before your Committee, highly value the iron from Porto Nova, in the Presidency of Madras; they describe it to be as good as Swedish iron, and state that if it could be sold at a moderate price it would almost supersede the use of Swedish iron.

2 Rep. 205. " 36. Your Committee turn to another subject referred to in the Order of the House, the trade of India with Central Asia. That subject they only think themselves justified in entering on so far as it is collaterally connected with the main line of this inquiry. It is obvious that we have on the other side of the Himalayas two principal opponents in the fair and open rivalry of commerce—the Russians and the Chinese. The Government of Russia has of late years made considerable efforts to extend Russian commerce with Central Asia and with China. Indeed, according to the evidence of Mr. Atkinson, (who travelled and passed many years in the interior parts of Asia, hitherto unvisited by English travellers,) 'Russia is now endeavouring to comprehend within her power as well as within her commerce, the whole of the great plains of Central Asia, and make them part of her empire.' Several years ago, when Mr. Atkinson visited those distant regions, Russia had steamers on the Sea of Aral, and up the most extensive of its tributaries, the Amoo Daria River, the ancient Oxus. From Asterabad, on the south-east of the Caspian, the key, as it were, of Central Asia, and a vast military as well as commercial *entrepôt*, the Cossack posts of Russia extend almost the whole way to China. The Khan of Khiva is said to be entirely at the beck of Russia. Even within the Chinese territories she has now a place of ingress into China, on its western side, many hundred miles nearer than her former frontier town, Kiachta. This place is named Tchoubachach. It is held to be of great importance to the future commerce of Russia with China. It is gratifying to find that the Messrs. Schlagintweit (recent travellers in Central Asia) confirm the remark of Moorcraft, that 'it is at our option whether Central Asia shall be supplied with goods from Russia or from England.' Mr. Atkinson considers that our cottons and our hardware would claim a preference over those of other countries. Our broadcloths appear to have been once a successful article of trade, and to be still highly valued in Tibet. For such a climate our woollens would seem to be particularly suitable. But from Tibet we are excluded by the Chinese. It were to be desired that this and other parts of Central Asia where Chinese authority prevails, should be opened by a commercial treaty. The articles of interchange with these Trans-Himalayan countries are mentioned in the evidence of Dr. Hooker. It appears that there is a great abundance of gold in Tibet. All these Central Asiatic nations are now supplied with tea, which they most extensively use, in the form of bricks, from China. Their distance from that country is immense.

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As the cultivation of the tea-plant extends along the line of the Himalayas, we may justly entertain the hope that it may, at some future time, largely and successfully compete with the tea of China in the markets of Central Asia. Besides the traffic across the Himalayan range, we naturally look to the Indus as the main channel for opening a trade with Central Asia. Steam communication by water and by land will bring us to the Bolan and Gandava passes, which open upon Central Asia. English goods already go up these passes. It is difficult to overrate, as pivot of this important trade, such positions as Kurrachee and Shikarpoor; and, as a great centre of the Upper Indian trade, Umritsir. These places (and especially Kurrachee) offer considerable inducements to British capital and enterprise.

See Col. Turner's Evidence, 2 Rep.

2 Rep. 429.

"37. Your Committee revert from these external questions to those of more internal interest to India. One of the most salient points offered to their consideration, and one without which it is obvious that the peace and progress of a population cannot be maintained, is the state of the police. All over India the steady firmness and homogeneous action of a vigorous yet considerably administered police system is greatly to be desired; but the want of such a system, and the abuses arising from its absence, have been principally felt in Lower Bengal. Mr. Marsham says, that 'Lower Bengal has long been the most demoralised and disorganised part of India.' Its police, according to the cited authority of a most eminent authority, Mr. Halliday, 'is nearly useless;' it is 'corrupt;' it causes the 'practice of torture,' the occurrence of 'affrays;' it is said, in short, that it would be better for the country if the police were all in prison. The strong and just complaints of the indigo planters on this subject will be found in their petition. It is maintained by witnesses from Bengal, that the 'state of the police, as well as of the laws, would deter many Englishmen from settling.' Among the natives it is said that nearly three-fourths of the crimes committed are suppressed, to prevent the oppression caused by the inquiries of the police. It is said that many cases of torture exist, or, at all events, that the police would torture, if they dared. At present there is an entire want of co-operation between the people and the police, by whom the people may be taken away and detained for weeks, unless they procure their release by bribery. A great number of laltials, or club-men, stand ready to be hired to fight on either side, in Lower Bengal. They are stated to consist of budmashes and dacoits. 'I quarrelled,' says a planter, 'one evening with a zemindar, and before 24 hours were over, 400 of these men offered me their services.' Under these circumstances we cannot wonder that complaints of the want of an efficient police in Bengal should be loud and frequent. Such complaints have existed for a long series of years; it is now to be hoped that an efficient reform may be made. The natives, it is said, as well as the settlers, would highly appreciate a well-conducted and efficient body of police. The reform of the police is a subject of immense importance, not only to Bengal, but to the whole of India, and ought to have been long since thoroughly accomplished.

1 Rep. 9440.

1 Rep. 984.
Appendix, p. 229.

1 Rep. 2054.
et al. 3177. 3194.
1 Rep. 2002. 3569.

3606.
4887. 9436.

2 Rep. 2451.
Forbes.

"38. Your Committee turn to another subject of immense importance to the settlement of European residents in India, though of a more difficult and complicated character;—their position as affected by the spirit or the administration of the law.

"39. It would seem that a simple, short, and summary system of law is especially suited to the genius of the East; in the minds of whose populations there appears to be interwoven the idea of an open and patriarchal system of procedure and of law. Yet we, following with inconsiderate prejudice the usages of our own country, have introduced among them a most artificial and complicated system. The error, says Mr. Mangles, appears to have been committed in Lord Cornwallis's time, when the law of England was held to be the 'perfection of human reason,' of introducing a 'system very like it into our Indian courts of justice.' Mr. Marsham says: 'If there is one thing more than another which the natives detest, it is the system of law which we have introduced into India.' 'It is considered throughout India as the curse of the country. You will find it in every paper published during this mutiny, that the natives were anxious to get rid of our law courts.' 'They hate our technical and complicated system; in short, they abhor it in proportion as the law of India approximates to the law of England.' A simple code appears advisable both in substance and procedure. The parties should be confronted; more than half the cases might thus be often decided at once. Some system like that of our county courts seems to be suitable for India. It will be found, however, that many of the evils complained of in the administration of the law (as in the administration of the government of India generally) arise from the badness of the native instruments which we have to use, whether as agents, as police officers, as witnesses, or as officers of the court. It is said by a witness of long Indian experience, that 'the great difficulty of the Government lies in the utter want of moral feeling among the people themselves. Among the zemindars there is scarcely any moral virtue; among the lower classes there is scarcely any moral courage. Even among the upper classes of society at Calcutta their veracity is not to be depended on, and there is an entire relaxation of morals throughout the country.' To a people so constituted, one of the worst things that can be done is to engraft on their subtlety and untrustworthiness of character the complications and chicaneries of an artificial system of law. The result of the evidence taken before your Committee is, that a simple code is advisable both in substance and procedure, having the promptitude of the non-regulation system, without its arbitrary power. It seems needless to recite the concurrent complaints of witnesses—a reiteration of remonstrances against technicalities, uncertainty, and delay; against expensive suits, useless forms, numerous appeals, and native perjury. It is said that respectable natives will not go into court as witnesses. The Law Commission seems wisely to have recommended for civil suits a total abolition of written pleadings, the introduction of *viva*

Mangles.
2 Rep. 1080.

1 Rep. 9704.
9702.

Mr. Marsham.
1 Rep. 9421 (see p. 51).

1 Rep. 9705.
1 Rep. 3621. 3587.
3592.

- 1 Rep. 4115. *voce* examinations, a compendious framing of issues, and only a single appeal. Numerous appeals among a people so unenlightened, yet so subtle, are mere incentives to litigation. A 'written law for the Mofussil' is a great want. Whether it is to be a new code, or to be a code supplemented by English law, is for the proper authorities to decide. On such a subject your Committee does not feel itself authorised to give an opinion. It is sufficient to say that a general law is wanted, as distinct from personal law; for the Mahomedans and Hindoos abide by their own law as far as it extends, which they may be said to carry personally with them. Nothing seems more unfavourable to uniformity, and therefore to certainty of decision, than the rule prescribed in the Code of Regulations, that, 'in the absence of specific law and usage, justice, equity, and good conscience alone are to govern the judge.'
- 1 Rep. 956.
- 1 Rep. 4685.
- 1 Rep. 718. " 40. One of the great defects felt by settlers in the present state of the law is, the difficulty of proving the legal title to land. It may be often said that the purchaser of land does not know what he purchases. After a purchase, it would appear that numerous fictitious claimants to the property start into existence, and disturb the title and the repose of the purchaser. A power to call the claimant at once into court would probably at once stop these frequently fictitious claims. The ryot's title to the land should be ascertained. The ryot's rights (says Mr. Underhill) have been left uncertain in Bengal since Lord Cornwallis's time. The consequence has been, conflicts between the zemindars and ryots. But the ryots are generally at the mercy of the zemindars. There are in Bengal a class called the Khodcast ryots. It is desirable for the security of dealings in land, that their position, as it regards the land, should be declared by law. Boundary disputes are frequent. Floods often cause an immense change in the boundaries of land, which, after a flood, is stated to be sometimes unduly claimed by the Government. Another complaint, especially on the part of the landowners in Bengal, is this: that when the zemindary or superior estate is forfeited, a subordinate estate, the putnee, is also involved in the forfeiture. In such a case the undertenant, or putneedar, is liable to loss, perhaps to ruin, for the act or omission of the zemindar, or the zemindar's agent. It has been attempted to remedy this defect by a Land Sale Bill, introduced by Mr. Grant, which, though excellent in its object, appears not to have been passed, owing to some objections of detail. It seems just that the putneedar should be allowed to exempt himself from forfeiture by paying his portion of the land tax separately, without being liable for the non-payment of his landlord, the zemindar. As British settlers are frequently holders of putnees, the question is one of great importance to them. Forfeitures sometimes arise from slight, perhaps from unavoidable causes, as from the agent omitting to pay his land tax duly four times a year, or from its nonpayment before sunset, or from the vendor withholding a part of the land-tax; or it may happen from the fraud, as well as from the negligence of the native. Thus the natives make a secret trust, or *benami*, as it is called, a gigantic instrument of fraud, which may annul, or encumber with a lawsuit of many years' duration, the bargain for transfer which he has made with an European. Or, in the case of putnees, the zemindar, having received a sum from his proposed under-tenant or putneedar, makes default to the Government, forfeits his estate, and re-buys it under a false name; under which operation the putnee disappears. A forfeiture, again, may sometimes happen from want of due attention to forms on the part of the Government collector, whence, many years afterwards, a bargain may be overturned. It is suggested that the Collector should make preliminary inquiries, and that, after due inquiry and sale, no appeal should be allowed. Registration should be made of all transfers of property, and such registration should be compulsory.
- 1 Rep. 4225. 905.
2 Rep. 4747. 4756.
See p. 69.
1945. 1981.
- 1 Rep. 896.
- 2 Rep. 2470.
1 Rep. 1484.
1493.
Missionary Statement, Appendix, p. 294.
1992.
- 1 Rep. 1503.
1 Rep. 3840.
1705. 1996.
M'Nair; also
Freeman.
- 1 Rep. 2001.
1 Rep. 4226
- " 41. A good law of contract is much desired for the protection of settlers, and indeed of natives, to whom advances must be made by British settlers, in consequence of the poverty of the natives. It is suggested by Mr. Hawkins, that in any statute of limitations of actions which it may be found expedient to pass, the right of bringing actions of contract be limited to six years.
- " 42. A strong opinion is entertained by most of the present settlers in favour of the use of the English language in the courts of law. Some go so far as to advocate the employment of English judges generally in the courts, till the natives are further advanced in civilisation. Some witnesses rather suggest an increase of them. Mr. Mullens, a missionary, says, that 'if we had a large increase of English judges or English judicial officers of all grades, even with English as the language of the courts, such courts would be an immense blessing to the country.' On the other hand, there is a strong opinion, principally on the part of the civil service, against such a change. A third party are for an intermediate course, limiting the use of the English language to superior courts of law in the great cities, like Dacca, Moorshedabad, or Patna. In favour of the introduction of the English language it is stated, that it would extirpate corruption, 'false evidence, and bribery;' that even the language now used in the courts of Bengal, the Hindoo, is not generally understood by the people of Bengal, not very much more than the Persian was ten years ago; nor, it is said, is Hindostanee (the *lingua Franca* of India) known to the inhabitants of the Peninsula of India. It is stated that the language used in the Bengal courts is 'Bengalee, studded with Persian and English phrases;' and that 'the people do not understand it.' The European judge himself is represented as not always fully understanding the proceedings; it is added, that in Western India several different languages prevail, which the judge cannot know; that good interpreters can be easily obtained; that many Christians are qualified and ready to fill that office; and that there is an exceeding readiness and facility on the part of the natives to learn English. They therefore suggest that we should act as
the
- 1 Rep. 7727.
- 1 Rep. 1003.
1634 & al.
2056 & al.
2998.
3005. 4151.
6600. 2030.
1733 & al.
6081. 2365. 2905.
- 3038 & al.

the French and other nations do in their colonies (indeed, as we do in Ceylon), and freely use our own language; or take the proceedings down in English, as well as in the native language, as is done in the Supreme Court, where every question is put in the witness's language as well as in the judge's language. Finally, they say that justice would be better administered if administered through the medium of a language fully understood by the judge; and that the natives would eventually value the court, not according to the language used, but according to the justice administered in it. Against the use of the English language, it is said that, after its adoption, the natives would 'lose all confidence in the courts;' that such a policy 'might endanger our empire;' that you would (in such case) 'touch a cord which would vibrate from north to south and from east to west; that the natives would think it a gross injustice and a badge of conquest;' in short, in the words of Mr. Marsham, that 'it would be the greatest misfortune which could possibly happen to the country.' Your Committee are inclined to consider that the intermediate course described above might be desirable, the adoption, namely, of the English language in the upper courts and in the more populous and important cities, choosing those places first where there is the largest number of Europeans. It seems reasonable and politic that the highest principles of jurisprudence should emanate from courts identified with the English rule and the English language; that the most elevated justice should be found in the superior atmosphere of the Supreme Government. Whether, if found successful and approved of, this policy might be gradually extended, is a question of time. It is gratifying to observe, on the authority of ample evidence, that the natives have the highest opinion of English judges, both in the civil service and in the Supreme Court. Many reforms have been effected in the latter; costs are lessened, decisions accelerated. Above all, there is a high appreciation of the legal and judicial mind which prevails in the Supreme Court, giving weight and confidence to its sound and mature decisions.

"43. It is remarkable that the ryots in their statement to the missionaries, say, 'Appoint faithful Europeans to administer justice, because we in nowise obtain it from the Bengalese.' The complaint of the ryots against the zemindars, their possession and abuse of power, is to be seen in the petition of the Protestant missionaries. In the statement of the missionaries the zemindars are said to torture the ryots. Middlemen are a source of great oppression to the ryots. Many of the acts imputed to the planters are done without their knowledge by their agents. The very existence of a land tax raised by Government, which exacts payment with the unsparing machinery of superior, and indeed irresistible power, forces the landlord to severe measures. Even the power of life and death is said to be given to the zemindar. It must be confessed that, on the authority of many witnesses, judicial training sometimes is wanting in the body of civilians. Foreigners, like M. Valbezen, have noticed the desirableness of a knowledge of the principles of jurisprudence in India. Habits of judicial thought and prompt decision, to be acquired only by practical training, are highly to be desired. Some measures should be adopted to develop and foster them.

"44. Great alarm has been caused in India by the apprehended intention of extending the power of natives to try Europeans in criminal cases. The measure which raised these apprehensions has been entitled the 'Black Act.' The British residents ardently desire to see retained the continuance of their subordination to the Supreme Court in criminal cases. They do not seem to object to the decision of civil cases by the native judges, but to an extension of the power of trying Europeans by the native criminal courts, which they declare are the dread and terror of the people. They utterly deprecate the idea of being subjected to imprisonment by the decision of a native, a man, perhaps, of inferior moral character, and willing to show and exercise his power over Europeans. It is said by Mr. Theobald, the representative of the planters, that 'if Europeans are liable to be tried by the local tribunals, there is not an European in the country who would be safe.' Mr. M'Kenzie says, 'No European should be tried by natives; he will not get a fair trial.' Mr. Marsham also is of opinion that 'it is not desirable to place Europeans under the criminal jurisdiction of any native; least of all after the feelings developed in the late mutiny;' nor, he adds, 'would the settlers bear it.' Your Committee think that the British settlers in resisting any such measure are acting in the spirit of English justice and of English freedom. Before Europeans are subjected to the jurisdiction of the native criminal courts, it is reasonable that these courts should be reformed and purified. Indeed, it appears that the Law Commission, from which the apprehended measure seems to have directly or indirectly emanated, never supposed that 'the magistrate would refer a criminal case in which an European was defendant to a native judge;' and Mr. Hawkins, the secretary to the Law Commission, 'would himself object to an European being tried by a native.' Of the same opinion, also, is Mr. Neil Baillie, a gentleman long and intimately versed in the law proceedings in India.

"45. The apprehension of this measure the planters of Bengal state to have been an obstacle to the free settlement of Europeans. They connect with it measures of a like tenor, such as the Affray Bill. It appears to be objected to this Bill that on the charge of an affray, both parties are put on their trial, and considered to be criminals, instead of one against whom the charge is brought, and against whom the evidence preponderates. The Recognisance Bill is also objected to as onerous on settlers; it is said to empower magistrates to take heavy penalty-bonds from a settler on the mere charge of a police officer, or darogah.

"46. Another law, of a more civil character, is found fault with; it obliges the settler to

1733.

1 Rep. 1044.
3012.

3882. 3912.

4471. 4146. 4265.
7445.

7552.

Rep. 9450-1.

5152.

See Petition from
Merchants and Re-
sidents in Bombay.

5153.

579.

App. pp. 290. 296.
App. p. 296.

2 Rep. 4777.

1 Rep. 4779.

1126. 1568.

Appendix, p. 235.
1 Rep. 3325. 458.

1 Rep. 1140. 3772.

9481.

9555.

1034. 1259.

4075.

4086. 4525.

965.

2 Rep. 4782.

1 Rep. 2647.

Forbes.
1 Rep. 2208.

deposit security for costs in all the suits he may be engaged in; so that his money may be idle in the courts for many years.

2 Rep. 2276.

"47. Much and most reasonably as settlers object to giving power to natives over Europeans in criminal cases, the natives appear to have improved in their capacity as civil judges; it appears that there are few appeals against their decisions. General testimony is borne to their good faith in mercantile transactions. A witness long familiar with them says, 'I have the very highest opinion of the commercial character of the natives; almost the whole of our transactions were by word of mouth.' Dr. Moore also speaks highly of the character of the shirffs or bankers, and merchants of India; a protested bill, or a protested moondee, he says, is very rare.

3841.
4816.

4826.

"48. The Eurasians or Indo-Britons bear an excellent character, and deserve to be more liberally and extensively employed; especially as they are steadily 'true to the English cause.' Of the Hindoo converts to Christianity, Mr. Underhill, secretary to the Baptist Mission, says, 'they are very ignorant, but capable of great elevation. The lower classes are more truthful, more honest, and more precise than the higher; among the Brahmins you will meet with more vice, wickedness, and crime, than among any other class.'

1 Rep. 2062.

2 Rep. 3488.
1 Rep. 9549.

1 Rep. 2810.
1 Rep. 4326.
1 Rep. 1086.
10001.

1 Rep. 6068.

"49. Whatever be the conduct and character of the natives, it is our clear intent and duty to maintain good faith on our own parts. It is maintained that such good faith has been violated in certain cases, when a full right of ownership in the land has been first allowed, and then withdrawn from the natives. Such interference with the claims of proprietorship is an evil to the English settler, as well as to the native, for the double reason that it takes so much purchaseable freehold land out of the market, and that it shakes public confidence in the security of property. Much evidence, perhaps more than the Committee originally meant to have taken, is therefore given on the subject of the resumption of lands held to have been free by the Government. These resumption laws are said to have created great distress 20 years ago, when lakhiraj were resumed in Bengal. Many of the natives could not afford to appeal against the decision of the courts of law; and in some instances the resumptions are said to have wounded the feelings of the natives, by endangering their religious institutions. Mr. Marsham states that 'the resumption of these lands has caused great disaffection;' and that the Government had 'allowed its claims to sleep too long.' It is added, that, from strong feelings of the injustice of disturbing property established by usage, if not by law, several distinguished servants of the Government refused to act in resumption cases. Mr. Hawkins bears testimony to the 'strong feeling in favour of the old landowners,' or talookdars, in India; and more than one witness maintains the interference with talookdaries to have been one cause of the late rebellion. It is obviously too late to require natives, after 60 or 70 years' possession, to prove their title even to a property in land; but the 'resumptions' which appear to have produced the greatest sensation are those of the 'enams,' or free grant lands, after a long lapse of years, in Bombay. On this subject the evidence of Mr. Warden is very strong. It is even stated by that gentleman that the burthen of proving the proprietary right was thrown, not upon the Government which opposed the title, but on the landowner, or enamdar, who held it. This point is disputed; but there can be no doubt that such resumptions, if continued, are discouraging to the investment of capital in land by settlers, and that indiscreet interference with property in India, as elsewhere, not only shakes its foundations, but disturbs the feelings and opinions of the small landowner, which may be said to be rooted round its base.

1 Rep. 2681.

1 Rep. 9231.
2 Rep. 2695.

2 Rep. 2000.
1945. 1981.

"50. Two very interesting questions to British settlers, which, during the investigation of this Committee, the Government appears to have partly, if not entirely, conceded in the right to possess land in fee-simple, liberated from the land-tax, and the power of redeeming the land-tax. 'If,' it is said, 'you will grant Europeans waste land in perpetuity in India, India will prosper, like Java and Ceylon.' There are, no doubt, many parts of India (some to which allusion has already been made) where waste lands, in habitable and healthy situations, could be thus granted by the Government. In Assam, the neighbourhood of the Neilgherries, Kumaon, Gurwhal, and other districts, some of the civil servants of the Government, as well as settlers, are favourable to such a policy. It has been suggested that it might also be expedient to allow to purchasers of the fee-simple of land the power of paying their purchase-money by instalments. There can be no doubt that lasting advantages appear to have attended the concession of land in fee-simple in other dependencies; for instance, in the neighbouring island of Ceylon.

1 Rep. 3678.
Appendix, p. 291.
1 Rep. 3895.

1 Rep. 4018.

"51. For a similar reason your Committee have from the first looked favourably on the concession of a power of redeeming the land-tax; in favour of this concession (which applies especially to Bengal) there are many witnesses. It is said that the redemption of the land-tax and the possession of land in fee would strengthen our rule both with the zemindars and ryots. 'It would,' say the Missionaries in their petition to Parliament, 'at once encourage the capitalist and the small tenant to make investments in land.' The ryots, it is stated, might buy up this land from the zemindars, and become freeholders. Government would be released from the expense of collecting the land-tax, and landowners would be gainers, by being relieved from the exactions of the native tax collector. It appears also that the principle of redemption is approved of in the minutes of many of the officers of Government, as Mr. Ricketts, Mr. Dunbar, and others, whose evidence is given in the Appendix, on the subject of Mr. Grant's Land Sale Bill, a clause of which Bill (the 25th) appears to confer a power on the landholder of buying his land in fee-simple, by depositing a certain

certain amount of Government notes. Opinions adverse to the redemption of the land-tax may be found in the evidence of Major Wingate, Mr. Theobald, and others.

1 Rep. 1022.
7643.

"52. It seems that there are certain tenures in India which resemble our copyholds in England. It would be wise to grant a power in India like that given in England, of enfranchising these tenures, as an inducement for the purchase of land by European settlers, as well as on more general grounds of policy.

Appendix, p. 292.
Petition of Missionaries.

"53. The field assessment system of Bombay, adopted there since 1847, is stated by Major Wingate to be favourable to the investment of capital in land by settlers; under it the settler can purchase any quantity of land without being the sub-tenant of a zemindar, and without suffering from the zemindar's forfeitures, as he would do in Bengal. The good effects of this system on the prosperity of the people are stated, in Major Wingate's evidence, to consist principally in a low rate of assessment, a secure tenure, and in the absence of any middle-man between the landlord and the ryot. If a ryot falls into arrear, he can at once sell any of his fields, and avoid the pauperism to which he would be exposed by extending his cultivation beyond his means.

1 Rep. 7620, &c.

7626. 7627.

7633-7.

"54. There is one very important question on which settlers in India appear to concur; that is, an opening by means of an extension of the Legislative Council. It appears to your Committee that there should be introduced into the Legislative Council of India, on behalf of British settlers and residents, the mercantile and agricultural elements of representation. It seems also to your Committee right that the natives should have their representatives. It is stated that one of the wants of the Legislative Council is the want of local knowledge; this the reform suggested would supply. One of the advantages of opening the Legislative Council would be the closing of several of those reforming societies, the object of which is legitimate reform, but the result of which is social agitation, tending to weaken the Government, and lower its authority in the minds of the natives. Those associations, which may be said to owe their birth to the absence of popular representation, would probably expire on its concession. The example of Ceylon is quoted, and, as it appears to your Committee, quoted successfully, to show the good effects of so reasonable and moderate a reform. It appears to your Committee, as a corollary to this proposition, that there is wanting to India less of centralization and more of local government. It is a subject of complaint that constant reference is required to the central authority, on matters requiring less of central than of local knowledge. The reference may often be from the more competent to the less competent authority; and its frequent effect must be unnecessary delay. It is stated by Major Wingate, that 'the administration in Bombay is paralysed by the centralization of supreme authority in Bengal.' Roads may be wanted in Bombay, but the want of roads in Bombay cannot be equally appreciated in Bengal. On the other hand it is stated, that to the officers of the other Presidencies Bengal itself is 'nothing less than a foreign country;' nor is there a want of mere local knowledge only, there is also a want of power to apply that local knowledge to advantage. It is suggested, therefore, and it appears reasonable to your Committee, that the Imperial power being more concentrated in England, the local power should be more localised and divided in India.

1 Rep. 899.
1013. 4003.

1017. 1989.
1567.

Forbes, 2089.

1 Rep. 7172.

1021.

1948. 4843.
7751. 7752.

7763.

8491.

"55. Your Committee, looking forward to the future, are of opinion, that the best way to train, in a practical sense, the natives of India, and to qualify them for co-operating with the more advanced intelligence of Europeans, is by gradually, and so far as circumstances will allow, accustoming them to the local management of their own affairs. It seems to your Committee wise to encourage among them the use of the old jury system of arbitration, well known in India under the name of the Panchayet, in which a jury of five settle the case in question by arbitration; acting in Bengal in unison with the zemindar. It is also desirable that the natives, in conjunction with European residents (where there are such), should form themselves into committees for the management of local roads; and local undertakings generally, with a like view to the extension or revival of municipal government, are extremely desirable. There exists in India a Municipal Act, by which towns are encouraged to govern themselves, having, in certain cases, the power of levying rates. An instance is mentioned by Mr. Forbes of the good effect of this system in the town of Dacca. This principle is congenial to the habits and mind of the British settler, and he might gradually elicit and develop the character of the native in the same direction.

1 Rep. 2787.
2 Rep. 2263.

1 Rep. 3496.
2255.

"56. The extension of European superintendence is strongly advocated throughout the evidence. To superintend, guide, and direct, appears the natural province of the European. Institutions in the hills may be highly serviceable in preparing Europeans for this duty. More magistrates are stated to be wanted, both European and native. The covenanted service is overworked. It appears to your Committee that the civil service should be thrown open, on the principle of open competition; and all distinction between the covenanted and uncovenanted services should be abolished. Nor does there appear any reason why men of merit from other employments should not be admitted, if deemed desirable, for the higher departments of the public service. It is quite conceivable that an experienced banker, merchant, or lawyer, may be a more competent adviser in their several spheres than an official servant exclusively trained for the civil service. Such persons as those we have named are not excluded from the public service in England; nor does there seem any valid reason why they should be excluded in India. The salaries of the civil service might be further reduced, still continuing sufficiently liberal to attract the services and meet the requirements of gentlemen. The number of civil officers might be largely extended; we

ought no longer to hear of districts containing a million of inhabitants with only one civil officer for the administration of justice.

1 Rep. 6836.

9766.

9769.

9771.

" 57. Another important gain to the settlers in India, as well as to the natives, would be the more free circulation of native labour. The market of labour requires to be enlarged and equalised in India. 'This,' observes Mr. Marsham, 'is one of the first wants of the country.' Facilities for cheap locomotion would transfer the surplus labour of Bengal and many other parts to Assam, Pegu, Tenasserim, and other regions, where there is now a scarcity of labour. It is the best and most natural cure for the oppressions of the zemindar complained of in the evidence both by the ryots and the missionaries, to teach them, by rendering it more scarce, the value of the ryot's labour. A ryot who is a slave in Chittagong, where labour is abundant, becomes an independent labourer in the contiguous district of Arracan, where labour is four or five times as dear. An enlarged system of steam communication around the coast of India, in addition to the railways and canals, combined with a system of home-emigration to secure the proper treatment of the native emigrants, would be a boon to the English capitalist and to the labourer of India.

" 58. A system of 'forced labour,' under the coercive power of the Government, prevails in parts of India. The ryots may be withdrawn by the agents of Government from the service of companies or of individuals. Instances of the exercise of this power are mentioned in the evidence. It is injurious both on general grounds, and because it gives an opportunity for the tyranny of intermediate power, so often exercised without the knowledge of the Government, which seems to sanction it.

4544.

2228.

" 59. Many complaints have been made before your Committee of the want which is felt by settlers, as well as by natives, of a circulation of gold and of Government paper in India. It appears that it would be a great advantage for India to possess a well-regulated, well-secured, and at all times convertible paper currency; in short, a Government paper. Silver, for reasons which became obvious when the influx of Californian and Australian gold set in, was made the only legal tender in India. Silver, in a backward country the more convenient medium of exchange, wanted alike to discharge small contracts and to pay an increasing amount of wages, becomes, for the purpose of the larger trader, a cumbersome and costly machine of commerce. It is stated in the evidence that, even just before the rebellion, it was the practice to convey a lac of rupees guarded by a hundred soldiers.

" 60. The questions of future taxation and of finance in India have risen into notice during the investigations of your Committee. Those important subjects deserve mature consideration. It might be advantageous to Europe and to India, that a separate inquiry should be instituted into them. There is every reason to hope that the Indian Government will quickly devise some mode of taxing personal property, which will not give offence to our Indian subjects; since, at present, those who gain mostly a stable Government, by increased facilities of travelling and the consequent increase of trade, the merchants of the great Indian cities, contribute absolutely nothing to the revenue.

1 Rep. 6213.

1 Rep. 7840. 7845.

" 61. It seems reasonable also that on the enamdars, jaghiredars, and other proprietors of land, who now escape the land-tax altogether, some countervailing impost should be levied. A large number of such proprietors are stated to escape the land-tax. It is said that more than half the land is exempted in Dharwar and Belgaum, and in Bombay about one-third. It appears also that the holders of freehold land in Bombay escape contributions to public works.

1 Rep. 2635.

3848.

" 62. The more extensive infusion of the European element has been more than once alluded to in this Report. But if there is to be a large infusion of the European element by the varied machinery of settlement and of Government, as recommended in these pages, it seems essential to such European admixture, that the freedom of the press should be not only admitted, but encouraged. 'Take it away,' it is said, 'and you would drive every Englishman from India.' One especial reason for maintaining it is to be found in the difficulty hitherto experienced of developing and sustaining a public opinion in India. In India we cannot, with the same facility as in England, elicit public opinion at meetings, and on other numerous opportunities, which the hereditary freedom of our habits and our thoughts supplies. It is therefore of paramount importance that the press should speak out, and at once warn and enlighten the Government and the people. On similar grounds, as well as for the maintenance of a higher quality of justice, your Committee desire to see the use of the English language prevail in the higher tribunals of the law. They also hope that in the educational institutions of India, the pure sources of English thought, its literature and its language, may refresh, invigorate, and fertilise the mind of India. They hail, among other instruments for extending education and facilitating the interchange of thought, the excellent proposition of Sir Charles Trevelyan, to substitute the Roman alphabet for the intricate and multitudinous alphabets of India.

" 63. It appears to be the opinion of many British settlers, that we have not always, in times past, sufficiently upheld the dignity of our own more advanced civilisation, of our institutions, and of our religion. There is no doubt that, for such a dignified maintenance of what is only due to ourselves, the natives, instead of resisting, would respect us. It appears that, with all their superstition, they honour the Christian who, fully tolerant of the creed of others, yet maintains the dignity of his principles and the sincerity of his faith.

1 Rep. 2640.

" 64. Your Committee welcome with satisfaction the account given by many witnesses of

of the improved state of feeling between the settlers and the natives. It is clear that, for governing a country like India, important as may be laws and institutions, much must also depend on the silent but certain influence of manners, and what may be called the dominion of the mind. It is at once painful and instructive to read the following statement made by a most competent witness; that 'the natives have not been so kindly treated by Europeans as they ought to have been. I know that they feel it deeply. When they are treated with respect and honestly dealt with, Europeans may acquire great influence over them.' It is also painful and disgraceful to us to find it averred that 'drunkenness is a great obstacle to the settlement of Europeans of the working-class in India.' Let those who unexceptionally condemn the native character reflect that it is the growth of ages of misgovernment, that the oppressed in all countries naturally take refuge from force in fraud, and that there are many instances of the just and temperate European winning the confidence and attachment of the natives. It is stated by Mr. Saunders, that during the recent mutiny the respectable natives protected his property during his absence; that the neighbouring zemindars worked his plantations and restored him the profits after the mutiny was over. While, therefore, your Committee have felt anxious to embody in their Report such general and practical information as relates to European settlement in India, they desire to express their hopes that individual co-operation may also contribute to promote it. Among a sensitive and soft mannered, though effeminate and demoralised race, an insult is sometimes more deeply resented than an injury. Every Englishman should go to India with a deep sense of his responsibility, not only to those whom he is about to govern or among whom he is about to reside, but to his own country; whose character for firmness, justice, and forbearance he is bound constantly and zealously to maintain; never forgetting, that however strongly and justly he may condemn the native character, it is the result of ages of despotic government, and that it can be elevated and purified only by the combined influences of civilisation and Christianity."

1 Rep. 7197.

1 Rep. 7297.

1 Rep. 9769.

Resolutions proposed by Sir Erskine Perry, read 1^o, as follows:—

"1. India, with respect to European colonization, may be conveniently regarded in three separate divisions—its plains, its table lands, and its hill stations.

"2. The plains forming the low and fertile levels of Hindustan, of Guzerath, and of the south-east of the peninsula, appear wholly unsuited for European colonization; first, on account of the state of the labour market, wages not ruling higher than 2*d.* to 4*d.* a day; second, from the outlets for surplus agricultural produce being so defective, from the want of cheap conveyance not being forthcoming; third, from the climate being too hot for sustained European labour.

"3. The table lands, elevated from 1,200 to 3,000 feet, are more temperate and salubrious; but as a general rule, except in favoured patches, to be found in valleys or by the side of tanks and wells, they are sterile, and only the coarser cereals flourish, such as ragi (*eleusine corocana*), jowari (*holcus sorghum*), bajri (*holcus spicatus*).

"4. The hill stations, so far as health goes, are very eligible for Europeans, but population upon them is thin; the amount of arable land, except on the Neilgherries, wholly insignificant; and on the latter, if the staple should prove of sufficient good quality to reward scientific cultivation, the want of population, and the absence or distance of markets would deter, as they have already deterred, European speculative colonists.

"5. These facts seem to show that colonization, in the sense in which it is usually understood in other colonies, is wholly inapplicable to India.

"6. On the other hand, the facility with which India furnishes all, or nearly all tropical products under certain conditions of water-supply, and the success which has attended attempts at improved cultivation on the part of Englishmen, show that there is a great field in many parts of the country for individual enterprise, when accompanied by skill, knowledge, and sufficient capital.

"7. Indigo is a great example of this fact. Though indigenous in India, as its name (Indicum) implies, scarcely a pound was exported until Englishmen devoted themselves to its cultivation. Now it supplies the world, and has nearly driven all other indigo out of the market. Tea is rapidly becoming another almost equally signal example. The exports of opium, sugar, silk, and lac-dye, are due entirely to European enterprise.

"8. It seems clear also, that only a higher price for cotton, or cheap water conveyance, is required to stimulate its production, and make it equal the demand of the world; and it is possible that European skill may, as in Mr. Landon's case, compete successfully with America, even without advanced prices.

"9. It is certain, moreover, that there are many localities in India quite equal to those of Ceylon for the production of coffee, and quite as congenial to the English constitution.

"10. And the increasing demand in our manufactures for many productions which India supplies, hemp, jute, the oil seeds, &c., offers out considerable prospects of reward for skill and capital. Oil seeds, it may be observed, to the value of 1,850,000 £., were imported into England in 1857, being more than the entire exports of India amounted to previous to throwing open the monopoly in 1813.

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"11. The

"11. The conclusion, therefore, seems to be that, in many different directions, a lucrative field is open to individual enterprise, provided only that requisite knowledge, and the moral qualities of patience and conciliatory conduct, are forthcoming.

"12. The remaining question is, whether any obstructions exist to retard British settlement; and if so, whether they are capable of being removed.

"13. The first obstacle undoubtedly is the old monopolist objection to interlopers, which is still perpetuated by Statute, and is to be found in the Charter Act of 1833, prohibiting residence in provinces acquired since 1800.

"14. The second arises from the exclusive caste-like views of the Civil Service (so like those of the Brahmins, that they are frequently termed the Twice Born), and as they form the chief governing body of the country, their favour or disfavour in an Asiatic country is most influential.

"15. The following further obstacles may be recapitulated :—

"1st. The difficulty of obtaining a property in land, and the impossibility till lately of getting a fee-simple even in waste lands; as in Ceylon.

"2d. The extraordinary powers of the Government over all the land of the country, and the rashness and imprudence which characterised the proceedings of the Bengal Government in the process of resumptions.

"3d. Similar conduct on the part of the Bombay Government, and attempted by the Madras Government, in the case of inams, still further preventing the growth of private property in land.

"4th. Defects in the administration of justice.

"5th. Defects in the system of police.

"6th. Defects in the means of inter-communication.

"16. The remedies which are capable of being applied by law are :—

"1st. Power to any Englishman to settle in the interior, subject to such authority over him on the part of the Government as the state of the country may be deemed to require.

"2d. Power to acquire land in fee-simple, and within certain limits, to redeem the land tax.

"3d. Abolition of special commissions for the resumption of inam estates; good title to follow possession of [so many] years' possession, and all alleged frauds to be remitted to the ordinary courts of justice.

"4th. Improvements in the administration of justice by having none but men trained in the study and practice of law, whether natives or European, on the seat of justice.

"5th. The use of the English language as the language of business, wherever the judge is an Englishman.

"6th. The formation of provincial councils, commencing with Bombay, Madras, Agra, Sind, and the Punjab, to whom as much local government as possible should be committed, but especially with reference to roads, canals, and public works.

"7th. The association of British settlers with natives and Government officials in such councils.

"8th. Power to such councils to raise money for public works, and the extension of the same power to all smaller localities as the occasion arises."

Motion, "That the Report proposed by the Chairman (Mr. J. B. Smith) be now read 2^o, paragraph by paragraph." Question put, and agreed to.

Paragraph 1 read, and postponed.

Paragraph 2 amended, and agreed to.

Paragraph 3 read, and amended.

Question, "That the paragraph, as amended, stand part of the Report," put.—The Committee divided :

Ayes, 7.
Mr. A. Mills.
Sir E. Perry.
Mr. Villiers.
Mr. Kinnaird.
Mr. Richardson.
Mr. Lowe.
Mr. D. Seymour.

Noes, 4.
Colonel Sykes.
Mr. W. Vansittart.
Mr. Knight.
Mr. Baillie.

Paragraph 4, read and negatived.

Paragraphs 5, 6, 7, and 8, read, amended, and agreed to.

Paragraph 9.

Paragraph 9. The words "It has been often said and truly said, that there appears to have been no danger of mutiny in Lower Bengal, the principal resort of British settlers." Question, "That these words stand part of the paragraph put."—The Committee divided:

Ayes, 5.
Mr. Villiers.
Mr. W. Vansittart.
Mr. Gregson.
Mr. Richardson.
Mr. D. Seymour.

Noes, 6.
Mr. A. Mills.
Sir E. Perry.
Mr. Kinnaird.
Colonel Sykes.
Mr. Lowe.
Mr. Baillie.

Paragraph 10 read, and negatived.

Paragraph 11 read, and negatived.

Paragraphs 12, 13, 14 and 15 read, amended, and agreed to.

Paragraph 16 read, and negatived.

[Adjourned to To-morrow, at Twelve o'clock.

Jovis, 28^o die Julii, 1859.

MEMBERS PRESENT:

Mr. EWART, in the Chair.

Mr. D. Seymour.
Mr. A. Mills.
Mr. J. B. Smith.
Sir Erskine Perry.
Colonel Sykes.

Mr. Gregson.
Mr. William Vansittart.
Mr. Villiers.
Mr. Kinnaird.

Paragraphs 17, 18, 19, 20, 21, 22 and 23 read, amended, and agreed to.

Paragraph 24. Words read as follows: "One witness asserts that at a distance of 40 miles from Calcutta, there are no roads practicable for carts. It is stated by a witness recently there, that even now a road from Calcutta to Jessore is only just being made. 'Between Calcutta and Dacca,' says Mr. Underhill, 'the bridges are broken down, and the road is in perfect disrepair.' This was so late as the year 1854. It is stated by Mr. Theobald that there are no roads to connect Calcutta, Moorshedabad, Dacca or Patna." Question, "That those words stand part of the paragraph."—The Committee divided:

Ayes, 6.
Mr. A. Mills.
Sir E. Perry.
Mr. J. B. Smith.
Mr. Gregson.
Mr. Villiers.
Mr. Kinnaird.

Noes, 2.
Colonel Sykes.
Mr. W. Vansittart.

Paragraphs 24, 25 and 26 read, amended, and agreed to.

Paragraph 27 read, and negatived.

Paragraphs 28 and 29 read, amended, and agreed to.

Paragraphs 30 and 31 read, and negatived.

Paragraphs 32, 33, 34, 35, 36, 37, 38 read, amended, and agreed to.

Paragraph 39 read, and negatived.

New paragraph read as follows: "The great want in the administration of justice in India is, uniformity of the substantive law and of the procedure through which that law is administered. No time should be lost in framing a code which may embrace the civil rights of men of all races and creeds under the same rules, with due reservation of their customs, and respect to their religions. Lord Macaulay's penal code is intended to supply this want in criminal matters, but that code has not yet become law and a civil code, although recommended by the late Law Commission, is not even begun. As regards procedure, an uniform code of pleading and practice has been passed for the Mofussil, but the Supreme Courts of the Presidency towns still continue to administer justice under the forms of common law, equity, and civil law. The judicial system of India will never be placed on a sound and satisfactory basis till all the Courts are organised into one harmonious whole, and until by an amalgamation of the Supreme and Sudder Courts, the highest and most learned tribunals in the land, shall be Courts of Appeal to the whole country, and serve as a pattern and example to inferior Courts administering law under the same procedure" (Mr. Lowe). Question, "That it stand part of the Report."—Put and agreed to.

[Adjourned to Tuesday, at half-past Twelve o'clock.

Martis, 2^o die Augusti, 1859.

MEMBERS PRESENT :

Mr. EWART in the Chair.

Mr. J. B. Smith.
Mr. Wm. Vansittart.
Mr. Kinniard.
Sir E. Perry.
Mr. Gregson.

Mr. Villiers.
Mr. A. Mills.
Mr. Lowe.
Mr. D. Seymour.
Colonel Sykes.

Paragraphs 40 to 47 read, amended, and agreed to.

3841. Paragraph 48, read as follows :—"The Eurasians or Indo-Britons bear an excellent
4816. character, and deserve to be more liberally and extensively employed ; especially as they are
steadily 'true to the English cause.' Of the Hindoo converts to Christianity, Mr.
4826. Underhill, secretary to the Baptist Mission, says, 'they are very ignorant, but capable of
great elevation. The lower classes are more truthful, more honest, and more precise than
the higher ; among the Brahmins you will meet with more vice, wickedness, and crime, than
among any other class.'"

Question, "That the paragraph stand part of the Report."—The Committee divided :

Ayes, 1.
Mr. A. Mills.

Noes, 7.
Sir E. Perry.
Mr. D. Seymour.
Mr. J. B. Smith.
Mr. Gregson.
Mr. Lowe.
Mr. Wm. Vansittart.
Colonel Sykes

In paragraph 49, the words following were read :—"These resumption laws are said to have created great distress 20 years ago, when lakhiraj were resumed in Bengal."

Question, "That those words stand part of the paragraph."—The Committee divided :

Ayes, 6.
Sir E. Perry.
Mr. D. Seymour.
Mr. J. B. Smith.
Mr. Gregson.
Mr. Lowe.
Colonel Sykes.

Noes, 1.
Mr. Wm. Vansittart.

Paragraph 50, read, amended and agreed to.

In paragraph 51, words read as follows :—"For a similar reason your Committee have from the first, looked favourably on the concession of a power of redeeming the land-tax." Amendment proposed : to leave out those words for the purpose of inserting the words, "Your Committee have had much evidence on the concession of a power of redeeming the land-tax" (Sir E. Perry). Question, "That the words proposed to be left out stand part of the question," put.—The Committee divided :

Ayes, 5.
Mr. D. Seymour.
Mr. J. B. Smith.
Mr. Gregson.
Mr. Lowe.
Mr. A. Mills.

Noes, 3.
Sir E. Perry.
Mr. Wm. Vansittart.
Colonel Sykes.

Paragraph 52, read and negatived.

In paragraph 53, words read as follows :—"The field assessment of Bombay, adopted there since 1847, is stated by Major Wingate to be favourable to the investment of capital in land by settlers ; under it the settler can purchase any quantity of land without being the sub-tenant of a zemindar, and without suffering from the zemindar's forfeitures, as he would do in Bengal." Question put, "That those words stand part of the Report."—The Committee divided :

Ayes, 5.
Sir E. Perry.
Mr. Gregson.
Mr. A. Mills.
Mr. Wm. Vansittart.
Col. Sykes.

Noes, 3.
Mr. D. Seymour.
Mr. J. B. Smith.
Mr. Lowe.

Continuation

Continuation of paragraph read as follows :

"The good effects of this system on the prosperity of the people are stated, in Major Wingate's evidence, to consist principally in a low rate of assessment, a secure tenure, and in the absence of any middleman between the landlord and the ryot. If a ryot falls into arrear, he can at once sell any of his fields, and avoid the pauperism to which he would be exposed by extending his cultivation beyond his means."

Question, "That these words stand part of the Report."—The Committee divided :

Ayes, 3.
Mr. Gregson.
Mr. Wm. Vansittart.
Col. Sykes.

Noes, 5.
Sir E. Perry.
Mr. D. Seymour.
Mr. J. B. Smith.
Mr. Lowe.
Mr. A. Mills.

In paragraph 54, words read as follows :

"It is stated by Major Wingate, that 'the administration in Bombay is paralysed by the centralization of supreme authority in Bengal.' Roads may be wanted in Bombay, but the want of roads in Bombay cannot be equally appreciated in Bengal. On the other hand it is stated, that to the officers of the other Presidencies Bengal itself is 'nothing less than a foreign country;' nor is there a want of mere local knowledge only, there is also a want of power to apply that local knowledge to advantage."

Question, "That these words stand part of the paragraph," put.—The Committee divided :

Ayes, 5.
Mr. Kinnaird.
Sir E. Perry.
Mr. D. Seymour.
Mr. J. B. Smith.
Mr. Ewart.

Noes, 4.
Mr. Gregson.
Mr. Lowe.
Mr. W. Vansittart.
Col. Sykes.

Paragraphs 55, 56, 57, 60, 61 and 62, read, and negatived.

Paragraph 63, read.

Question, "That this paragraph stand part of the Report," put.—The Committee divided :

Ayes, 2
Mr. Kinnaird.
Mr. Ewart.

Noes, 7.
Sir E. Perry.
Mr. D. Seymour.
Mr. J. B. Smith.
Mr. Gregson.
Mr. Lowe.
Mr. Wm. Vansittart.
Col. Sykes.

In paragraph 64, words read as follows :

"Never forgetting, that however strongly and justly he may condemn the native character, it is the result of ages of despotic government, and that it can be elevated and purified only by the combined influences of civilisation and Christianity."

Question, "That those words stand part of the Report," put.—The Committee divided :

Ayes, 2.
Mr. Kinnaird.
Mr. Ewart.

Noes, 7.
Sir E. Perry.
Mr. D. Seymour.
Mr. J. B. Smith.
Mr. Gregson.
Mr. Lowe.
Mr. W. Vansittart.
Col. Sykes.

Postponed paragraph, No. 1, again read, amended, and agreed to.

Manuscript paragraph read as follows :

"2. The inducements to a settlement of the working classes of the British Isles are not to be found in India. Those inducements are, high wages, the facility of obtaining land at an easy rate, the enjoyment of a constitution framed after that of the mother country, a temperate climate, and the prospect of forming a part of a community speaking our languages and conforming to our manners and customs. None of these things are to be found in India. The settlement of India took place at a period of remote antiquity. Its lands have long been appropriated; the wages of labour are low; its Government is necessarily absolute; its climate is unfavourable to the permanent residence and increase of the British race, and to labour in the open air; and its usages, languages and religions are strange, and repulsive

repulsive to the English labourer. For these reasons, and in accordance with the testimony laid before them, your Committee are decidedly of opinion, that India cannot compete with the boundless regions of America or Australia, as a home for the labouring emigrant" (Mr. Lowe).

Question put, ' That the paragraph be added to the Report.'—Put, and agreed to.

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

Veneris, 5^o die Augusti, 1859.

MEMBERS PRESENT :

Mr. EWART, in the Chair.

Col. Sykes.
Mr. Lowe.
Mr. Villiers.
Mr. D. Seymour.

Mr. Kinnaird.
Mr. Wm. Vansittart.
Mr. Gregson.

The Committee deliberated.

Question, "That the Chairman be directed to Report."—Put, and agreed to.

Ordered to Report.

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

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Laurence Oliphant, Esq. - - - - - - - - p. 1

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MINUTES OF EVIDENCE.

Jovis, 7^o die Julii, 1859.

MEMBERS PRESENT.

Mr. Ewart.
Mr. Gregson.
Mr. Kinnaird.
Mr. Mills.
Sir Erskine Perry.

Mr. Seymour.
Mr. Smith.
Colonel Sykes.
Mr. Vansittart.

WILLIAM EWART, Esq., IN THE CHAIR.

Laurence Oliphant, Esq., called in ; and Examined.

1. *Chairman.*] I BELIEVE you have passed some time in Nepal?—I have.
2. Will you have the goodness to state to the Committee in what capacity you were there?—I was only there as a traveller; I attended the prime minister, Jung Bahadoor, to Nepal, and lived with him during the time we were on the journey up.
3. In what year was that?—In the winter of 1850–51.
4. Can you give the Committee any information upon the subject of British trade with Nepal and the places beyond Nepal?—The information which I collected there with reference to the trade was not very encouraging to Europeans, because it was confined exclusively to the Nepalese; the policy of Jung Bahadoor was, at that time, to exclude Europeans.
5. Are there any Europeans in Nepal?—Except those persons who are connected with the Government, there are no Europeans. Europeans are not allowed to enter Nepal, except by the express permission of the prime minister.
6. How far is there any European trade in Nepal?—The value of the trade is estimated at 25 lacs; that is including the Tibet trade.
7. Do you know the value of the trade of Nepal with India?—I do not know the value of the trade with India alone.
8. Do you know whether it has increased of late years?—I believe it has. In 1851 they depended for a great number of their wants upon India.
9. What are the principal articles of trade with Nepal?—The principal articles of trade were woollens and chintzes.
10. What European manufactures are there used in Nepal?—Cutlery, glass, calico, chintzes, &c. &c.
11. Are European manufactures much esteemed in Nepal?—Yes, among the upper classes; but the Newars, the aborigines and peasantry, all wear their own home-made fabrics.
12. Of what are those fabrics made?—Of flax; flax grows in Nepal.
13. Has the use of cotton garments at all extended to Nepal, do you think?—I should be afraid to say whether they use them very largely. The upper classes use the European fabrics very much, because they are so much nicer in appearance; but the lower classes, I think, almost entirely use their own fabrics.
14. Do the upper classes use cotton?—Yes.
15. Both cotton and woollen?—I am not sure about woollen. For warm clothing they use furs.
16. What is the population of Nepal?—About two millions, I think, as far as I remember.

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L. Oliphant, Esq.

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17. Can you give the Committee any idea of the duties which are levied on articles coming into Nepal, either from Tibet to the north, or the south to wards India?—I think the duties upon articles entering Nepal amount to about eight per cent.

18. Is there a general rate of duty?—There are two duties, but the united duties amount to 8 per cent. There is a transit duty, as well as a duty on entering the country.

19. How far is the climate of Nepal suited to the residence of Europeans if Europeans were admitted there?—I think if Europeans were admitted there, the climate is most perfectly suited to them.

20. What is the height of the famous Valley of Nepal above the level of the sea?—About 4,500 feet.

21. Is that a place which is habitable by Europeans?—Certainly; I should say so. The experience of the Resident and the officers attached to the Residency all goes to show that.

22. *Sir Erskine Perry.*] Has not the climate a tendency to drive Europeans mad?—I heard of European children suffering from goitre, and I saw some of them.

23. *Chairman.*] Did you observe any instances of cretinism?—Yes.

24. *Mr. W. Vansittart.*] Are you speaking of the town of Katmandu or the valley?—I am speaking of the town of Katmandu. The valley is a mere valley of 50 miles circumference, in the centre of which is the town of Katmandu. That is a small part of Nepal.

25. Is not Katmandu the capital of Nepal?—Yes.

26. *Chairman.*] Do you mean to say that the whole of the celebrated Valley of Nepal is unwholesome?—No; I should say, with this one exception, it is a healthy climate.

27. What does the goitre arise from?—That is a very moot point. I have only remarked it myself in snow countries. It is said to arise from malaria rather than snow water.

28. Does not goitre arise from the confinement of the air by narrow mountain passes?—So it is said; but I do not know of its existence in any mountainous country in which there is no snow.

29. Is goitre generally prevalent in Nepal?—There is a good deal of goitre, particularly in the Terai.

30. *Colonel Sykes.*] Are you not aware that goitre exists where there is no snow; for example, goitre is to be found in Derbyshire?—Yes; but that is nothing like the goitre that you have in Switzerland.

31. *Chairman.*] In your opinion, Europeans could live in Nepal?—Certainly. I have lived myself for some years in tropical mountains, and I do not think there is any climate in the world more pleasant than that of the mountains in the tropics, if you are at an elevation of about 6,000 feet above the level of the sea.

32. Does not the Valley of Nepal grow many European vegetable productions as well as Asiatic?—I should say that all European cereals and fruits would grow in the Valley of Nepal.

33. *Sir Erskine Perry.*] Is it not the fact, that land is so very highly valued by the Nepalese that there would not be the least chance of a European getting an acre of land?—I think it is very highly valued. The population of the valley is about 400,000, giving 300 to the square mile.

34. *Chairman.*] Would not the introduction of European civilisation and European improvements be beneficial in the Valley of Nepal?—Yes. In the cultivation of the land, for instance, the introduction of ploughs would be valuable.

35. Are any ploughs used in Nepal?—No.

36. How do they cultivate the ground?—With hoes.

37. They do not even use spades, as I understand?—I cannot quite remember whether there was anything like a spade. There are various implements used by hand, but no animal power employed in the cultivation of the land.

38. How far is Nepal accessible to Europeans?—At present it is inaccessible, except by permission of the prime minister. The prime minister himself said that he personally would have no objection to opening Nepal to British commerce and to British settlement, when I spoke to him on the subject, but that the

the prejudice on the part of the people was so very strong that he could not venture to encounter it. L. Oliphant, Esq.

39. You think, therefore, that he might be inclined to encourage it?—Yes; at least he professes as much; whether it is really the case or not, I do not know. At present the roads in Nepal are in such a condition that the expense of transport is enormous; everything is carried on men's backs.

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40. Will you describe the state of the roads?—There are only roads which can be traversed by horses with great difficulty; they are usually traversed by men carrying loads; everything is carried into the country on men's backs.

41. Could the roads be very much improved?—No doubt; there are no engineering difficulties of any great importance.

42. I need scarcely ask you whether the prosperity of the country would be advanced if the roads were improved?—I should say that the whole thing turns upon that; if the roads were improved there is nothing to prevent the development of the resources of Nepal.

43. You have described the climate of the Terai as being a great obstacle to the settlement of Europeans there?—It is very unhealthy; for nine months in the year there is a disease called ayul, which is deadly to Europeans.

44. What is the nature of that disease?—It is a sort of virulent fever, I fancy, but it completely bars the residence of Europeans; so much so, that people do not get their letters sometimes; even the postmen cannot pass.

45. What are the principal productions of Nepal?—The principal products, first of all, of the Terai are saul and sissou trees, the licence for the felling of which is exclusively confined to the Nepalese, and they are very expensive; there is a licence required for grazing cattle there; another valuable product of the Terai are horns and hides, but the horns and hides are left to rot on the ground.

46. Might they be articles of trade with India?—Yes; very extensive.

47. What are the other productions; is tea grown in Nepal?—I think it could be grown in Nepal, certainly; there is no tea grown there now.

48. There is no reason why Nepal should be excepted from the general capability of the Himalayas to produce it?—None whatever.

49. Do you think the cultivation of tea would be very likely to take place to such an extent as to render it an article of commerce?—I should think so, if the Nepalese themselves became consumers. It would be very productive; but, of course, until roads are made it would be useless to grow it, because there would not be the means of carrying it away.

50. There is no reason why, if you could find a market for the tea, it should not be grown there?—None, that I know of.

51. You have alluded to timber; is it allowed to anybody to fell timber upon their own property in Nepal?—Nobody, except those to whom a licence is granted by the Government, who must be Nepalese. You have asked me what are the productions of Nepal; I think there are great mineral capabilities in Nepal, but there is a total ignorance as to the working of mines; there is lead and sulphur.

52. And very good iron?—Yes, and copper.

53. They are not used only because the natives have not the means or the knowledge necessary for working them?—No; they do not cast their iron; they beat their cannon-balls into shape.

54. Might not they be instructed in better means of getting their minerals?—No doubt; they are very crude indeed.

55. In fact, do you think that Nepal is a country which might be greatly improved?—Yes; I think it is a country with a great many resources, particularly mineral resources; it also produces drugs of different descriptions, and dyes.

56. Do you think, if European knowledge and skill were to find admission into Nepal, that the country might be much improved?—Yes, if arrangements were made to allow Europeans to settle.

57. You think it is not impossible that arrangements might be made?—No, it is not impossible.

58. I apprehend, from what you have said, that the great want in Nepal would be the want of a market?—Yes, for British settlers.

59. But if the cultivation of the products of Nepal were extended, they would have something to give in exchange for European manufactures. Probably if

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Nepal were improved that would encourage a trade in those manufactures with India and with other countries?—Yes, I should say so.

60. Therefore the thing to begin with is the improvement of the interior of the country?—The thing to begin with is the improvement of our relations there, and the roads; that Europeans should be allowed to settle and get good roads.

61. The fertility of Nepal is almost confined to the valley of Nepal, is not it?—That is not the least known. There are other valleys which have never been visited by Europeans, and I have no doubt that they are very fertile. There are very extensive valleys in the Ghoorka district, and I should say very fertile from all I can hear.

62. I believe the valley of Nepal was once a lake?—There is a tradition to that effect. It is completely alluvial. There is not a stone in the whole of the valley.

63. I understood you to say that the valley of Nepal is adapted for the cultivation of European cereals?—I should say so, perfectly.

64. How far are those cereals cultivated at present?—Rye is grown, and flax also is grown.

65. Will wheat grow there?—Certainly wheat will grow. They grow rice there. That is the chief article.

66. What is the trade of Nepal with Tibet?—The imports into Nepal from Tibet are chiefly salt, borax, and rhubarb.

67. Much the same as has been described in the evidence of Dr. Hooker as going into Sikkim?—I have not read that evidence, but no doubt they are the same products. They are brought into Nepal on sheep's backs. Large droves of sheep come laden with salt.

68. What do the Nepalese send to Tibet?—I believe, principally European fabrics.

69. Is there any trade with China from Nepal?—I should say very little indeed. The trade of Nepal is chiefly with India. I do not think that it exports much into Tibet.

70. Do Russian goods find their way into Nepal?—Not at all, I think.

71. If we had the power, do you think that a sanatorium could be established in Nepal, as they have been established in other parts upon the borders of the Himalayas?—I do not see any objection to it, except the unhealthiness of the Terai at certain seasons of the year.

72. Is not Katmandu a modern town?—Yes. The Newar capital was a place called Patn: Katmandu is a town built by the Ghoorkas since their invasion of Nepal. The Newars or the Aborigines founded the town of Patn.

73. When did the Ghoorkas invade Nepal?—In 1716.

74. Sir *Erskine Perry*.] They did not get possession of the valley then, did they?—No; Katmandu was founded more recently. I find, however, that I say in my book, "The Ghoorkas had already possessed themselves of the whole territory to the westward for some hundred of miles until their border touched the kingdom of Runjeet Singh and the vale of Cashmere; they then turned their conquering arms eastward in 1716, and overrunning the valleys of the Newars, their progress was only arrested on the Sikkim frontier." I have no doubt I had an authority at that time for the statement.

75. *Chairman*.] You have Mr. Hodgson's report on Nepal before you, have you not?—Yes.

76. Do you think that he overrates the communication with China, by way of Nepal?—I think he does; I think he is entirely in error in his whole statement.

77. In what way do you think it more likely that the western parts of China, with which he thinks trade could be established, might be approached more conveniently than over the Himalayas?—He proposes supplying the province of Sz'chuen with Canadian furs by way of Calcutta and Katmandu, by which he hopes to undersell the Russians in China. He says that they transport Canadian furs across Siberia into China. Now, in the first place, I do not think that Canadian furs were ever transported by the Russians across Siberia; all the furs sold in China are Manchourian. In the second place, we could transport Canadian furs into China by water; we could send them up the Yang-tse-Kiang instead of having 87 days' journey on men's backs, over the Himalayas.

78. You

78. You think that the western parts of China are more accessible by means of the river?—Certainly. L. Oliphant, Esq.

79. Has your attention been called to the communication with the western parts of China by the River Salween?—I cannot speak of the capabilities of the Salween, but I think it might be availed of to communicate with the province of Unan, and the southern part of Sz'chuen. That is the only outlet for Chinese produce except the great rivers running eastward. 7 July 1839.

80. Is not the Salween east of the Irrawaddy?—It is south-east, entering the Bay of Bengal at Martaban.

81. Have you ever thought the River Salween was likely to open a communication with China, or not?—I have never heard it suggested by anybody before.

82. I think Mr. Crawford went up it for 20 miles?—Yes.

83. Do you know what he says upon the subject?—He was favourably impressed with the river as far as he saw it.

84. Are there any local duties imposed on goods in Nepal; are there any transit duties of any kind?—There is a small transit duty, which, added to the first frontier duty, makes up a duty of 8 per cent.

85. The landed proprietors do not levy a transit duty locally, do they?—I cannot answer that question.

86. Mr. A. Mills.] Witnesses examined before this Committee have spoken to the obstacles to British trade in Nepal, in consequence of the exclusive character of Jung Bahadoor's government, and of some monopoly enjoyed by his family in respect of the trade; what do you say upon that subject?—I have never heard of any such monopoly at all, and I should not think it was likely. I do not think that his family would be likely to engage in trade. I think they rather despise it from what I know of them.

87. This is the evidence to which I am referring: "I know an instance when I was in Katmandu in 1857, of applications being made by a respectable merchant in Calcutta, well known to the Resident, Major Ramsey, but it was impossible for him to get any concession as to trading." Then the witness is asked as to the monopoly enjoyed by the family of Jung Bahadoor which prevents the extension of trade?—I do not know anything upon the subject. I know perfectly well that no merchant is allowed to trade in Nepal, because it is entirely opposed to the whole traditions of the country; Europeans are not allowed to go beyond 12 miles from the capital in any one direction.

88. Sir Erskine Perry.] Looking at the feeling of the Ghoorka people, and their reluctance to admit Europeans, and the great avidity with which the whole land is cultivated by them, do you think that Nepal opens any field whatever for colonization?—I cannot say that I think it is a very favourable field in that respect.

89. With respect to trade, the Ghoorkas are a military race, are they not?—Yes.

90. Is not the cultivation of the land the only employment to which they resort?—Yes.

91. Therefore there is very little trade of any kind, the people being agriculturists?—No.

92. Is not the land in Nepal extremely highly cultivated?—Yes; the only opening for trade in my opinion would be that if there were roads the mineral resources of the country might be developed in Nepal. It might pay a few speculators to engage in that; and there might be some few of the products of Tibet; musk, borax, and those things, which might pay to be engaged upon in a small way; but I do not think that there is any very great capability for mercantile operations on a large scale.

93. So long as Nepal is an independent country (I hope it will continue to be so), it will depend upon the will of the rulers whether any opening for Europeans should be afforded?—Yes.

94. At the present time they do not show the least disposition to admit Europeans into the country?—Not so far as I know; I do not know that Jung Bahadoor himself would be opposed to it, but I think there is a general feeling opposed to it amongst the people.

95. There are one or two other valleys said to exist in the range like Katmandu, but no European has been in them?—Not that I know of.

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96. *Mr. Gregson.*] You have spoken of the mineral resources of Nepal, especially iron and copper, do you know the price of iron in Nepal?—I do not.

97. Do you know what per-centage of iron the ore yields?—No.

98. Or copper?—I do not know; I did not enter into the subject; my information is very general.

99. You said also that drugs were grown there; do you know the names of any of those drugs?—Amongst the present exports from the interior of Nepal are turmeric, borax, cardamums, and pepper. There are dyes for instance; there are various medicinal drugs and dyes, among which may be mentioned rhubarb, madder, and spikenard, which are said to exist.

100. Madder is a dye?—Yes; I do not know what the drugs are; I only know that drugs were mentioned when I was there as an article of export.

101. *Chairman.*] Though there can be no desire by any persons of sense in this country to interfere with the government of Nepal, nevertheless, the quiet victories of commerce by the introduction of manufactures might win their way into an agricultural country like Nepal?—I think they might.

102. You say that there are 2,000,000 of inhabitants in Nepal?—I think that is the population.

103. *Sir Erskine Perry.*] Do we know anything ourselves of the population of Nepal?—We know nothing beyond what is told us.

104. *Chairman.*] The population has been estimated at 2,000,000?—Yes.

105. Are you aware that in Mr. Hodgson's account of Nepal, according to the best evidence he could obtain, the population is assigned at nearly 2,000,000 of inhabitants?—Yes.

106. Is it not probable, according to all human calculation, that these people would like to wear cheap manufactures if they could get them, and use improved articles for the cultivation of the land?—Yes.

107. Though it would be highly improper to interfere with the government of Nepal, if access were allowed, do not you think that civilization might go on in that country as well as in another?—Yes.

108. *Mr. W. Vansittart.*] Do not you think that any attempt on our part to get access into Nepal would cause great dissatisfaction amongst the Nepalese?—My impression is that it would; I speak from the difficulty I found in getting permission from Jung Bahadoor to go five miles beyond the 12 miles which is the limit within which a European is required to keep.

109. Therefore, though the natives might like to have some of our manufactures brought into their territory, it is thoroughly impracticable at present?—Yes.

110. *Chairman.*] Putting the hypothesis that access were allowed, is it not probable that the common necessities of mankind would have the same effect there as elsewhere, and that trade would increase for the advantage of the inhabitants?—We should have to create wants. We should have as good a chance of creating those wants as any other people, but we have a very small trade at present.

111. *Sir Erskine Perry.*] So far as we are acquainted with the character of the Nepalese population, the Goorkhas are a race of soldiers, the others mountaineers, living in inaccessible places, with two or three fertile valleys in the whole range of seven or eight hundred miles?—Yes.

112. Are they not a pastoral, agricultural people, with very little trade throughout the country?—Yes.

113. *Chairman.*] Might not that argument be advanced against Switzerland?—The geographical position of Switzerland, with reference to cotton-consuming countries, is rather different to that of Nepal.

114. *Mr. W. Vansittart.*] Are not the Nepalese very poor?—Yes; they are satisfied with the clothes they have. It is a question whether we should be able to supply fabrics cheaper than the fabrics at present worn by the poorer classes; that is the difficulty that we have to contend with in China.

115. *Sir Erskine Perry.*] Is not the town of Katmandu a wretched little place?—It contains about 50,000 people.

116. *Mr. W. Vansittart.*] With the exception of Katmandu, is there any other town of any importance in Nepal?—There are a great many towns in the valley of Nepal. It is a very thickly populated valley.

117. The Nepalese do not possess, I believe, any territory whatever now in Goruckpore; we took that away from them many years ago. They do not now
come

come into the plains. I think?—They have got a strip of the Terai, which is in the plains, and which forms the frontier of their territory.

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118. Is that in the Goruckpore district?—Yes, joining it.

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119. Colonel *Sykes*.] Do not the products of India and Europe find their way into Nepal?—Yes.

120. Have they not a custom-house and tariff in Nepal?—Exactly.

121. There is nothing to prevent their desire for European manufactures being gratified if they want them?—Except that the roads are so bad.

122. Mr. *W. Vansittart*.] Is not the Resident at Ka'mandu obliged to be an unmarried man, owing to the restriction against the admission of European women?—No; that is not so.

123. Colonel *Sykes*.] Do not the supplies of sugar, pepper, indigo, and most of the dyes going into Nepal come from India?—Yes.

124. Mr. *Gregson*.] Is labour abundant in Nepal?—Yes.

125. Do you know the rate of wages?—No, I do not; but Nepal is very much divided, as far as I could see, into very fertile and very barren tracts. The fertile tracts are over populated, and the barren tracts are good for nothing.

126. Sir *Erskine Perry*.] Is not the love of land very great, and is not it extremely well cultivated so far as you saw?—Yes.

127. Mr. *Gregson*.] How is the land held?—It is held chiefly by the Ghoorkas in small jaghires, as they are called, a sort of military fief. In return for their military service, they get a small plot of land.

128. Is that for life only, or in perpetuity?—I am not quite certain.

129. Colonel *Sykes*.] You do not know whether there is a perpetual right in the soil?—The lands are divided into four classes of tenures: first, Crown lands; secondly, Kroos or Soona Birtha, belonging to Brahmins or Newars; thirdly, Kobruja or Bari, barren lands granted for cultivation; and lastly (and this is the most extensive class of the four), Kaith, in which the proprietor is at all charges of tillage, dividing the produce with the cultivator.

130. *Chairman*.] The poorer people in Nepal wear woollens a good deal, do they not?—They wear a very peculiar manufacture; there is a flax manufacture which, when you pull it out, comes into a sort of yarn; you can untwist the thread.

131. Then you do not agree with Mr. Hodgson's statement, that "our broad cloth is equally prized in Nepal and Tibet"?—I do not agree with him upon the whole.

132. Mr. Hodgson says, "our imitations of India handkerchiefs and Cashmere shawls are becoming very popular among the middle and lower orders in Nepal"; have you any reason to doubt that?—My impression was different; at the same time I should be very sorry to set up my recollections on the subject against Mr. Hodgson's statement.

133. Do you agree with Mr. Hodgson's statement that "English and Indian chintzes are not worn at all in Tibet; both are much worn in Nepal by the middle and lower classes"?—No.

134. "All classes in Nepal wear cotton wholly or partially throughout the year, and as Nepal has no native manufacture of any but very coarse sorts, there is a large demand for the finer fabrics both of Europe and India"?—I should say that the lower orders chiefly wear homespun cloth.

135. Then Mr. Hodgson says that "the whole of the middling and upper classes are clad in foreign cottons"?—There I agree with him.

136. I believe saltpetre is produced in the Nepalese Terai, is it not?—I do not know.

137. Is sulphur produced in the Hills?—Yes.

138. Is not salt chiefly brought over from Tibet into Nepal?—Yes.

139. You have stated that Nepal has plenty of copper and iron?—Yes.

140. Mr. Hodgson states, that "the people exhibit great skill in working them;" that you seem to deny?—I say, certainly not; and I give that opinion because I saw them beating cannon balls into shape instead of casting them.

141. Are you of opinion with Mr. Hodgson, that "if we would condescend to work upon the models prescribed by the usage of these countries, we might obtain a large vent in them for our hardware of most sorts"?—I think we should find a demand for hardware.

142. He says also, "Both Nepal and Tibet constantly require and consume a large

L. Oliphant, Esq. large quantity of tropical spicery, drugs, and dried fruits"?—Yes, I think that is so.

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143. Is he correct in stating that small mirrors are in demand for Nepal?—I am not sufficiently acquainted with the manners of the Nepalese to know that.

144. Are you aware that he says that the people are beginning to use our crockery and glass wares at their tables?—Jung Bahadoor had a great many, of course; his house was full of European things, as well as his brother's, and the houses of the better classes in which I was.

145. Can you tell the Committee whether it is correct that "the costs on account of custom-house charges in our territories reach seven per cent. of the value of the goods;" that relates to goods coming from Nepal?—I am not quite sure; I speak from recollection, and it is a long time ago.

146. I believe they make paper in Nepal, do not they?—I do not know.

147. Mr. Hodgson says, "The paper of Nepal is an admirable article, which ought to be substituted for the flimsy paper of the plains for the records of every office in Bengal"?—I do not remember it.

148. I believe the chief coinage of Nepal is silver, is it not?—The silver coinage of Nepal is somewhat similar to that in use throughout British India, in all the northern provinces of which, adjoining Nepal, it passes current. The copper coinage is most extensive, and consists of shapeless lumps of copper, 18 or 20 of which go to a halfpenny; they are used by the natives in preference to our own pice. That was the note I made at the time.

149. Colonel *Sykes*.] Is the rupee current in Nepal?—I think it is.

150. *Chairman*.] I believe the transport of silver from Nepal to the plains is prohibited?—I am not aware.

151. Is tea consumed at all in Nepal at present by the inhabitants?—No, not extensively.

152. From whence is Nepal supplied with salt?—From Tibet.

153. That is rock salt?—Yes; it is brought on sheep's backs.

154. Are there not spelter mines as well as lead and timber in Nepal?—Yes, and there is said to be antimony.

155. For what particular purpose is the sissoo wood of Nepal used?—For the masts of boats.

156. Mr. *Kinnaird*.] Can you make any suggestion as to any means which might be used by the Government for improving our trade and relations with Nepal?—The first step would be to find out how far the present Government of Nepal are disposed to admit Europeans into that country at all; at present no European who is not an official, or who is not expressly invited, is allowed access into the country; of course the first step would be to alter that entirely; and the next step would be to induce the Government to have roads made, by which produce could be conveyed; at present it is all carried on men's backs; these are the two first and most important considerations.

157. Do you consider that recent events have had a tendency that way?—I should think that the experience of Jung Bahadoor, while in England, ought to have opened his eyes in that direction, but there is a strong national prejudice against it; it is not merely on the part of the Government, but on the part of the people themselves.

158. You cannot suggest any line of policy by which the access of Europeans into Nepal might be facilitated?—No, except we endeavour to make a treaty with Jung Bahadoor, which perhaps the Resident at Nepal could be instructed to do.

159. Would that be one of the ways by which we could get up a trade with Tibet through the Nepalese territory?—No doubt, or by Sikkim; I should say that Sikkim was the most convenient, but the trade with Tibet would be of very great value.

160. *Chairman*.] I believe Jung Bahadoor makes his own cannon, does not he?—He does.

161. Are his ordnance well made?—Very fairly, I think, considering that his foundry is on very rough principles; I went over it, and we were surprised to find him making cannon at all.

162. Mr. *Kinnaird*.] Was the process of making cannon in Nepal originated by Jung Bahadoor?—Yes; I do not think it existed before him.

163. *Chairman*.]

163. *Chairman.*] Do you agree with this statement of Mr. Hodgson, in his report to the Government, "The Newars have letters and literature, and are well skilled in the useful and Fine Arts; their agriculture is unrivalled; their towns, temples and images of the gods are beautiful for materials and workmanship, and they are a steady, industrious people, equally skilled in handicrafts, commerce, and the culture of the earth"?—That was not the impression that was conveyed to my mind during my residence; I think they are a very ingenious and industrious people, but they are kept in so subservient a condition that they do not much pursue the Fine Arts.

164. You think if the Nepalese were fairly dealt with, commerce would extend?—I think they have a larger commercial instinct than the Ghoorkas, and if there were the means of interchange with other countries the people would benefit by it.

L. Oliphant, Esq.

7 July 1859.

Martis, 12^o die Julii, 1859.

MEMBERS PRESENT.

Mr. Ewart.
Mr. Gregson.
Mr. Kinnaird.
Mr. A. Mills.
Sir Erskine Perry.

Mr. Danby Seymour.
Mr. J. B. Smith.
Colonel Sykes.
Mr. Vansittart.

WILLIAM EWART, ESQ., IN THE CHAIR.

Sir John Lawrence, G. C. B., called in; and Examined.

165. *Chairman.*] YOU have lately returned to this country from the Government of the Punjab, I believe?—Yes.

*Sir John Lawrence,
G. C. B.*

166. In what parts of India have you been?—I have served altogether in the North West Provinces and in the Punjab. I was 29 years in India from the time I went out to the time I last came home, out of which I was at home two and a half years, therefore I served 26½ years, and was two and a half years on furlough.

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167. Of the 26½ years, how much were you in the Punjab?—Thirteen years in the Punjab, and the rest in the North West Provinces.

168. I believe there are very few British settlers in the Punjab?—Very few.

169. Have you any idea of the number?—No, I have not, but there are not many. There are a number of merchants in the Hill stations of Simla and Murree, but there are very few colonists; not above one or two colonists.

170. I suppose there are a few merchants at Kurrachee?—Yes, there are several there. Kurrachee is in Scinde; it joins the Punjab.

171. In what portions of the Punjab is the climate of a character which would suit European settlers?—The Hill districts; the champaign country would only suit them, I think, for six months in the year; the other six months the climate is very severe; but the hills, of course, would suit them all the year round.

172. I think you have read the evidence of the medical gentlemen which has been given before this Committee, particularly that of Dr. Martin?—Yes; I have read it with a great deal of care.

173. Do you generally approve of what he says?—I think he exactly hits the thing. I do not think I could add anything to what he has said upon these subjects.

174. *Sir Erskine Perry.*] Then you approve of Dr. Martin's suggestion, that the cantonments should be in the hills for Europeans?—Yes; simply as a sanitary question. The thing would be to send all the Europeans to the hills, but I would not advocate that as a statesman, because if you put all our European troops on the hills, you would lose the plains before you could bring the European force to bear.

175. Speaking as a statesman, the recommendation is altogether impracticable?

O.17—Sess. 2.

B

—I would

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—I would send a certain portion of Europeans to the hills, wherever there were facilities for so doing. But I would not send whole regiments in rotation. I think principle by which you would give the greatest benefit of the hills to the the European soldiers would be to send a certain number from each regiment every year. There are some complaints which the hills do not suit; for instance, in pulmonary complaints and visceral complaints it is bad for men to go there. Again, young men who are strong and healthy do not want the hills; but if you sent all to the hills to whom that climate was suitable, you would save a great many men; whereas many men who do go to the hills do not want a hill climate. I do not think life in the hills is very popular; they are shut up, and less liked because there is very little level ground.

176. *Chairman.*] Will not the construction of railways in India enable you to make much more use of the hills as a place of habitation for European troops? —Yes; I do not mean by my former answer, in the slightest degree, to say anything against the hills; I am strongly in favour of the hills; and the plan which is elaborated in the paper that was drawn up by General Chamberlain, Colonel Edwardes, and myself, signed by us, and sent in to the Commissioners on the Organisation of the Army of India, and published as a supplement, and circulated to Members of Parliament, gave what we thought could be practically adopted. It is put down in some detail, but the principle is to get as many men in the hills as you can to whom the climate would be consonant.

177. How far are the hills in the Punjab cultivable?—There is not much arable land on the hills.

178. The country is very steep, is it not?—It is very steep; all the hills are on a very sharp gradient; there are narrow valleys on very sharp slopes; ridges in fact; and where the land is much cultivated, it is by people in the course of generations building it up in terraces; of course there are here and there flat bits. Upon the Kangra Hills we have very large valleys; there is one valley in which tea is cultivated; it is a very fine valley, and there is a great deal of corn grown there also.

179. Is it possible to make those valleys much more accessible, by means of roads?—Of course, as far as you can afford the means, it would be a capital thing to make roads, but making roads in those hills is extremely expensive. Suppose you were to make a road over the Simplon, or over the highest parts of the Alps, you can imagine how expensive it would be; what we want is money to spend for roads in the plains; we are perishing for want of roads in the plains, comparatively speaking.

180. What is the state of the roads in the Punjab?—We have done a great deal in one respect with roads; still we have done very little compared to what is wanted; we have opened several thousands of miles of what are called fair weather roads, and made them thoroughly passable without any inconvenience, so that the people can travel night and day upon them, which is an immense advantage. Formerly, under the old system, you could not go from one part to another without turning out the villagers to show you the way. In ordinary weather the roads are very good, but after a heavy fall of rain they would be bad.

181. You think it is desirable to do much more by improvement of the roads in the Punjab?—You cannot do too much, as far as your means go. As much money as you could spend upon the communications is clear gain; but if you have not got it you cannot spend it.

182. What are the principal products of the hills in the Punjab?—The hills produce very much what the plains produce, and perhaps some additional things; for instance, we have introduced tea cultivation, which, of course, would be an exceptional thing, and safflower has been introduced on the hills. Potatoes have been introduced in the hills; but they have them also in the plains. I do not think there is much cultivated on the hills that is not cultivated in the plains, except tea.

183. Has that cultivation much extended?—The Government have made several tea plantations, which are now beginning to be very prosperous, and they answer very well. In the Punjab we tried to induce the people to undertake the cultivation of tea. Instead of largely extending the Government cultivation, we wished to make the Government plantations a kind of nursery from which to give out plants to the proprietors; paying them an advantageous price for the tea leaves. Then these tea leaves would have to be prepared in the manufactory.

tory. I think that would be the most popular way of doing it, and I think also it would be the cheapest way.

184. *Sir Erskine Perry.*] Has a taste for tea sprung up in the Punjab?—The people like it; they drink it medicinally, and they think it does them good in fevers and those things. It is not much used in the Punjab.

185. It is quite a new drink to them?—It is quite a new drink; I think, as far as it goes, they like it, and that the use of it will spread.

186. *Chairman.*] Have independent planters, by private enterprise, much extended the cultivation of tea in the Punjab?—None whatever in the Punjab; what they wanted to do was to buy up the Government plantations. Mr. Atherton, who was going to retire from the civil service, had a small grant of land, which he was to get on retiring, but not till he retired. I think he was going to begin a plantation, but several people came forward and wished to buy the Government plantations, and I think the Government will sell them eventually.

187. Is there much waste land in the Punjab which might be made available for the cultivation of tea?—There must be some about the Kangra Hills. Of course here and there there is a good deal of waste land, but a good deal is rugged, rough, and rocky. I am not prepared to say that up in the province of Koolloo there would not be a great deal. I have no doubt that there would be enough for what is wanted; at the same time a man could not get 10,000 or 5,000 acres of fine land. I dare say among the waste land, here and there, an intelligent man, who understood the thing, could pick out nice plots of land.

188. On the Kangra Hills the tea is famous, is it not?—Yes. But the first time a person tastes it he does not like it.

189. Is it of an astringent character?—Yes it is; I think it is rather strong. I used to find that mixing it with the Chinese tea half-and-half made excellent tea.

190. *Sir Erskine Perry.*] Is it not the character of most of the tea grown in India that it is found useful to mix it with the Chinese teas?—Yes; the proof that the tea is of the first class is this: it sells for four rupees, or 8 s. a pound, and you very often cannot get it at that price. I have repeatedly sent for it and could not get it; it is in immense demand.

191. *Chairman.*] Can you give the Committee any idea of the increase of trade in the Punjab of late years?—I can only give you verbally a general idea; but there was a paper drawn up by Mr. Temple while I was in the Punjab in which he gave all the statistics of the trade as far as he could collect them. It is quite a trustworthy document.

192. Has not wool, as an article of commerce, very much increased in that part of India?—As an article of commerce it has immensely increased; I do not know that more has been produced; I think the tendency has been under our rule, for the waste lands to be broken up, and in that way there would be less pasturage; immense quantities of wool come from the co-terminous countries; from Afghanistan and Beelochistan into the Punjab; I suppose it is tenfold what it used to be, and I have no doubt it will be a great deal more; wool has doubled in price since we obtained possession of the Punjab.

193. Evidence has been given before this Committee of the capability of the Punjab for the growth of wheat, and the great increase of that cultivation; do you agree with that evidence?—Any extent of wheat can be grown. Wheat sells at harvest time at about 40 lbs. for a shilling.

194. *Colonel Sykes.*] Does it sell at all; is not it in fact too abundant to command a market?—I would not say it has become too abundant. No doubt there has been a great glut, and there is a difficulty in getting a fair price for it. The agriculturists complain very much of the low prices, and there is no doubt that it has deranged our revenue a good deal. Our land settlements in many parts, which were much lighter than the former settlements, have become even high by the extraordinary reduction of price which is the result of increased cultivation; but I should be afraid to say how much it might be extended. It is calculated that almost as much land as half the southern portion of the Punjab is waste.

195. Therefore, extended cultivation is not a desirable object in a revenue point of view?—No, I do not think it is. It had at first a beneficial effect; abundance of food was produced when it was formerly rather dear. In that way it popularised our administration. Hundreds of thousands of people lost employment under us to whom the means of living would be very difficult; but this great fall in the price of agricultural produce gave them great facilities.

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196. *Chairman.*] Will not facilities of intercommunication in India carry off that surplus produce?—No doubt, when we get the railway down to Mooltan, good steamers on the Indus, and the railway from Kotree to Kurrachee, we can send it away with the greatest ease.

197. We have had evidence given before this Committee favourable to the cultivation of flax in the Punjab, can you give the Committee any information upon that subject?—I think the Punjab is generally well suited to the growth of flax; I do not think the people know how to grow it or to manipulate it for the English market. Lord Duncan asked me about it, and I wrote a letter to him which he afterwards published in the Dundee papers, giving my idea of the thing; he said that he thought my statement was very reasonable.

198. Will you mention the substance of what you said in that letter?—The substance of the letter was that the people were ready to grow flax or to grow anything for which they could get a good price, but that they were ignorant of the way of growing and afterwards preparing it for the English market, and that if the merchants in Scotland and in Ireland would send out an intelligent man in their pay at the expense of a few hundred pounds, he would go up to the Punjab, make himself master of all the bearings of the question, viewing it with a mercantile eye, and then come home and make his report to them. My advice was not that they should establish farms to grow great quantities of flax themselves, but to have a small model farm which would generally explain to the people practically, as well as theoretically, the way to do it, and then they could make moderate advances as they saw their way, or as those representatives of the English firms saw their way, and you might in a short time have large quantities of flax grown and sent home. I do not think it would be a good plan to call for any returns or reports from the people in India upon the subject. In the first place they have much more to do than they ought to have, or at least they have as much to do as they can do, and they do not exactly know what is wanted at home; thirdly, what the people say would not come to the merchants of Dundee and Belfast with the same force as if their own people wrote to them. If a gentleman went out there he could get introductions; I would give him introductions, or anybody in England would, and all the people on the spot would help him, and give him all the information they could, and that would simplify the matter very much.

199. Sir *Erskine Perry.*] Do not you think, for many years to come, that the state of the Punjab will be such as not to offer any temptation for an agriculturist to go out, either to grow flax, or wheat, or any other production?—I do not think myself, if I were a speculator, that I would go to India to setup a large farm. If I had money in hand, I would go out and buy up the produce of the country, and in that way try to remunerate myself.

200. *Chairman.*] Several witnesses before this Committee have stated that European capital should only be employed to set the labour of India in motion; is that your impression?—Exactly; it would come in the best form, and it would not in any way aggravate or annoy or vex the natives. It would be a clear good, with no drawbacks.

201. Mr. *W. Vansittart.*] Am I to understand you to agree with Major General Tremenhoe that if you make advances to the ryot he will grow anything you like?—Major General Tremenhoe says very much in which I agree with him. From some things that he says I differ.

202. Sir *Erskine Perry.*] You think you could not recommend a capitalist, interested in flax, having 10,000 l. or 20,000 l., to go to the Punjab and see if he could not make 20 per cent. in his outlay?—If a man went there and dealt with the natives before he became acquainted with the country, and before he understood the habits of the people, either he would waste a good deal of his money, or else he would not fully employ his capital. What is wanted, is for a man to feel his way and understand what he is about; therefore, I would rather send some young intelligent man as the representative of those people who had a large capital to employ.

203. Just as the Manchester Chamber of Commerce sent Mr. Mackie about cotton?—Mr. Mackie went more to collect information. In the first instance I would recommend any person interested in flax to collect information, which might be done in six months or something of that kind. If they begun dealing too largely they might lose money and get discontented, and the thing would not

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answer so well as if they begun in a moderate way for the first three or four years. Sir John Lawrence,
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204. Mr. Kinnaird.] Do not you think it would be desirable for the purpose of instructing the natives in the growth of flax to establish small model farms? —I think they might be taught in that way. The natives would be quick enough, I apprehend, to appreciate anything that had a tendency to put money into their pockets.

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205. Sir Erskine Perry.] Is there not this objection to model farms, that they must be maintained at the Government expense?—I would do as little with the Government as possible, that is my theory. I would never ask the Government to do anything that the people can do themselves. I am persuaded that private enterprise could do it better and cheaper.

206. Mr. Kinnaird.] My question had no reference to the Government, but simply to the enterprise of people interested in the growth of flax?—I so understood it. When I say that I advocate a gradual development of the trade in flax, I advocate it as my own idea of the policy to be pursued. There would be no difficulty in a merchant getting waste lands in the Punjab. He could get any amount of waste land in particular parts of the country, but I do not think it would suit him. He would want to be near towns, means of communication, and all those things. Where waste land is most abundant, there labour is most scarce. Suppose he settled about Umritsir, or Lahore, where there is the best climate, he would see the thing in all its bearings in a very short time.

207. Chairman.] Would you approve of a suggestion which was made by Messrs. Dewar, the great dealers in flax, in giving an account of the Flax Association which has been formed in this country, that an agent should be sent out to explain to the people of India what really was wanted?—Yes; I think it would be a good plan to send out an intelligent man who had sufficient experience, and sufficiently understood what his clients wanted. If he had youth, activity, and good health, he could knock about the country, and see into things himself.

208. Mr. Kinnaird.] In your opinion, with proper introductions, which could be easily obtained, an agent on behalf of those interested in flax would have every facility that the Government could give him?—Everybody would help him; nobody would have any object to discourage him. First of all, they would do it naturally, and secondly, they would do it because it would benefit the country.

209. Sir Erskine Perry.] You think self-interest would induce them to render that assistance?—Yes.

210. Chairman.] Has it not been the habit in the Punjab to grow flax for seed?—Yes, to make oil. They grow it too short in the staple for the English market, I believe.

211. Has irrigation a beneficial effect upon the growth of flax?—I am not quite certain upon that subject; I should think that irrigation was necessary on some land.

212. Sir Erskine Perry.] At all events, water would be required for washing the flax?—Of course it would, and perhaps in growing a crop it would be required. I should think it would, because I think the best flax is grown in the alluvial low lands near a river; therefore, by analogy, I should say that irrigation would do good.

213. Does irrigation lengthen the fibre of the flax?—I should think it did.

214. Chairman.] I believe you have irrigation works on a large scale, particularly in the north-east of the Punjab and the Doab Barree?—There is the Doab Canal.

215. Will you explain to the Committee the probable effects of that canal; how far it extends for the irrigation of the country?—It embraces upwards of 200 miles in length, and it would run through a country varying perhaps from 30 to 50 miles wide. The first hundred miles of that country is highly cultivated; there it would improve the crops and secure the people against famines and so forth, and of course, in that respect, be beneficial; but below that point it would turn a waste country into a garden, because there is very little water. As there is no supply of water beyond the immediate influence of the river, there is no cultivation worth talking of without water.

216. Will you trace upon the map the termini of the Irrigation Canal?—The canal comes out of the Ravee below Shahpoor; then it comes right down the back-

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bone of the Doab for 30 or 40 miles; then it is split into two canals, one curves towards Lahore, and one curves towards the Beâs. It is now open as far as Lahore, as I saw in the newspaper, and the water has been turned into it; of course it will not begin to return a revenue or do much good for a year. The canal was to come to a place called Cheechawutnee, perhaps 120 miles further. All this country from Lahore through the Doab is mere pasturage, and cultivation does not extend more than about five or six miles on either side of the river. All the interior is waste for want of water, and that would be all brought under cultivation in process of time by the canal.

217. Mr. J. B. Smith.] Does the canal join the river?—It takes its water from the river. The bank is very high where it comes out; I dare say the cutting is 100 feet.

218. Is it intended to be a navigable canal as well as a canal for irrigation?—Yes.

219. Chairman.] Do you think it desirable, as some of the witnesses before the Committee have stated, that navigation and irrigation should be combined in the formation of these canals?—I think so, whenever it is feasible. The only question when the canal was very long would be, whether towards the termini of it you would have water enough for navigation. If you had, there can be no question that you would add immensely to the value of the canal by making it navigable.

220. Do you think that cheap conveyance is very desirable in a country like India?—Of course; it is the necessity of the country.

221. Is it not probable that conveyance by canal would be more cheap than other kinds of conveyance?—Of course.

222. It has been stated that those irrigation works would so far pay for the construction of the canal, and give such a profit upon the outlay, as to render it unnecessary to impose a toll on the canal for navigable purposes; do you think that would be the case?—If it is the case it would be a great thing not to take tolls. I think the canals in some parts are very inexpensive; they give great returns in Madras. I see, from Colonel Cotton's reports, that the canals there are immensely profitable. I do not think, though I am a great advocate for canals, and regard them as immensely valuable, that their value consists so much in returning revenue as in preventing famine.

223. Sir Erskine Perry.] I have seen some unfavourable returns with respect to the Ganges Canal. I do not know whether they are to be depended upon?—I was asking Sir Proby Cautley, about a month ago, as to the last returns from the canal, and I said it was not paying so well as might be anticipated; he said that he had not got the return; probably, in consequence of the commotion in India, it had been delayed. My own impression is, that the Ganges Canal, though it might yield a large revenue, would not be so paying as people fancy. Certainly, it will never pay what Colonel Cotton talks of as being returned by the annicuts in Madras. There is no doubt that some of the little inundation canals in some places are very profitable. Inundation canals are mere cuts from the river, and they fill only when the river rises, and when the country is inundated.

224. Mr. W. Vansittart.] Do not those inundation canals exist near the Godavera?—Yes, and also in the lower part of the Punjab we have some.

225. Sir Erskine Perry.] I see it is stated that the Ganges Canal will cost two millions sterling, and that the engineers have not left any towing paths in order to enable to go on upon it; are you aware whether that is the fact?—I am not quite certain; my impression is that they must have done it; I am nearly certain that they have.

226. Mr. A. Mills.] Does this Doab Baree Canal act for the double purpose of irrigation and carrying traffic?—Yes.

227. Colonel Sykes.] Was not it constructed for that purpose?—I am nearly certain it was.

228. Mr. Kimbaird.] Will not one effect of the construction of the canal be to increase the population very much?—In the lower part of the Doab, immensely.

229. As you increase the population, you would increase the revenue, would you not?—The Ganges Canal traverses a country where there are a great many wells; the people, in the course of generations, have made those wells, and have irrigated their land from them. The inhabitants of India are always slow in changing their habits, and they do not like to pay a considerable water-tax.

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The same bullocks that ploughed the land, or harrowed the land, during the sowing time, were available to get the water for irrigation from the wells; partly from that circumstance, partly from the habit of getting water from wells, and partly from the dislike of paying two rupees an acre for water rent, or whatever it was, they would be slow to take the canal water at first; but directly a bad year came, or anything of the kind, when once they took it, they would stick to it.

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230. *Chairman.*] Do not you think that the Government might derive a large revenue from letting water?—Of course.

231. Would you approve of selling water by the cubic foot?—That is now the system on the Ganges Canal, and that is the system intended to be adopted on the Barree Doab Canal.

232. Is not that the system adopted in the south of France and Italy?—Yea, and in Lombardy. The old canals in India that were made by the Mahomedans and Hindoos in former days have been made in the cheapest way; they took a natural hollow in the country, or the bed of an old stream, or any dip or physical advantage which the country offered in making the canals, and the consequence is that there is a good deal of difficulty in getting the water from them; and in some places they have to raise the water by a kind of leathern bucket. In some places they raise it as they would from a well, but where new canals are made down the back-bone of the country, of course the water would flow down.

233. Are there many lands free from land tax in the Punjab?—A good many.

234. Do you term them *lahkiraj* lands?—They have different names; if they were for service then they would be called *jaghire*; those would be service lands; then there are the lands held by the heads of villages, or the men connected with villages, they would be called *enams*; they are all upon the same principle.

235. Are those lands exempt from water rate as well as from land tax?—No; all the lands would pay the new water rate; they paid for the old canals unless they had a separate patent exempting them from water rate; those are quite isolated cases, but where they had that exemption from the old canals, we should give it to them for life to ease it off.

236. If these irrigation canals should be extended over India, will not they render highly improbable such dreadful famines as have prevailed in India?—I think that is one great benefit that will be derived in Upper India from the canals.

237. Will they not also afford the advantage of intercommunication?—Yes; but the advantage in saving the country from famine is almost incalculable. In the famine of 1838, I think, in the one division of Agra, the Government remitted 400,000 *l.* of land revenue in one year of drought; there is not only that, but the paralysis that is given to industry is something frightful; after a famine villages do not recover for five or six or ten years.

238. Sir *Erskine Perry.*] Have you at all entered into the question as a matter of expense as to the superiority of canal conveyance over railway conveyance?—I should think with respect to articles where expedition was an object that the railway would be the best; but where it was of no consequence, then I should say that canal navigation was the best. In cereals and those kinds of things, under no circumstances would time be a great object, because there is no part of the country in which at harvest there would not be a crop; what you want is to pour down the surplus crop gradually as the crop upon the spot is consumed.

239. We have had it given in evidence before this Committee by a very competent witness, namely, Major Wingate, and Colonel Cotton says the same thing, that the price of carriage by railway is necessarily so high as to make it almost useless as a means of transport in India; do you agree with that statement?—Upon the Punjab railway I was always impressing upon the engineer the necessity of economy for that very reason; I think I heard Major General Tremenhare say that his brother who was in America, could bring wheat to the sea-coast at a cent a ton per mile, or some extraordinarily low price. If it could be brought down at anything like the cost in America, it would pay to take it from the Punjab to Kurrachee.

240. Mr. *W. Vansittart.*] Is there not abundance of traffic, both for the railways and the canals, in India?—I think sugar, cotton, wool, flax, all the spices from Northern India, and all high priced articles, would prefer the railway, and *vice versa*.

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241. And the huge bales of clothing?—Yes.

242. Colonel Sykes.] Would not they prefer the Indus?—The Indus is a very uncertain navigation; it is a tremendous river, but it is not certain; the returns of the boats that pass Mittenkote show that the traffic is greatly increasing; still it is a difficult river to navigate, and, I think, there is a good deal of loss on it.

243. Mr. Gregson.] You mean that the Indus is uncertain at certain seasons?—Yes; in the rains, when there are inundations.

244. Colonel Sykes.] Do not you suppose, that 1,200 or 1,500 miles of carriage must be infinitely cheaper by the river than 1,200 or 1,500 miles by railway?—The railway would run perfectly straight, whereas the river winds a good deal; there is a good deal of difference; I suppose it would be half as long again by the river; I think the villages along the banks of the river would send their boats by the river; there is no difficulty about the river when they take a cargo downward; the difficulty of getting cargo up the river is considerable, whereas by the canal it would be as easy up as down; yet I do not think the river would be given up as a line of communication.

245. Mr. Gregson.] You speak now of the Indus only?—Or any river.

246. Sir Erskine Perry.] The contrast is not between the river and the canal, but between the canal and the railway?—I think they would all be used.

247. Chairman.] We have had very strong evidence given before this Committee by engineers that canal conveyance is much more suited to the existing state of India, the habits of the people not being such as to require great expedition in communication?—I think when they see the advantage of expedition they will gladly learn to avail themselves of it; I think, irrespective of the question of the relative advantages *per se* of canals and rivers, you want railways for general purposes; you want them for your safe hold of the country, you want them for political purposes and military purposes, and you want them for social purposes; therefore you would have them even if a great deal of the traffic did not go by railway, at least you would wish to have them.

248. Has the consumption of British manufactures much increased in the Punjab of late years?—I think the consumption has rather increased; I do not know that it has very much increased. Owing to the security of the country, and the safety with which trade can be prosecuted, I think a good deal more goes up to Cabul, Afghanistan, and Central Asia.

249. Are there any transit duties, or any other duties levied on goods?—No, they are all abolished.

250. How long have they been abolished?—I think, perhaps, towards the end of the second year, after the annexation of the Punjab. There were import and export duties. There was a network of transit duties all over the country.

251. Mr. A. Mills.] What is called the North-West Transit Line?—That is for salt, sugar, and cotton. I think that was a line subject to be varied in its course from time to time.

252. Is it permanently settled?—At long intervals it has been gradually changed with reference to increased local experience, but there has been no great change made. I proposed after the war to make a change in the upper part of it. It used to bend round the independent states which lapsed to us, in consequence of the chiefs joining in the rebellion, and that would have made the line straight, and would have saved a considerable expenditure, and brought a greater tract of country within the operation of the salt duty.

253. Is the maintenance of that line a very expensive process?—I should think it was 10 or 12 per cent. on the revenue; but it gives a very large revenue.

254. Mr. Kinnaird.] On the whole it pays well?—Yes; if you were to do away with it you could not raise half or a quarter of that revenue by any dozen processes which would be so lightly felt by the people as the revenue paid by that line.

255. Colonel Sykes.] You are now referring to the salt tax?—Yes; although it raises the price of salt in proportion to the tax, still it is not very appreciably felt by the people. If you were to say to them, "There is a million of money now raised; we will do away with the salt tax, and raise at your bidding in any other way you like, to the extent of half a million," I am convinced the arrangement would not be so popular as the salt tax.

256. Mr. W. Vansittart.] The salt tax and the opium tax are not oppressive,
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are they?—No; I think the objections to the opium tax are not on the ground that the tax is oppressive, but rather moral objections. Sir John Lawrence,
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257. Mr. *Kinnaird*.] You do not take the case as between opium and salt as at all analogous, do you?—I think there are great distinctions between them; I think that neither are oppressive in India. 12 July 1859.

258. Sir *Erskine Perry*.] Is not the opium tax paid by the people of China?—Yes; but I think there are great moral objections to the opium tax, though I do not think that it is oppressive to the people of India.

259. Colonel *Sykes*.] When you calculate the tax paid upon the salt consumed by a man and his family, do not you find that the pressure of the tax is scarcely appreciable?—I do not think it is appreciable; I never heard the people complain of it.

260. Mr. *Gregson*.] What is the salt tax per maund?—It is two rupees per maund, that is 84 lbs.

261. Mr. *A. Mills*.] Do you think that an export duty on opium, similar to that which is now levied on the Malwa opium at Bombay, would be a good substitute for the present system of collecting the Benares and Patna duty?—It would be the best substitute; I am not prepared to say that you would not lose a good deal of revenue at first.

262. Sir *Erskine Perry*.] Do you mean by smuggling?—I think you would not get all the present revenue; in the one case you bring it all under your eyes; and you get a very high price for the Bengal and Benares opium.

263. Is not the value obtained in the Bombay side without any risk?—I am not prepared to say that you would absolutely lose a great deal. I am inclined to think, however, that you would not get so large a revenue as under the present system. I think it would be undoubtedly a way to meet the great difficulty of the present opium question.

264. Mr. *W. Vansittart*.] If you were to abolish the opium tax, as Colonel Edwards suggested in his long despatch, what tax would you propose to substitute in its place?—I do not see where you could raise the revenue. I think it would be impossible for you to get five millions and upwards which you would lose in the opium tax.

265. Mr. *Kinnaird*.] Did not you draw up an answer to that paper of Colonel Edwards?—Yes.

266. *Chairman*.] One of the subjects prescribed by the House of Commons to this Committee is an inquiry into the trade with Central Asia; is it not probable from various circumstances, especially from the improvement of transit communication, that there would be a greater chance of opening a trade with Central Asia up the Indus and through the mountain passes in that direction, than there hitherto has been?—I think there would. So far as communication went, it would add very much to the facilities; but the trade with Central Asia to a great extent must depend upon the political state of those countries. I think every improvement we effect on our own side would facilitate it and do good. There is no doubt that it is on the increase.

267. As it is naturally a trade which is alone conducted by an interchange between the inhabitants of different countries; for instance, the Russian cannot come down into your neighbourhood of the Punjab, nor can the European go probably far beyond the Himalayas towards Central Asia; is it not, therefore, by the inter communication of different nations that this trade can be increased?—I should think all the European articles would work their way towards the Oxus.

268. Is not Umritsir a great station for that trade?—It is the great *entrepôt* of Northern India, and its trade has greatly increased.

269. For Trans-Himalayan productions as well as Indian productions?—Yes; the merchants of Umritsir have their correspondents in Paris and London, which is a very remarkable thing. It is the greatest *entrepôt*, perhaps, of the shawl trade, but they deal immensely in English goods.

270. Are there many manufactories for shawls at Umritsir?—Yes, and in many places in the Punjab, but they are not equal to the shawls of Cashmere. It is said that the water of Cashmere gives peculiar softness, fineness, and delicacy to the wool.

271. Is Cashmere wool used in the manufacture of those shawls?—It is called Cashmere wool, it comes from Tibet. It is the inner wool, under the coarse wool of the goat.

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272. Has not that manufacture of shawls in the Punjab very much increased the use of Cashmere wool?—I think it has; the coarse wool is worked up into different things. I think the trade has very much increased, and Umritsir is much more flourishing than it was under the Sikhs; because, although it was their religious capital, as well as their trade *entrepôt*, still the trade has so much increased that the wealth of the place has also very much increased.

273. Will that canal which you have described come to Umritsir?—Yes.

274. Will not that, in all probability, have a great effect in increasing the trade of all that country?—Not very much.

275. What is the population of Umritsir now?—There is a return giving exactly the population of those places; but I should say at this moment, by guess, it must be 150,000 people.

276. Have you been in the neighbourhood of Cashmere?—I never went into Cashmere, although it was under me.

277. Is not the climate of Cashmere peculiarly suited to Europeans for the purpose of settling there?—I think the valley of Cashmere itself is not suited to Europeans; there is a great deal of rice grown, and wherever there are rice crops, it is not healthy; I think all the hills round Cashmere are healthy.

278. I rather had in my view the circumstance which meteorologists have noticed, that the rain-fall decreases as you approach the west towards the line of the Himalayas, and that the Cashmere Mountains are just at the most desirable point with respect to rain-fall?—There is much less rain-falls at Murree, which is west, than at Kangra; there is much less at Kangra than at Simlah, and there is less rain at Simlah than at Darjeeling, just in the way you have described, westward; but the Cashmere valley is covered with rice cultivation, and that is very unhealthy. The people of Cashmere have not the appearance of being healthy, whereas the mountaineers have; many of the people are pale, pasty, and sickly-looking.

279. We have had it given in evidence that European traders are not allowed to go into Cashmere; is that the case?—They are whenever other people are allowed; that is to say, whenever officers are allowed to go, they would be allowed. During the height of the commotion I stopped people from going, because, in the first place, I did not know what was going to happen, and, secondly, I wanted to keep all the English as much as possible together. During that time I allowed two French traders to go; I knew them to be French. As we did not particularly want them, and as they had come out for a particular purpose, I let them go. I do not think that I refused any English merchant; but I should very likely have done so if he had asked me, upon the principle that, if I had let one Englishman go, and not another, I should have created discontent.

280. I believe there is only one European, a Frenchman, settled in Cashmere, belonging to the "Compagnie Lyonnaise des Indes"?—Yes; I do not think the chiefs like Europeans there.

281. Sir *Erskine Perry*.] Are there not two or three Frenchmen settled in the Punjab?—Yes, they are partners in a Paris house for the sale of shawls.

282. *Chairman*.] I believe you have established a very simple system of administration of law in the Punjab?—We drew up a kind of civil code for the country which we adapted as to its details from their own customs, or *lex loci*, the rule of inheritance, and so forth; we modified them to suit our own principles and our own ideas of what was right; we consulted the natives very much upon the subject, and we have worked with that code ever since, and I think it has become very popular.

283. Is it not a very simple and summary process?—It is simple, and it certainly is summary compared with the regulation province system. The great principle which we insist on in it, and which we have tried to work out, is to bring the parties face to face, just as you do in the small-cause courts, but in some cases you cannot do it. For instance, a man of very high rank, or a woman, you must allow to come by proxy, but instead of having an attorney who would make difficulties, we allow a relation, a household servant or a steward, or what we call a personal servant, to represent the party.

284. Colonel *Sykes*.] You have as little to do with lawyers as possible?—Yes.

285. Mr. *A. Mills*.] There would be no opening for solicitors in the Punjab?—No.

286. Mr. *Gregson*.] What class of natives did you consult in framing that code?

code?—We consulted agriculturists, landowners, and traders; we had men interested on each side who viewed the thing from different points, and we had much discussion with them.

287. Mr. *W. Vansittart*.] Do you think that that code could be made applicable to the North-West Provinces, Behar and Bengal?—I never served in Behar and Bengal; I have served in the North-Western Provinces; I think the principle of the code could be made applicable, and where it was inapplicable it could be modified; I think what is wanted in India is something simple, so that everybody who runs may read.

288. Mr. *Kinnaird*.] As I understand, this code was drawn up under your directions?—Yes.

289. Sir *Erskine Perry*.] Was not your code principally directed to points of procedure?—There was also a great deal on inheritance, contract, and adoption, and all those great points in which the natives are interested, and upon which they feel very much.

290. Did not you take the proceedings which had prevailed before you came into the country. You did not change the rules of inheritance?—No, we did not change the rules of inheritance, we took their law, abstracted, analysed, and revised it; we reduced it to writing after having consulted the best law books that were available.

291. Mr. *W. Vansittart*.] Was not Delhi placed under your jurisdiction?—Yes, after the mutiny.

292. Was the code made applicable to Delhi?—We should have made it applicable to Delhi, and those points which were not applicable we should have modified.

293. When martial law was abolished, would not that have been the time to have introduced the new code?—Yes.

294. Having missed that opportunity, will not there be some difficulty in introducing the new code at Delhi?—I do not think there will be any difficulty. After we expelled the mutineers at Delhi the whole country sat down like lambs. I had been there 13 years myself, and I knew the people well. They all came in and were perfectly quiet. There were three millions and upwards; half of them Mahomedans; and the moment we expelled the mutineers who kept up an irritation (any man who attempted to help us would have been killed or had his village burnt), of course the pressure was taken off the people, and although many were against us, still the mass of the people were not, they settled down very quietly.

295. Mr. *Gregson*.] In your judgment, only a portion of those three millions were against you?—A great many of them were people of predatory habits. There are races who from father to son are predatory. The Goojurs, the Meenahs, and Rungurs, from father to son have been robbers; they live by plunder, and their delight is in plunder. They were against us.

296. Colonel *Sykes*.] They take advantage of any relaxation on the part of Government?—Yes; but the moment you have well pommelled a few of them, the remainder succumb.

297. Mr. *A. Mills*.] Do you think, from what you know of the North-West Provinces, that the principle of your code would be applicable there?—I think perhaps it would have to be enlarged.

298. Sir *Erskine Perry*.] Have not the Legislative Counsel just adopted a law embracing the principle of your code with respect to civil procedure?—Yes, as to the procedure they have.

299. All parties affirmed the principle of the code in the very first instance?—Yes; theirs struck me as too complicated.

300. Mr. *W. Vansittart*.] Is it not under discussion?—Yes.

301. *Chairman*.] Yours is a very short code, I believe?—Yes. Where a system of English law has grown up you want it more elaborate. I think they have erred rather on the side of complication.

302. Colonel *Sykes*.] You prefer doing as much as possible *viva voce*?—Yes, that is the only chance of getting at the truth in India. It is difficult to get at the truth at any time; but by working one man against the other, if you understand them, their ways and their ideas, you gradually get hold of the truth.

303. Your object being to get at the truth without technicality?—Yes.

304. *Chairman*.] In your judgment that system of law is most congenial to

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Asiatic notions?—Yes. If a man loses his suit, if he had the best lawyer on the face of the earth he would never be persuaded that he had had fair play.

305. Mr. *J. B. Smith.*] Has your code been satisfactory to the people?—I think the people are very well pleased with it. I do not think, however, that the money-lenders are very well pleased. I do not think you could please them; but the code pleases the mass of the people.

306. Sir *Erskine Perry.*] What is the mode of dealing with the money-lenders?—The two great improvements that we made were, that we reduced the law of limitation very much; all over the country it was 12 years, and nearly all their affairs are book debts; a man produces his ledger and goes into court, and says, "This is my ledger, and this man owes me so much money." You see most involved accounts going back for years from father to son. The one is an ignorant man, and the other an astute man, more or less a rogue, and, of course, he chisels the fellow in every way he can. It is like a fly in the power of a large spider.

307. What is your mode of treatment?—By bringing the law of limitation down from 12 years to six years; there is an immense advantage in that; then we gave notice that after that time we would bring it down to three years. I believe if it were brought down to one year that that would strike at the root of chicanery and lying more than anything that could be done, because if the transaction is within a certain time you can get eye witnesses who know something about it, and you can, by dint of cross-questioning, get at the truth.

308. You would give effect by law to contracts between the money-lender and the ryot?—You must; many people would say that they would not, but I think that that would recoil upon the interests of the community; men in that case would not lend their money except at an advanced rate, because there would be so great a risk. I think by giving them proper notice that they would bring their contracts to a settlement within a reasonable term.

309. Is not the difficulty you have to contend with in India, that you feel it necessary to give effect to contracts; but if the contract is given authority to, and you do not see any reason to disbelieve it, you feel bound to give execution and sell the man up?—I think the civil court was extremely unpopular in India, whether it was right or whether it was wrong, that is to say, if a man owed money he never liked to pay it, and if we tried to make him pay he could not do it, and his house or lands were sold up; although that is extremely proper in an advanced state of civilisation where there are as many interests on the one side as on the other, yet in the state of society in India there were great masses of the people affected by the actions of the civil courts. Even though they were just actions, they were contrary to their habits and ideas; and, of course, where there was anything like a revolution, the people expelled all those men who had acquired property by the operation of the courts: it did not follow that these were unjust cases; if they *were* just, a Goojur or a Meywattee would equally cut a man's throat on that account.

310. How did the native states deal with the question of contracts?—The native states would not listen to the money-lender; they would oblige him to compromise the matter. If a man came against a villager they would say, if you press him he cannot pay his revenue, and you must ease him off, and recover your money as you can.

311. Mr. *Gregson.*] Is there any legal rate of interest in the Punjab?—There used to be a legal rate, but it has been abolished of late years; the law is altered, and it is now unlimited. In our courts we always act as a kind of assessors, and adjudicate between the two parties, taking all the circumstances into consideration. As a rule, up to 12 per cent. I think, would be given generally; if it was very heavy interest a question would arise. The way in which we modified and softened off the civil business in the Punjab became very popular, and when a decree was given, we would not allow a man to be sold up, but we said you shall pay by instalments. If a chief had got into debt, instead of having him brought before the court, put into gaol, and his property sold, we would say, "We will take these things into our own hands, you must pay instalments divided over three or four years; we shall ease your debt off in that way; it is a great gain to you;" and the creditor will gradually recover his money. Under the native system, if a chief owed money, being a man of power, the money-lender would never have pressed him at all; he would have looked at the pickings and benefits he got every now and then from the family to indemnify

demnify himself; but now if creditors come into our court we take instalments, and ease it off in that way.

312. *Chairman.*] Have you a great many appeals by your code, or do you allow one appeal only?—Latterly we modified the appeal system; we reduced the appeals.

313. Do you think that is an important subject?—Most men in India are very much against these appeals; they say it is one of the causes of a great deal that goes on wrong. I do not think so; I think if you were to poll the natives upon the question, they would tell you that they would sooner have an appeal than anything else you could mention; I think they like an appeal.

314. Are not the natives of India fond of litigation?—People say so, but I observe that Englishmen are just as fond of litigation. Whenever a man thinks that he has not got his rights, I observe in England that the matter goes to the last court. People have more sense or education at home, and, therefore, when the thing is clearly against them, if it does not involve very great interests, they give in probably more readily; but the feeling in India is that a man is not righted if he has lost his cause. I am quite sure that they have that kind of feeling.

315. Colonel *Sykes.*] I suppose they have much the same feeling that we have here; we endeavour to secure our object, and we resort to different courts in succession, until we are finally defeated?—Yes.

316. Sir *Erskine Perry.*] Is not it absolutely necessary, in countries like India, where you are obliged to trust the administration of justice to individuals, that there should be appeals?—I am a great advocate for appeals. I would give an appeal in every case. I would not care if it was for 2*s.*, because 2*s.* is often as much to one man as 100*l.* to another man; it is not what you or I think, but what the man himself thinks when he has lost his cause.

317. *Chairman.*] What number of appeals is allowed under your code?—I cannot give the exact law of appeal from memory, but the principle was this, that the native appealed to the district officer; as a rule, in ordinary cases, it would not go further; probably 20 or 30 per cent. of those appeals would go on to the commissioner of a large district. If, in an extreme case, they wish to go further, they would go to the financial commissioner, or the judicial commissioner, according as the case might be one of a financial or one of a judicial nature; there it would be final. In extreme cases there would be three appeals. The way I would alter it would be, up to a given amount I would give an appeal, and then up to another given amount I would give another appeal. In very extreme cases I would give a third; but I should like, independently of the power of appeal, to give power to the European officer of going into any court below him, with an appeal or without an appeal, to look through all the cases, or anything that had been done in that court. What I should propose would be, if I were a district officer, and had a native court under me, and its officer was in bad repute, that I should not wait for appeals from him (though there would be appeals), but should immediately, as his superior, either go or depute an officer to look into the matter, just as I would call a commission in England. It would be a simple thing; the superior officer would go, as a matter of course, and take out a number of cases, and sift them.

318. Colonel *Sykes.*] Might you not be liable to be misled because your information would be from some interested party or other?—I would not reverse those cases, because I looked at them in this way. When I heard a general statement that So-and-so was not working his court well or properly, I would not go on one case or two, or twenty. I should open my ears and eyes, look, listen, and inquire; and if I thought there was reason, I should go to that man's court and sift those cases. In the course of a week, you would find out the whole secret of the thing. Having the power of doing that, would operate as an immense check upon the native officer.

319. Mr. *W. Vansittart.*] I think in regard to the North-West Provinces, we have heard that cases from the principal Sudder Ameen to the civil judge up to 5,000 rupees are appealable?—I think they were.

320. It is only a case above 5,000 rupees that goes to the Sudder Dewanee Adawlut in Calcutta?—In the North-West it goes to the Sudder Dewanee at Agra.

321. I think as far as regards the moonsiffs, they can try cases up to 500 rupees, which are appealable to the principal Sudder Ameen, and in him the final decision lies; the Sudder Ameens try cases up to 500 rupees, and they are

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only appealable to the principal Sudder Ameen; the principal Sudder Ameen tries cases up to 5,000 rupees, appealable to the civil judge, who is a civilian, and above 5,000 rupees the case is appealable to the Sudder Dewanee Adawlut in Calcutta?—I believe it is.

322. That being the case, it strikes me that the simple code which you have for the Punjab gives the native quite as much chance of an appeal as he has in the regulation provinces?—I think it does.

323. *Chairman.*] Did you make any alterations in the criminal law in the Punjab corresponding with those which you made in the civil law?—Yes we abstracted the law, and added modifications of the laws ourselves. We always kept the spirit of our own regulations in view, and guided ourselves by them altogether; but the kind of code that we made the officers can perfect themselves in, and it is easy to understand what the law is.

324. Is your criminal code based upon the Mahomedan law?—There is hardly any Mahomedan law in it at all.

325. Is it not the case that the criminal regulations were based upon the Mahomedan law?—I think there is very little Mahomedan law as contradistinguished from our law. Many things in the Mahomedan law would be common to our law, but things which were opposed to our law in the Mahomedan law we would not put in force. If a man committed highway robbery or murder, or burglary and the like, both laws would punish him.

326. My question referred to the simplification of the procedure in the criminal law, corresponding with that in the civil law?—We have also a code of criminal procedure.

327. Is it as much an advantage over the criminal procedure in other parts as this civil procedure is?—We think it has advantages in it. I myself think that the criminal law procedure administered in the North-West Provinces was not at all bad, especially of late years, when there were several laws introduced, by which the police were prevented from interfering in petty cases; that had a very good effect, and we carried out all those kind of reforms; whenever we saw good points we maintained those points, and whenever we thought the system at all opposed to the people, or pressed hardly upon them, we eased it off.

328. Have you not improved the police very much in the Punjab?—I think they were improved, I do not know that they were greatly improved. I do not think the police were anything like so bad as some people think, either in the North-West or the Punjab; on the other hand, I do not think it was to be wondered at if they were not very efficient.

329. *Sir Erskine Perry.*] I believe you cannot say much for the Bengal police?—I do not know much about the Bengal police. I do not think you can have a policeman, give him only as much as you would give a coolie, and expect him to behave like an angel.

330. *Chairman.*] Have you not police superintendents in the Punjab?—I do not think our police system was understood; the fact is, as far as a police system goes, in the proper sense of the term "military police," we had none; we had what was called a military police in contradistinction to the troops under the Commander-in-Chief, that is, the troops of the line; we had local troops, which were under the chief civil authority, and those local troops took every duty which the military took, and being mainly under the civil power they turned out readily and instantly, without any reference to military considerations, as it were, to maintain the peace. If we thought there was likely to be an *émeute* of any kind we should walk off a company without saying a word to the point of danger; our local treasury, and our local escorts, and those kind of duties were carried on by these men; they did duty at the gaols, and so forth, and were very efficient and good soldiers; as regards drill they were not equal to the troops of the line; they were called police, but in the sense of police they were not police; for instance, they were not a detective police; there was a small body of mounted police; probably about 100 in each district, and those men assisted the detective police, that is to say, some of them would go out when the detective police went out, if required, otherwise they were more as a protective body.

331. Do not you think that it is of great importance to have a well organised and efficient police established in India?—Of course, I think a good police is a very good thing, but I think the evils of the police are evils arising from moral circumstances. I do not think by drilling men, or disciplining them, you can make better police; you may make them better machines; but what you want is to

to give them some moral restraint, and make them honest, respectable men; I think the best way to make the police good is to select them carefully; pay them fairly; and then to supervise them well. I do not know what some people are driving at when they talk about military police; I do not think that hits the thing at all myself. But I am a great advocate for having the system that I had in the Punjab, because I think it is cheaper than a purely military system; it is more localised, and less dangerous; when the police are under the control of the administrators of the country they are more readily available: what an administration desires is always to prevent a row; whereas in military matters, until the row gets up, it is of no importance to the military authorities.

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332. Do you think that European superintendents, well chosen and well paid, are desirable in the police in India?—I think if you can get men of honour, honesty, and integrity, their supervision would be most valuable, but I do not think putting sergeants and corporals from European regiments over the native police would make them better, as many people believe; I think they would, on the contrary, make them worse.

333. What sort of persons would you have to superintend the police?—I would have natives look after natives; I would have as good natives as I could get; I would pay them well, I would supervise them well, and punish them well if I caught them behaving ill. I would give them the rewards and punishments that operate on Europeans; but the greater difficulty with them is that they have very much less principle than Europeans; that is the real history of it; but an ordinary European taken from a regiment is not so much distinguished upon those points as it would be desirable that he should be; he has great defects of his own; he is very ignorant of the natives; there is no one in the world more ignorant of the natives of India than a common European soldier; he knows nothing of their language, or their ways, and he is in the habit of treating them with that kind of arrogance that Europeans often display in dealing with Asiatics.

334. Colonel Sykes.] Are you aware that the views which you have expressed were realised in the case of the Bombay European police?—I do not know that; that is my own view of the matter; I have seen sergeants taken from regiments in the executive works department, and I do not think that their superintendence was at all successful.

335. Mr. A. Mills.] Do you think there is an advantage in having the native police under European authority, in their not having the command, and, therefore, not being so well able to combine as they would otherwise be?—I think, supposing you require for external and internal purposes 100,000 native soldiers, that it would be a great advantage to have 60,000 native soldiers and 40,000 military police; because the latter being localised; being less drilled and less in the habit of acting together; having interests and sympathies different from the others in different parts of the country, they would be a less dangerous element in case of a row than native soldiers.

336. Do you think that such a police would be as efficient for the purposes of maintaining internal order, and would be under as strict discipline, as if they were employed as regular soldiers?—As a protective police they would, but not as a detective police. I do not propose that the military police should supersede the civil police, but should be superadded to it. Take as many police as you do not require for detective purposes, and make them military police. Say that the whole of your police in the province are 40,000 men: you would probably require 20,000 of those to be civil police for detective purposes, and to carry on the general administration of the country; and you would have the other 20,000 as military police; and I think those military police would be better than regular native soldiers for the civil requirements of the country to maintain general peace and order. On the other hand, I think the other 20,000 civil police would be more useful for detective purposes than the military police, and still less dangerous in the case of a general insurrection.

337. Colonel Sykes.] Have you a system of detective police in the Punjab?—Yes; although we pay them better in the Punjab, I do not think we pay the police sufficiently; in the Punjab we give them 20 per cent. more than they get in the North-West Provinces; instead of a man getting four rupees, he gets five. I think you ought to give a policeman six rupees when you give a soldier seven. Although the duty is more troublesome in one way, it is less in another; you do not tighten up the military police so much as you do the soldier.

338. What is the present pay of a policeman?—Four rupees in the North-West Provinces

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12 July 1859. Provinces and Bengal; we give five rupees in the Punjab, and I would give six; I would give the native officers proportionate pay; I would make it a good thing to them in that way, and then I would be very severe if they required punishment. When people talk of a policeman being a bad fellow, they must remember how ill he is paid.

339. Mr. *W. Vansittart*.] Do you agree with the evidence of Sir Charles Trevelyan before the Commissioners, when he suggests that for each district there should be a civil police, localised and commanded by an European?—I am not quite certain as to what he meant, because I would not separate duties myself; I am a great advocate for the union of power in the same officer, or the same set of officers. The great argument against it is, that in the multiplicity of business a man has not the time to do his duty properly; my answer to that is, that I would reduce the size of his jurisdiction; one of the things in India which operates for evil is the great extent of jurisdiction; many of the districts in Bengal are said to be 8,000 or 10,000 square miles. I do not say that they are exactly that, but supposing they were, I would sooner have magistrates with 800 or 1,000 square miles jurisdiction, with ten different kinds of duty to do, the aggregate of which was moderate, than I would have one officer for each of those ten different kinds of duty in an area of 8,000 miles.

340. Sir *Erskine Perry*.] You would make each man magistrate, collector, and judge?—Yes; so far from thinking that it would do him harm, in my opinion it would do him good; it would enlarge his judgment, widen his mind, and give him the habit of generalising; he would see all that was passing, and the different interests that were involved. Then, again, I think that his influence with the people would be very much greater.

341. Do you think that such a system is calculated to invite the settlement of European capitalists in India, or that it would be very agreeable to the Anglo-Saxon mind?—If I were a settler, according to my own ideas, I would sooner have it than the other. If I were a settler in a district of 8,000 square miles, I might be very likely 150 miles from the magistrate, judge, or collector, and I would much sooner that there was one within 20 miles of me. I would divide the district, and unite the duties. I am convinced that there are many ways in which it is advantageous. I am sure that the natives like it; and where they do not like the civil officer, or where the system is unpopular, it is because there are defects in the man himself. It is not in the union of the duties. If a man is a good officer, and does his duty well towards the people, they like to go to the collector as the magistrate. I will give you an instance of the advantage of the union of the offices. When I was magistrate near Delhi there was an order passed allowing the slaughter of cows for food; it had been prohibited for about 30 or 40 years. That order was relaxed by my superiors, and there was a tremendous ebullition of feeling on the part of the Hindoos in consequence of it. It was a large town, containing about 40,000 people. I went there, and there was very nearly being bloodshed. However, there was not; and from the people seeing that I was prepared to resist them, they turned it into what they are fond of, what they call "dhuma," or passive resistance. They shut all their shops, and struck work. Nobody would do a single thing. If I had been only the magistrate, I should have been paralysed; but I was the collector as well; and I sent to all the head men of the different villages, and all the proprietors. They all came in, and I said to them, "I am your collector as well as your magistrate. I have made your settlement. I fixed your land tax, and I have all fiscal relations with you. I have always looked to your interests and looked to your advantage, and you have always been well pleased with me. Now you can help me in this business." They said, "What can we do? we will do anything you ask." I said, "Have all your carts loaded with grain; I will establish a market, and I will feed the place until this combination is broken up." I fed them for six weeks with the help of the people in the country round. A great many of those people were Hindoos themselves, but they joined with me because I was their collector. If I had been only the magistrate they would not have done anything of the kind. The collector comes in contact with every class of people in the district in the relation in which they feel it is of importance to have his good opinion, whereas the magistrate only comes in contact with the blackguards.

342. Mr. *A. Mills*.] Do you think that your principle of combining financial, magisterial and judicial offices would be applicable to a thickly populated district

trict of India, as well as to a more scattered district?—Yes; if you have good officers who exert themselves, there is no reason why the system should not work well. Do not we see men in England who do 10 or 20 things and do them well, provided that no one of those 20 different duties takes up too much of their time. The system works well in the nature of things. In a poor country like India, if you have the division of labour carried to a very great extent you must keep very large jurisdictions; or you must pay men at a very low rate, and then you will not get the best kind or as good a kind of man as you want.

343. Mr. *W. Vansittart*.] Sir Charles Trevelyan thinks that for each district there should be a local police; do not you think if that system of civil police, localised and commanded by Europeans in each district, were carried out extensively, we might reduce our native Sepoy force?—Where I had a military police I would not have them commanded by civil officers. You must have a good deal of drill, discipline, and organization; I would have them commanded by one individual; but I would not have any detective police under separate officers, that is to say, officers who are independent of the magistrate; or if it were necessary to divide the work for any peculiar reason, I would let him give that work to one of his assistants, and it would still be carried on in unison with the chief civil officer, and there would be one system. In each district you have two or three assistants to each magistrate and collector; you could give the small court cases to one, you could give the police to another assistant, and so on; but they would be under the superior officer, and would be part and parcel of one system, and in case of difficulty he could interfere.

344. Sir Charles Trevelyan suggests that a portion of the police should be armed, and should perform the duties which are performed by the military, in moving treasure, for instance?—They would be the military police.

345. Do not you think, that if we carried out the system of military police very extensively, that we might reduce the native Sepoy force?—Yes, if we had as many military police as we wanted.

346. *Chairman*.] You have expressed an opinion that non-commissioned European officers would not be sufficiently acquainted with the habits of the inhabitants to act as policemen?—No, I think they know nothing about the habits of the people; I think they would aggravate the natives immensely.

347. Major General Tremenhare, when he was examined, suggested an extension of the admirable system established by Sir Henry Lawrence of creating asylums in different parts of the country, and one of the reasons that he gave for the extension of that system was that he would educate the sons of soldiers and other persons peculiarly with a view to their being employed as police superintendents in different parts of India, after they had acquired a great knowledge of the native character and the country of India; do you think that that system would be applicable?—If I must employ Englishmen as petty officers, the men so educated would be the best men to employ; they will be Englishmen with a great deal of knowledge of the natives; but I should be for employing native officers over natives in preference to European officers, first of all, because there is a great antagonism between the two races; there is no doubt of it. I think, if you brought a petty European officer into continual contact with natives, you would not have the best kind of natives serving in your police; I think you would get an inferior set of natives. I think there are many ways, when an Englishman does not mean at all to annoy or vex the natives, in which he does vex and annoy them.

348. I am assuming that those men would be educated in India, and peculiarly adapted for communication with the natives?—An Englishman educated in India would be much better for that kind of work than an Englishman not educated in India; nevertheless, there are inherent points of peculiarity in the English character which, coming in contact with the natives, I think would not operate advantageously. Then there is another reason I would give, that you cannot hold India without employing the natives of India. The best way of managing the natives is by employing them. This is much better than to give those occupations to Europeans. What is to become of the natives, who, from father to son, have been living in service, if we do not employ them?

349. The idea is that there must be something in which it is necessary that the natives should be led by Europeans, from their superior information and knowledge?—I think that a well educated moral Englishman has an immense influence over the natives of India; but I do not think that the majority of the

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350. Those men who had been educated according to General Tremeneere's idea would be superior for that particular purpose, having gained a knowledge of the natives; therefore my question is, how far you think those asylums would be advantageous?—I think the asylums are most beneficial. Boys brought up in those schools would be much superior to the class of men who enlist in the English army. You might have exceptional cases where Europeans would be useful; but as a rule I still think that natives would do better for the military police.

351. Sir *Erskine Perry*.] Is not the tendency of our modern system of Government in India to extend the sphere for employing the natives, and not to diminish it?—Yes; I would try and employ the natives as much as I could, looking after them, of course, as much as possible.

352. Colonel *Sykes*.] Are the children taken to those asylums educated by contact with the natives in any way whatever, and do they necessarily become acquainted with the native habits and feelings?—To a certain extent they do. They cannot live with natives all round them without getting some knowledge. Comparing them with Europeans from England, for instance, there is not one of them that cannot speak Hindoostanee, whereas not one soldier in a hundred can speak Hindoostanee.

353. Are the boys in the asylums taught Hindoostanee?—I do not know whether it is taught, but they can speak it. I have seen them talking to natives. They know the language; and I think that those boys would be immensely superior to European soldiers for the employment that has been referred to.

354. Mr. *A. Mills*.] Do you ascribe the large per-centage of the mortality of Europeans in India to the climate only, or to other causes irrespective of the climate?—I think it is owing to various causes: for instance, a great deal of the mortality in India no doubt arises from the climate, and from the habits of the European soldiery. The same habits in Europe would not produce the same amount of mortality, or anything like it; therefore, it is partly owing to the climate, and partly to their habits and ways of life in a climate which is not congenial to Europeans.

355. Do you think that the places that are chosen for barracks and the nature of barrack accommodation materially affect the health of the soldiers?—In my experience, the barracks are magnificent, and the sites, as a rule, good. The soldiers formerly had not good barracks, but ever since I have been in India, the barracks have been more or less good. Within the last ten or twelve years, the barracks have become far better than the houses that the officers live in.

356. Are you aware of the nature and extent of the barrack accommodation which is now being constructed in Lucknow?—Not personally; I have no doubt, however, but that it is very good. I have not been there since the mutiny; but I know that the barracks which we have in the Punjab are most magnificent barracks.

357. Can you corroborate a statement contained in a letter which I have received from the Chief Commissioner, in which he says that the barracks that are now being built are larger than are likely to be wanted?—I do not know that. The present tendency is all in the direction of improving the health of the soldiers. I think an immensity has been done for the soldiers' health. I do not think there is anything in Europe that you can compare with the accommodation afforded to the soldiers in India.

358. Do you think that the past and present effect of Christianity in India, so far as the efforts of the missionaries have been concerned, has been to promote civilization in India, so far as it has prevailed?—I think the effect has been beneficial.

359. An opinion has been expressed by certain persons, amongst others by Sir George Clerk and Lord Ellenborough, that the recent mutinies were due to the influences of educational progress, more particularly with respect to what has been done in the North-West Provinces; do you think that they can be fairly ascribed to that cause?—I do not.

360. Mr. *W. Vansittart*.] Is there any difference between the Punjab police and the Oude police, which has been organised by Mr. Montgomery?—I have read Mr. Montgomery's report; but I am not quite certain whether he has not extended the Punjab system, and enlarged it, and made the military police both protective and detective; if so, that is a change from our system.

361. On

361. On the average, how many Europeans are there in the Punjab military police?—In the Punjab we had 7,000 infantry and nearly 3,000 cavalry, or about 10,000 military police, and we had only four European officers to the 10,000. The natives had superior positions; we had to each battalion a native commandant.

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362. In point of fact, you have not one European officer to each battalion?—As a rule, we have one European officer to each commissionership.

363. You entrust, with the greatest possible confidence, to that military police the duty of escorting treasure from district to district, and employ them as guards to gaols, do not you?—Yes; we send 50,000 *l.* by them without any Englishmen at all; what more can you have men do?

364. In short, certain duties that used to be performed by the Sepoys, are now performed by the military police?—Yes, the great bulk of the duties; but in places where there are native regiments of the line, then we make them take some of the duties. I am not one of those who say that it is a good plan to give no duties to the native soldiers; I think if you give a man nothing to do, he is idle, and gets into mischief; so far from not working the native troops I would work them well; as a rule, the military police take the main part of their duties; but in a place where there is a native corps attached we make them take the Treasury at head quarters; they take that duty, but they do not take petty escorts, and all that kind of thing; when there are men with the battalion we send them on the duty, and they are very much overworked; as a rule, out of a battalion of 800 men, we never have more than 200 men in the lines; in spite of that, they were as efficient as possible, and ready to turn out at a minute's notice.

365. Do not you think that this military police is more trustworthy than the Sepoy soldier?—Yes; and they have less power, and less facility of combination; they are employed day and night, therefore they have less time for mischief; their interests are dissimilar; to a great extent they are kept separate; I do not mean by that to say that we think these men could not do wrong, and could not get into mischief. I think they could. If you mismanage the natives, or go beyond a given point, every native might rise against you.

366. In talking of the hill districts in the Punjab, to what localities do you particularly allude?—In the Punjab to Murree; that is the station just above Prawulpinelee.

367. What hill locality is there for our European troops stationed in the Peshawur Provinces?—The nearest is Murree, about 140 miles off.

368. Is not Nyne Tal a healthy locality, and admirably adapted for European troops stationed in Rohilcund?—Yes.

369. Between Nyne Tal and Almora you might station two European regiments?—You might station 10 or 20 regiments if you wanted to do so in those hills. I have never been up there, but I know that there are plenty of sites for European troops. The fact is, you must not put too many troops in the hills; if you do, you will lose the plains before you can bring them to bear. Half a regiment will hold and preserve that which three regiments will not recover when you once lose it. Supposing we had had half a regiment of Europeans at Delhi, we never should have lost the magazine and the treasure; and if we had had the wing of a regiment at Cawnpore, poor Wheeler never would have been destroyed. If you lose a spot of strategic importance, the whole of the country round becomes demoralised.

370. Is not Nyne Tal 60 or 70 miles from Bareilly?—Yes; but 60 or 70 miles makes all the difference in an émeute. If you had had two or three companies in the town of Bareilly with heavy guns in a proper position, I should like to have seen the man who would have said a word. If you have regiments out of sight they are out of mind. To a certain point the political influence of European troops prevails, and is very valuable; beyond that it does not prevail. In certain places it is necessary to have them on the spot for strategic reasons if you are to hold the place. You may not lose that place in fifty years, or you may lose it in a day. If you have common sense, you will put your troops in those places where their presence is of importance.

371. Do you know anything of the Dherra Doon?—I know its locale; I have never been in it.

372. Are there several tea plantations established in the Dherra Doon?—Yes.

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373. Is not the climate of the Dherra Doon a very mild nice climate?—It is a nice climate except in the rains. Towards the end of the rains I know it is unhealthy, and I know all those gentlemen who made plantations there like your brother, did not stay there in the autumn; they all went up to the higher land. I have heard your brother say so, and I have heard Mr. Smith say so.

374. Do you not think that the tea plantations answer there, and are as profitable as in other parts of India?—Yes; I was thinking of it, however, in reference to colonization; possibly when you cut away the jungle, the climate may be improved. I know that the Doon is at the foot of the hills, and all villages in such positions are more or less unhealthy.

375. Mr. *Gregson*.] You spoke of a famine in 1838, over what extent of country did it spread?—It spread over almost the whole of the North West Provinces; in some parts it was much worse than in others. In the province of Bundelcund, the province of Agra, and in parts of the Delhi province, it was very bad.

376. Do you know the number of the population that died in one country?—I should think thousands and thousands. I could not tell. I saw 500 skeletons round one town.

377. Was that the last famine?—In my day there have been two famines, in 1834–35 and 1838–39.

378. A recurrence of famine, you think, would be prevented by irrigation, and an ample supply of water?—I think as far as the canal extends, it would be prevented. A famine would be the best thing for the agriculturists that could happen, because they would have high prices comparatively; benefit of canals in preventing famine is incalculable. I think that cannot be over-estimated.

379. You spoke of Umritsir as a great mart; are there any European merchants resident there?—I think there may be one or two.

380. Is it a desirable place to live in?—It is a very nice place; it is hot in the hot weather, however.

381. Is it a good climate on the whole?—As good as any part of the Punjab in the plains.

382. What place do you think it is most desirable for commercial European residents to go to in the Punjab?—I think, take it all in all, Umritsir; I am talking of the champaign country.

383. Colonel *Sykes*.] The object of this Committee is to ascertain how far India would be available for colonization; that is to say, people are to go from this country, and settle there; to settle, of course, they must obtain lands. Now, in the Punjab, can a European buy lands?—There is nothing to prevent his buying land; he could get plenty of waste land at a mere nominal rent.

384. Is it readily granted to any European who might apply for it?—Yes.

385. Subject, of course, to land-tax?—He would get it on very advantageous terms, if he liked to take it. Waste lands, except where the canal would come, would not be good lands for a man to take; those upon the canal line would be the most advantageous; he would get them at a pepper-corn rent for a long term.

386. Can any European go to the Punjab and buy land, provided it was obtainable, from the holder of the land?—Nobody would prevent him buying it; I think he would not be a wise man to buy land already occupied.

387. Could he obtain the fee-simple?—No; that is to say, what Europeans mean by fee-simple; he could not in the present state of the law buy up the land-tax; he could buy the proprietary rights, whatever they were, of the man who sold; all those proprietary rights are defined.

388. Are there proprietary rights in the Punjab?—All the occupied land is owned; everybody has got his land; there are different tenures in the country.

389. Which he can sell or bequeath?—Everybody can do it; you see the land sold and changing hands.

390. It descends from father to son?—Yes; in all other parts of India with which I am acquainted the proprietary right in the land rests with the people, not with the Government, and is not questioned.

391. Are lands sold in default of payment of the land-tax?—Land has been sold, but we do everything we can to prevent selling; that is to say, we would sooner take the man's land and let the Government raise the land-tax, or make it over to a farmer, or make it over to the brotherhood of the village; in fact, we do anything we can rather than sell, because we find it so unpopular.

392. It

392. It is done in extreme cases, but with great reluctance?—Yes, we are every day trying to do it less and less. Sir John Lawrence,
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393. You are aware that the system obtained very extensively in the North Western Provinces?—It did to a considerable extent; I do not think a great deal of land was sold in the North Western Provinces; it was sold more freely than in the Punjab.

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394. Did not that sale of land occasion a great deal of discontent?—Yes; and all those new purchasers were ousted.

395. In consequence of that discontent, when the mutinies broke out, all the old owners of the land resumed their occupancy with the assistance of the people?—Yes, the people were one and the same; if it was not the same individual, it was the same brotherhood.

396. They resumed their land generally?—Yes; the people sympathised with them. The people run very much together in India in brotherhoods, in clans, or races; for instance, the Rajpoot, Rangur, and Brahmin races; and when the lands of any of a great coparcenery, as you might call it, or great clan, were sold, no matter how legally they were sold, the social feeling would be just as strong against the purchaser as it would be in Ireland when a farmer was expelled by his landlord.

397. Mr. Gregson.] It is a sort of freemasonry, in fact?—Certainly; nothing but the strong hand of our power will maintain the possession of these men; I have known cases where they have murdered the purchaser, and that is one of the reasons why I would say to Europeans that it would not be wise to buy lands that are occupied; if natives will cut each other's throats, *à fortiori* they would cut Europeans' throats.

398. Colonel Sykes.] In consequence of the extreme unpopularity of selling land for arrears of land-tax, could not something like the ward system be introduced to keep the land in the hands of the Government till the land-tax was paid?—You might put them under a kind of ward management, putting them under attachment, and managing them in that way; but the simple way would be to farm them for a given number of years, after which the management would revert to the proprietor.

399. In fact, the Government should act as the trustee for the time being?—That, I believe, is the way.

400. You do not think the hill regions are adapted for all classes of European diseases?—I do not think they are for pulmonary and visceral diseases; I think Dr. Martin has hit the point exactly.

401. Are you acquainted with the statistics that have been drawn up by the late Physician General of Bombay?—I think I have seen them.

402. Are there not discrepancies of opinion between those statistics and Dr. Martin's statements?—I think that a man writing a book on a subject like that, and generalising, unless he had a good deal of local information, would be misled by the results; for instance, take a regiment from Peshawur; we will say half the men, or two-thirds of the men have been knocked down by illness; though they are in the best hill-climate, the returns of mortality would be large for two or three years; and supposing also that a corps was in inferior order from defects in its internal economy, compared with another corps, you would have a high rate of mortality in that corps; when those results were published, the causes would not be discriminated, and hence the deductions would be erroneous.

403. You think the massing of Europeans in the hill climates would be politically wrong?—I think you would lose India if you did it. That is my idea; I would put as many men in the hills as could be spared. I would place, say 200 men of a regiment in the hills ordinarily; if you had two-thirds or three-fourths of the regiment in the plains, that would answer all political purposes, and you would save hundreds of lives. I am immensely in favour of the hills, with the above reservation.

404. Mr. J. B. Smith.] I understood you to say, that there had been a considerable extension of cultivation of land in the Punjab?—Yes, very large.

405. But that extended cultivation had not been attended with so much benefit as might be expected in consequence of the decline in the prices of produce?—Yes.

406. Supposing that there were facilities for the transport of that produce to a port of shipment, would not the extension of cultivation then be attended with great benefit to the people?—Of course; at present the fall of price is an incidental

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dental disadvantage to the agriculturist. To the country it is no disadvantage ; but if you could, by affording it an outlet, give the cultivators a fair price, then the extension of cultivation would be an unmitigated benefit.

407. Would not that increase of price be attended not only with benefit to the cultivator of the produce, but with great advantage to the Government ?—Of course it would be an immense advantage to the Government, because we have had to reduce the land-tax largely where it really was very moderate indeed, in consequence of the great fall in the price of produce, and that would have been saved if there had been an outlet for the produce.

408. If there had been no fall in price, you would probably have increased your land-tax ?—Not during the continuance of the lease, which is for a term of years. At the end of that lease of course there would be an increase.

409. Does it not appear to you, that one of the most important things for India is a means of cheap conveyance of produce to a port of shipment ?—Of course you cannot have too much of that.

410. What have the Government authorities in the Punjab done to facilitate the conveyance of produce ?—We have opened, as I before said, fair-weather roads, connecting all the country by a kind of net-work together, and we have opened the main artery towards Hindostan, which is a great political line, and is also a general trading line. We are getting a railway from Lahore to Mooltan ; and if that is made it will be an immense thing for the country, because with the improved communication on the Indus in Scinde, the great outlet by Kurechee will be opened.

411. But the distance from the Punjab to a port of shipment being so great, will railway conveyance be sufficiently cheap to enable you to take produce of that kind ?—I hope it will, but I am not certain that it will. In the meantime the water communication will help us.

412. What are you doing to increase the means of water communication ?—The Barree Doab canal that will flow down the valley of the Doab will give us water communication.

413. Does that canal join the Indus ?—It will join the Chenab ; it does not do so now.

414. Have you any idea of the expense of bringing produce from the Punjab to a port of shipment ; Kurrachee for instance ?—I dare say it would add, with the various incidental expenses, from 30 to 40 per cent. to the price at present.

415. That is, bringing it by water ?—Yes ; I should say, one way or another, it would be as much as that.

416. Have you any precise information upon that subject ?—I have not.

417. Have you paid any attention to the cultivation of cotton ?—I have seen cotton growing all my official life.

418. Have you ever been yourself engaged in any experimental cultivation of cotton ?—I have grown a little in my garden. I recollect when the American cotton-seed came I planted a little of it in my garden.

419. Have you grown cotton by means of irrigation ?—I have seen it grown both ways, to a great extent.

420. Do you think that the value of the cotton crop is much increased by means of irrigation ?—I think it would be in some localities.

421. But you have no precise information upon that point ?—I should say it would. A great deal of the cotton with which I have been acquainted has been grown on unirrigated lands, but they were moist lands, and therefore it was tantamount to irrigation ; they were merely moist lands from their locality ; but I should say that the production was increased by irrigation.

422. Is not every kind of produce very much increased by means of irrigation ?—I should say that the production of many other things was more increased than cotton would be ; for example, sugar-cane, wheat, barley, rice, and all such products. In fact many lands would not grow them without irrigation.

423. Are there not great facilities for irrigation in the Punjab ?—There are some natural facilities ; but by a large expenditure of money you can get abundance of irrigation ; the Barree Doab Canal will cost a million and a half of money before it is finished at the very least. I dare say in the end it will pay, but it will not pay at the rates which Colonel Cotton talked of : 20 or 30 or 40 per cent. If it pays 8 or 10 per cent. when in full operation, I think it will answer very well.

424. We have had it in evidence that irrigation works on the Indus have yielded

yielded a profit of 100 per cent. per annum ; is that within your knowledge ?—I believe that was in Scinde. I was talking to Mr. Frere about it, and he told me that it was the case with one of the irrigation works in Scinde ; but there they have this great advantage : it is near the port, and therefore, while they increase their produce very much, their prices do not fall. Probably, it would not be above 100 or 150 miles from the port of embarkation.

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425. There is no advantage in increasing the produce, unless you have a market for it ; therefore, irrigation merely is a disadvantage, unless you have a market for your produce ; is not that so ?—Irrigation saves a crop in times of drought. You would grow crops upon irrigated land also that would not grow upon unirrigated land. You would grow tobacco, sugar-cane, rice, and condiments.

426. Is not the land in the Punjab suitable for the growth of flax ?—Yes.

427. Is it suitable for the growth of cotton also ?—I should say it was less suited for cotton than many other things, for this reason : our winter is very cold, and I have observed that wherever cotton is grown, unless it is planted very early, the cotton comes late ; and when the frosts set in, it suffers much. That is what I used to find about Delhi. There is very fine cotton grown there. It was mostly grown in the unirrigated land, and the people used to say that if they did not get their cotton into the ground by the first week in June it did not succeed. If it did, probably they paid the whole of their revenue by the cotton alone. Such would be the case also in Jhansi and Bundelcund and all that part.

428. Do you think that works of irrigation should be made by the Government, or should be open to private enterprise ?—I would have them made by the Government, for this reason : I think they are different from railroads, where you can do everything by private enterprise without interfering with the social condition of the people ; I should be afraid if you had an irrigation company that they would interfere ; in fact, they must interfere, to look after their own interests, a good deal with the tenure of the land with the occupiers of the land ; you would have to do one of two things ; you would either have to make over the collection of the water-tax to the collector, and let him collect it with the land-tax, or you would have interminable disputes and quarrels ; on the other hand, you would have to make it over to the Government, which I would advocate, and let it be collected with the land-tax ; then there might be collisions between the Company and the Government as to the rights of the two parties. There is another reason I would also give, that we want revenue very much in India, and if we gave up the advantages to be derived from irrigation works, the country would lose the revenue. If you do not want the revenue, you could reduce your taxation in proportion to the gain derived from the canals ; therefore, in any case, as a statesman, I should be for keeping the irrigation in the hands of the Government, although I should not advocate that in the case of railways.

429. In fact it would be difficult for any irrigation company to collect their rents without the agency of the Government, would it not ?—Yes, or they must have an immense machinery all over the country, which would be infinitely more oppressive in their hands than in the hands of the Government.

430. Therefore, if the Government granted permission to private parties to make those works of irrigation, they would lose a very large amount of profit, and would also be giving their own agency, while the profit would be put into the pockets of private individuals ?—Yes ; if an individual can make 10, or 20, or 30 per cent. by canal irrigation, why should not the State do it ? First of all, I say you want money for carrying on the Government of the country. If you do not want money for administration, you want it for roads, bridges, and the thousands of things that India requires ; and supposing you do not want the money, you could reduce your taxation.

431. What modes would you suggest, then, of raising the money for the construction of irrigation works ?—My idea would be to borrow the money for that particular purpose. If I were going to make a canal in a particular place, which would cost five millions, I would go into the market and borrow those five millions under the most advantageous circumstances, giving the lenders a lien on the canal, which they would have in addition to the lien on the Government credit ; then I would make the canal in the most economical way I could.

432. Hitherto the Government of India have made their public works out of the public revenue, have they not ?—Entirely out of the public revenue.

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433. In your judgment is that a false principle?—I think it came to this: having no surplus to expend, the works were not made, which was an immense evil. If we could have set aside a few millions every year for these things during the last 50 years, all Upper India would have been a garden. If we had spent the money which we spent in the Afghan and Persian wars in works of internal improvement, the whole face of the country would have been changed.

434. Supposing the Government of India were to open loans for the purpose of constructing reproductive works, and to apply the receipts from those works to the discharge of such loans, might they not, by that means, effect public works to a very great extent in India?—I think they would, immensely. I think, at this moment, that the finances of India are in such a dreadful state, that you would hardly get money any how; but as soon as the finances are brought into decent order, I think you would get a great deal of money, and I think it would be very popular with the people, who would be induced to subscribe to loans in different localities; seeing that the money was being raised for that particular purpose, they would come forward and lend it.

435. Do not you think that the Government would have greater facility in borrowing money for the purposes of public works than they would for war purposes?—I am not quite certain that you can discriminate in that way. I think, whether you get the money or not to a great extent would depend upon the state of the market; but doubtless, if a man of influence on the spot wanted to get up any useful public work, he could do so, by his influence among the people; and by talking to them and explaining the advantages, facilitate the borrowing of the money to a great extent.

436. Do you think it would facilitate the borrowing of money if the public works, which were executed with that money, were given as a security for the loan, in addition to the security of the Government?—If they do not give more interest I do not think that it would, except that kind of influence was brought to bear that I was alluding to. I think, if I said to the people, or if a man like Mr. Thomason told the people, that he was going to make a certain work, that the price of the water would be so much, and the benefit would be so and so, and as the loan was paid off their taxation would be lightened, I think it would be a great inducement, and the people would come forward with the money, out of respect to the officer. The people in that case would go out of their way to lend the thing a hand.

437. Colonel Sykes.] I believe you raised money in the Punjab at a very difficult time?—Yes; we got upwards of half a million at a time we could not have borrowed twopence anywhere else; I got much of that only from my personal influence.

438. Mr. J. B. Smith.] You have stated that the salt tax, in your opinion, was not very burdensome in India?—I was talking of the North West and the Punjab also.

439. Is not one reason of the price of salt being high in some parts of the country, the expense of carriage?—Of course, the further it goes the more the price will be enhanced; and of course the better the roads are, the less it will be.

440. Therefore, of course, a communication either by canal or railway, would tend very much to benefit the people, by reducing the price of salt?—No doubt.

441. Mr. Kinnaird.] I think I have gathered from your evidence, that the first thing for a colonist to look at is good government, and getting at the feelings of the natives by the rulers is one of the things to be attained?—Yes.

442. Do you think that can be attained unless people are long resident among the natives, would it not take a considerable time to acquire a knowledge of the natives of India?—I think it takes a good deal of time, but it a good deal depends upon the man himself; one man will learn more in a year than another will learn in two years; a man who has tact, and powers of observation, will soon acquire that knowledge.

443. You are decidedly in favour, as I understand, of concentrating power in one individual, according to Asiatic notions?—Yes; you must get as good a man as you can manage to get; you must not have an incapable man.

444. Do you consider that you would increase the energy of an individual by increasing his responsibility?—I think he would like it better; he would devote himself to the thing more.

445. Do

445. Do you attribute the successful government of many of the districts that weathered the mutiny very much to having efficient men in the executive?—I think if you have an efficient man you cannot concentrate power too much, but if he is an inefficient man, concentrating the power will do no good.

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446. Have you any suggestions to make as to getting the best men?—I am one of those who think that the competition system has done good, and will do more good. What you want is simply to get a good quality of man, an enlightened, high-principled man, and when you send him out to keep him up to his work, to show him that he continues under a system of competition. If he did not do his work well, I would put him down, or turn him off, according to the circumstances of the case, with a view of showing him that he is well supervised and well looked after, and that his success in life mainly depended upon his doing his duty properly. I think in that way you would get as good men as human institutions would allow.

447. You think that since the change of Government, and the introduction of the competitive system, there has been a better prospect of getting a good class of men?—I think you get a better average by the competition system; I do not think that you get better than the best that you had, but you get far better than the worst; you get a better average quality.

448. Is not perjury one of the main hindrances to the administration of justice in India?—Yes.

449. Have the Hindoos and Mahometans any conscientious objection to make use of perjury?—I do not think, practically, that they have; theoretically they have. I think they draw a very strong distinction between perjury to injure a man and perjury to serve a man; they would perjure themselves much more readily to get a friend off than to convict a man, if he was not their enemy. If a man was their enemy, they would lie to convict him.

450. I think I understood you to say, in reference to the police, that it ought to be one of our chief objects to create an interest among the native officers and others in the Government?—Yes; I think, by every means that you could possibly introduce, improving their *moral*e is desirable.

451. Is it possible to do that without inculcating the English standard of morality as it is contained in the Bible?—I am afraid it would not; I think their religion is one of the great stumbling-blocks to their improvement.

452. An exhibition of sound Christian principle in our officers would be a great benefit to the mass of the people, would it not?—I think it would give them a higher example, and produce a better tone of morality.

453. In your experience in the Punjab, did the existence of caste tend to interfere with the administration of justice?—No; caste is much weaker in the Punjab than in the North-West or in Bengal; at the same time it is far from being extinct.

454. Sir *Erskine Perry*.] The Sikhs do not recognise caste, do they?—They do practically. They talk of a Brahmin Sikh, and a Rutch Sikh, and so forth. They are very strong against out-castes, even to their being in the same regiment.

455. Mr. *Kinnaird*.] Is it not very desirable to ignore caste officially?—Wherever it was useful to ignore caste you should ignore it, but I think there are many cases in which you ought not to ignore it. I think if we were to say that we would ignore it in certain military matters it would be a very reasonable thing. When a man was asked to do a reasonable thing, and he said that it interfered with his caste, that should not be listened to. If he made such an answer he should be turned out of the regiment; or if it was in the presence of the enemy, when example was necessary, he should be punished further. On the other hand, I would never ask a man to do an unreasonable thing which I thought was vexatious or personally offensive to him. I think that everything you wished you would get done, without asking him to do those things that are personally offensive to him. In this way I would not ignore caste. I would not say that I would take any man into a regiment as a recruit with reference to his height, breadth, and physical power, without any reference to his caste, because I think the result would be that you would get the regiment full of Brahmins or full of Rajpoots, which I think would be a great evil.

456. Colonel *Sykes*.] You would not try to wash the blackamoor white?—I would not try to make him more Hindoo than the Hindoo himself. I would not intensify the respect for a Brahmin. My tendency would be to depreciate a Brahmin in a politic way. I would not say, "You are a beast, because you

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are a Brahmin ;" but I would not allow a man to get off if he did not behave well because he was a Brahmin.

457. Mr. Kinnaird.] Has the practice of religious mendicancy been found to interfere with the prosperity of the natives?—Yes, it formed a body of idle good-for-nothing vagrants.

458. Were not they the means of disseminating much mischief at the time of the mutiny?—Yes. Religious mendicancy has, however, very much decreased. I do not think that you have one religious mendicant now in Upper India, where you had five, 20 years ago. Even in the Punjab it has very much decreased; we checked it by having a cordon of police on our different rivers during the mutiny.

459. In your government did you ever hear such a thing mooted as making Europeans amenable to the native magistrates; you would not approve of that, I presume?—No; whether it was right or wrong, abstractedly I would not do it, because I am quite certain that it would work badly.

460. Are there any of the native judges who are conversant with the English language?—Some of them know English extremely well; they are exceptional cases, but every year they will increase.

461. You said that you would advise Europeans to make advances to the natives for the growth of cotton and flax; would they not be liable to make many bad debts, and get involved in litigation?—I would do it carefully and judiciously after feeling my way. If a man were transplanted from Dundee to Lahore, and commenced making advances without a knowledge of the country, he would make bad debts. Lord Duncan told me that the advances of Scotch and Irish merchants in Russia were very large. He said they were as much as two or three millions. I think a tenth part of that would set all the flax you could wish for growing in the Punjab. I think you must be careful. I think a native is often an unprincipled man, talking of him as a man, but still he is docile, and not a troublesome man; you can manage him.

462. If Europeans cultivated sugar and cotton, would their crops be subject to pilfering or injury by the neighbouring natives?—No, not as a rule, unless the European made himself obnoxious, then I think they might. I think as a rule they would not; on the contrary, I think the natives would be rather more careful in trespassing on the property of a European than they would on the property of a native.

463. With reference to the tenures by which lands are held in the Punjab, are they of such character that a man can get a good title for his land?—The title is a perfect title of its kind.

464. Could you simplify it in any other way?—People talk of the different systems of land revenue; the fact is this, if you were to change the system that prevails in the country, you would vex and annoy the people and injure them very much. I think the system of tenures that exists in each province should be maintained, simply easing off the most objectionable parts of it.

465. Do the natives readily fall in with European arts and manufactures? Have you found them ready in learning?—I think they would learn very readily by seeing; I do not think they would learn otherwise.

466. Are they very docile?—They are, very.

467. Would not their religious prejudices interfere with the necessities of certain employments?—For instance, you could not expect a Hindoo of any caste to act as a currier, and so forth; many things he would not do: there is a good deal in their habits. The trade of a weaver comes down from father to son, and the trade of a tailor comes down from father to son; in that way they have peculiar social customs.

468. Are those social prejudices diminishing rather than not?—The tendency is to diminish.

469. In carrying out any large scheme of draining or construction of railways, such as you suggest, do the natives enter cordially into the work?—Yes.

470. Do they give every aid in their power?—Yes; I think as long as they are well managed, they will; but if you were to put the best thing in the world before them to do them good, and did not do it in a kindly way, you would have them all against you.

471. The thing to be attained is to get the feeling of the people with you?—Yes.

472. Sir Erskine Perry.] I gather from you, that on the whole, the plains of the Punjab do not afford any field for European colonization?—It depends upon what

what kind of colonization. If you mean for the higher classes of men of capital, I think it does; but if you mean with respect to men to go out to hold the plough, or work in the sun, I think it does not.

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473. I am not speaking merely of working men; I am talking of capitalists with 10,000*l.* or 20,000*l.* Do you think, in the present state of the Punjab, there is much opening for capitalists of that kind to locate themselves with advantage?—If they would only wait till they had made themselves acquainted with the circumstances of the country, then there would be an excellent opening for them.

474. Do you think there are openings for men going on small beginnings to feel their way?—If I had 20,000 *l.* I would not think of going to India. I would rather try and work it at home. I do not mean to say if a man liked the climate of India, and it suited him, that he could not employ 20,000 *l.* or 100,000 *l.*; but if he went there to get rich quickly, and to turn immense profits, before he became acquainted with the country, and the means of managing the natives, then I think he might suffer.

475. The hills of the Himalayas from their rough surface do not afford a field at all for colonization as we gather from you and others?—No, I think not as a whole. You would get plenty of land for the cultivation of tea, because that is a limited culture. A thousand acres would give you a magnificent return.

476. With reference to the system of concentrating offices in one hand, do not you think European settlers in the Lower Provinces would object very much to a man being magistrate and judge over them?—I think many of them would theoretically, because they have been brought up under a different system, but if they saw that it worked well, I do not think the reasonable men among them would very much complain. There is a great complaint of the distance of the courts now. How on earth are you in a country like India, which is after all extremely poor and thinly peopled, to divide the labour of administration and yet have men within reasonable distances? I do not think you can do it.

477. On the other hand, every service must be composed not of very eminent men, but of the average kind of men?—I would say that a good average man of good *physique* and intellectual qualities with good *morale* is what is required for India.

478. Where such average men are employed in other parts of the world, especially under enlightened Governments, has it not been found necessary to divide those different functions in order to prevent any arbitrary will operating largely?—I think it has arisen from the idea that a man in power always abuses that power; that notion has come down to us from our ancestors, but I do not see why that should be the case. It seems to me so far from my power as a magistrate making me harsher and more unkind as a collector, I should be the reverse. If I were going, for instance, to a village where there was an *émeute* or a great disturbance, and my feeling was to fine that village, or that locality, I think I should hesitate, if I were the collector, if I gathered from any circumstances that the people were poor or in difficulties, and in that way my tendency would be to soften the case down; whereas if I were only the magistrate I should only look at whether it was legal or not.

479. Do not the functions of a magistrate and a judge differ in those respects, that it is the duty of the magistrate to collect evidence of crime; if he does so, are not his feelings likely to be stimulated if he is bound to judge that case after having been engaged in the preliminary inquiry?—Any heinous case he does not decide; it is made over to the Commissioner in the Punjab, and to the sessions judge in the provinces; it is only misdemeanors and petty crimes in which he is the judge as well as the investigator; in point of fact in many cases there is no investigation of that kind at all; the cases rise up from people coming and complaining.

480. Do not you think that European settlers would feel the objection to which I have been alluding?—I think the feeling is very strong in the English character, but if they saw the working of the two systems, and saw that it worked well, they would not object; what people want is a good system, I presume.

481. With regard to encouraging English settlement in those parts of India suited for it, have you ever considered whether it would make the Government of India a more popular government with Englishmen if, as in Ceylon, a few independent settlers and natives were admitted into the Legislative Council?—

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I think it would; I think it would also be useful to the Government; the difficulty would be, that you would only appoint men of Calcutta, or men of Bombay, or men of Madras, in the Council, because they know English; Englishmen would in that case have an increased influence; but those are not the only men who ought to be put into the Council; the men who ought to be put in would be men of influence and character from the North-West.

482. Would it not be desirable, in carrying out that principle, therefore, to localize your council, and to have a council at Agra, a council at Bombay, a council at Calcutta, at Madras, and at all the large capitals?—I would not have too many councils; on the other hand, I think, if you made laws at Bombay for Bombay, at Madras for Madras, and at Calcutta for Calcutta, it would, perhaps, be beneficial, but I think you might have too many councils.

483. Is not the value of making laws in India principally with respect to procedure?—Yes.

484. You do not alter the substantive law of the country, but you let that go on as it was?—Yes; with respect to the council I would not have too many members, in order not to make it expensive, and in order not to create idle men under the name of councillors; I would give the position of a councillor in addition to other duties.

485. You think it should be done without any expense; could not you make a planter an honorary councillor?—Yes; I would have a limited number.

486. Is some scheme of that sort in contemplation?—I think it is. I think it would work well, but at the same time in the North-West the best kind of natives you could get would be those who did not know English. I would not object to a man because he did not know English, if he were a man of position in the place from whence he came.

487. Would you appoint what is called in Calcutta a baboo or rich merchant?—I think he would be a bad councillor with reference to the natives of Bengal, and a clerk coming from the Punjab would be a very bad man to give an exposition of the feelings of the Punjab chiefs, clans, and races.

488. Would it not be absolutely necessary that any natives whom you admitted into the Council should be acquainted with English, otherwise there could be no communication between the other councillors and themselves?—There would be that difficulty, no doubt; but I would rather take a man if he did not know English, who was a man of position, than an inferior man who did. He would not have a great deal to do in the Council, and he could write down his opinions and have them translated.

489. Still you would deprive the Governor General, and men like Lord Macaulay and Mr. Peacock, whom you send out to India, from having any facility of intercourse with them?—I would do my best. If it was a case of slight difference of character and ability between the men, I would prefer the man who knew English. If I had been written to by the Government to send a man from the Punjab, not only the first, the second, or the third, I should have hit upon would have been one who did not know the English language; and I think in the North-West you would find that to be the case also.

490. Do you attribute much value to a knowledge of English as an instrument of government?—I do; I would encourage English very much. You cannot hope for a long time that the mass of the people will learn English, however.

491. Do not you think that it would be a great strengthening to the Government, and a facilitation to our proceedings, if English were made the stepping-stone to the promotion of a man and the language of the Government?—I would not at first make it the absolute language of the Government. When I wrote to the chiefs, instead of writing in Persian or Hindoostanee, wherever I found it was acceptable to them, I would write to them in English, and in other proceedings of a judicial nature I would write in English. I would not have the hundred little details, as it were, of the administration conducted in English, because I think it would impede business very much.

492. Is it not the case that the success of our schools in India generally, such as have been successful, especially the missionary schools, has arisen from their making English a part of their teaching?—As far as it goes, I do not say a word against English; but after all what are those schools compared to what you want?

493. Is it not the case that those schools have been in many respects unpopular, because we have sought to teach the people things superior to their own learning, and have put aside their own literature. In point of fact, are not the schools *per*

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se distasteful to the natives?—I do not think they are. I think the kind of people to whom the schools have been distasteful were of that class of life where the labour of the children was of importance to them, and they did not wish their children to go to school, because it would deprive them of the advantage of their labour. I think that wherever they have the means they like their children to go to school.

494. Great pains have been taken by the Government, very often unsuccessfully, to open schools on reasonable terms, but hardly any children went at all; has not the difficulty been to get scholars to come to the schools?—A good deal would depend upon the man put at the head of the school. If a proper man were put at the head of a school, scholars would soon be found. Take the case of the dispensaries which the Government has opened in all parts of the country. You will see one dispensary where perhaps not five men in a month go, and another dispensary will have 500 a day. It is the difference in the man who is working it.

495. Probably you would agree with me in the opinion that it is teaching English that has attracted scholars very much to the Government schools, the desire to learn English being very increasing throughout the country?—I think they have a great desire not only to learn English, but to gain English knowledge. They see the value of it.

496. Is it not the case that a knowledge of English, under the English Government, leads very often to advancement in life?—I have nothing to say against English as English. What I meant to say was, that I would not give an undue advantage in selecting men for the Council where the great object would be to get at the real native opinion. If you do not get it, you get nothing; that is the essence of the thing. Here are a dozen gentlemen sitting here. Supposing you were a dozen natives, and I wanted to get a particular thing out of you, my great object would be to get at your hearts, and see what your feelings were; I would not care about the particular language I had to speak to you in.

497. *Chairman.*] Do not you think it is important to allow natives to be members of the Legislative Council?—I would allow them to be members of the Legislative Council to a limited extent, but I would not allow them to swamp the rulers of the country. You must never forget that we are a strange race in India, and if by any arrangement, however well it may look on paper, or in England, you swamp your own countrymen, and do not let them have the predominant power, you get into a false position.

498. Do you not think it is possible to introduce the non-official element to a greater extent in the Legislative Council?—To a limited extent; I would not go to such an extent as to swamp the official element. In England we are all of one race, one feeling, and one idea, and you may almost say, one religion; but in India it is very different.

499. *Sir Erskine Perry.*] I suppose, subject to the principle of our retaining the sway in our own hands, you would freely admit natives to all offices throughout the country?—I would not admit them to high offices. It was advocated, a few years ago, to put natives into the Sudder Court. I recollect many men advocated it; but I thought they were wrong, and I think the re-action has gone to the extreme the other way, viz., to give them no appointments at all. You do not do good to a native by putting him into a high position. You put wind into his head. I would rather raise him as I found, from experience, that I could trust him.

500. If a native were a man of moral character and high qualifications, and would make really a good judge, what reason is there why he should not be placed in the Sudder?—If you ensure all those qualities, there would be no objection; but I do not think you could ensure those qualities. I would not assume that he had them.

501. If those assumptions are justly founded, then you would see no objection to putting a native in the Sudder?—No; but as long as he has the religion which he professes, I do not think you could trust him in that high position. The temptation which to you or to me would be nothing, to a native would be enormous.

502. I am assuming a man to have been tested by his previous life, and shown to be of irreproachable moral character?—I think many men in common parlance

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are said to be that who are nothing of the kind. You must be perfectly certain that such is the character.

503. Where that is the case, you would not see fit to exclude such a man?—I know many native judges, and to a certain extent I would trust them; they well know that they are being looked after. But if I allowed a native to lay down the law in cases in which thousands and thousands of pounds were concerned, I say the temptation to him would be very great.

504. Mr. *Danby Seymour*.] Would you attribute that to the difference of religion?—Mainly to the difference of religion. There is not the same restraint operating upon the man. Where an Englishman has not religion, he has a very high sense of honour to restrain him.

505. Then you would say that you never could have a pure administration of justice where you had not the English religion?—I should say not thoroughly and entirely pure; but I would put it more upon this: you could not get a thoroughly and completely trustworthy man. You might pick out here and there a man who from age, experience, breadth of views, and so forth, was a good native. I have seen natives that I would trust largely under certain circumstances, but, as a rule, I do not advocate that system.

506. Is not truth as much taught by the Mahomedan religion as by the Christian religion?—I should say not; I should say the very reverse; I should say that it is not a thing that they ever thought of teaching at all.

507. Is lying permitted by the Mahomedan religion theoretically?—I can point out individual passages in which some of their greatest men have told lies. A Mahomedan can justify murder; and I know that the Mahomedan who laid wait to kill Mr. Fraser, the Commissioner of Delhi, being a little early for the business, employed his time in praying in the mosque, and then he went out and shot Mr. Fraser.

508. Sir *Erskine Perry*.] I think you have expressed a high opinion, so far as it has come within your experience, of the competitive system; have any of the persons selected by competition come under your knowledge?—Six or seven.

509. And they impressed you favourably?—Yes; I was very glad to get them.

510. Colonel *Sykes*.] Is not the Hindoo code of ethics of a very high order?—It is theoretically; it is not, however, high compared with Christianity; you cannot for one moment compare one with the other.

511. Mr. *Danby Seymour*.] I want to ask your opinion as to the introduction of the Bible into the schools of India?—I would introduce the Bible into the schools; I can see no fear whatever.

512. Do you think it would be fair?—I think it would be fair; it would be very unfair for you to use any force, or do anything which would make them, contrary to their will, read the Bible. Although there are individuals who are highly fanatic, I think the mass of the natives, with regard to the ethical part of religion, are very indifferent; I think the great mass of the people would not object to the Bible, because I see them go with the greatest readiness to the missionary schools.

513. Would the introduction of the Bible into the schools of India be following the Christian principle of doing as you would be done by?—I think in a high sense it would; if my son had not any religion, and I was not in a position to give him religion, I should be very much obliged to a neighbour who would induce him to go to a school and see whether that religion was good or bad.

514. Supposing that this country were conquered by a Mahomedan power, would you object to the Koran being introduced into the schools here?—Yes.

515. Do not you think that there are many Musselmen who believe as firmly in their religion as you do in yours?—I dare say they do, but I think a great many more do not; my answer is this: if they think so they need not go and read the Bible. People talk about the natives reading the Bible. The other day, at Peshawur, I saw the sons of three native officers, two of them were the sons of captains, and another the son of a lieutenant; I asked them "What they were doing?" They said they were come to school, and were learning to read the Bible. I said "You are Mahomedans; does not your father object to your reading the Bible?" They replied in the negative. These men preferred sending their sons to a school to read the Bible, rather than that they should not

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go to school. Doubtless, as a rule, men would rather that their sons did not read the Bible; but the feeling is not a strong one. Sir John Lawrence,
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516. Would you make it the price of having a good education that they should read your sacred books?—No; I would not make it the price; I would leave it perfectly optional. 12 July 1859.

517. Would it not in fact be the price of the education?—No; a hundred may go to school; 10 would read the Bible and 90 would not; I would not make it the price, because, I think, it would be unjust.

518. Where a large number of officers in authority were well known to be extremely anxious to spread their own religion, do you think you could have fairness between those who refused to read the Bible and those who did not practically?—I think that, practically, the majority are not very zealous to spread religion.

519. If the Bible were regularly read in the schools, do you think the boys, of their own accord, would take it up from the movement of their own hearts?—I think some, as a mere matter of curiosity, would read the Bible; then, I think, in the course of time, others would read the Bible.

520. Is there any considerable number of the natives who read the Bible now?—I should say that, excepting in the missionary schools, they do not read it generally. I think, here and there, natives outside read it.

521. Mr. *W. Vansittart*.] In regard to the Legislative Council; I think the Punjab is not represented in the Legislative Council?—We do not want to be represented.

522. Is the North-West represented?—Yes, by Mr. Harrington; and before Mr. Harrington, another gentleman went down. He was a commissioner in England and a Bengal civilian.

523. Do not you think that the Legislative Council ought either to be abolished, or considerably enlarged?—I would enlarge it. I think you ought to have a Legislative Council. I do not think you can make laws for India with advantage in England.

524. Sir *Erskine Perry*.] Ought not the Legislative Council for Bengal to be confined to that Presidency, having another Council for the other Presidencies?—Yes. I wish to make one remark to the Committee. I was looking over the different evidence that has been given to see what questions I might be asked, and amongst others I saw the evidence of Mr. Forbes, in which he mentions the case of a civilian who was continually drunk. I do not gainsay in any way the particular case which he brought under your notice, but it strikes me that he said so much that he ought to have said more; he ought to have said who the man was; I think it is a great slur upon the service to say that such a thing happened if it did not happen. I think the service ought to have an opportunity of defending themselves, because if the man did what Mr. Forbes says he did, he ought to have been turned out of the service; on the other hand, if it is not correct, it ought to be put before the world.

525. Mr. *Kinnaird*.] From your experience of 27 years in the service, was that an incorrect statement or a wrong impression?—I think so from what I have known of the service; I never knew a man who did that kind of thing.

A P P E N D I X.

Appendix, No. 1.

Appendix, No. 1.

LETTER from *R. D. Mangles, Esq.*, to *W. Ewart, Esq., M.P.*

Sir,

India House, 8 July 1859.

I beg permission to correct a mistake which I find that I made in my examination last Session before the Committee on Indian Affairs, over which you preside; and I think that I cannot set the Committee right, as far as they may have been misled by me, better than by enclosing a letter which I have recently received on the subject from Major Wingate, the highest authority in respect to the matter in question.

I trust that the Committee will accept my respectful apology for my error, and will permit the correction of it to be placed on record in their proceedings.

I have, &c.
(signed) *Ross D. Mangles.*

My dear Sir,

Crofton House, near Fareham, Hants, 5 July 1859.

I now beg to remind you of your kind promise to correct an important mistake relative to the circumstances under which the ryot is privileged to reduce his liabilities on account of the land assessment under the Revenue Survey or Field Settlements of the Bombay Presidency, which I lately pointed out to you as having occurred in your evidence given before the Colonization and Settlement (India) Committee of the House of Commons. It is of the more importance to make this correction, because the misapprehension was evidently equally shared by the Members of the Committee. It will be found in the following questions, with your replies, printed at p. 117 of the Colonization Committee's Report, ordered to be printed 7th April 1859:—

“ 1676. On the 30 years' settlement system the occupier of land only pays on the quantity of land that he cultivates during the year?—Yes.

“ 1677. The system, then, in effect, is an annual settlement, inasmuch as it is necessary to ascertain, by a survey, the quantity of land cultivated?—The ryot has the privilege or the right of laying up his land any year and letting it lie fallow; when it does lie fallow he does not pay.

“ 1678. Is it not necessary to have an annual settlement?—Not a settlement, but an ascertainment of what land he cultivates, and what he does not cultivate.

“ 1679. Is not that an annual settlement?—No; the rates are not altered, nor is it an annual settlement; if the ryot pays a rupee an acre for his land, and he has 30 acres of land, he pays 30 rupees; if he does not cultivate five acres out of the 30, he only pays 25 rupees.”

These questions and answers imply that the ryot, under the Bombay Field Settlement, obtains a remission of assessment for any land comprised in his occupancy which may be fallow or uncultivated. This is a mistake. The ryot invariably pays the full survey assessment on the whole of his land, and obtains no remission of assessment whatever in consideration of any portion of it being fallow or uncultivated. The privilege of reducing his assessment which the ryot, under the Field Settlement enjoys, is not that of escaping payment of assessment for any portion of his land which is not under crop, but the right of relinquishing, by written instrument, any survey field, or portion of one, which may be recorded in his name in the village books. By this deed of relinquishment, which may be executed at the close of any one of the 30 years for which the survey assessment is fixed, the ryot transfers to some party therein named (by gift or sale), or to Government, all his rights over the land specified, and by so doing is at once freed from all future liability for its assessment. But while the land continues to be recorded in his name in the village books, the ryot remains responsible for the survey assessment of the same, whether it be fallow or under crop.

The mistake under consideration seems to have arisen from your having overlooked the distinction between land in occupation and land in cultivation. The ryot is liable for the assessment of all the land in his occupation, whether waste or cultivated, but he is privileged to

to transfer, by sale or gift, or to resign to Government, his occupation of any field comprised within his farm or estate, and thus frees himself of liability for the assessment of the land so given up.

The great importance of this privilege and the general superiority of the Bombay Survey tenure over that of a long lease binding the ryot to pay for a term of years an invariable assessment for the whole of his lands in the lump, are described in the opening paragraphs of my letter, No. 239 of 1848, at p. 64, of the "Official Correspondence on the System of Revenue Survey and Assessment in the Bombay Presidency," printed by the Government of Bombay for circulation among the revenue officers of that Presidency, from which I take the following extract in proof of the correctness of the views of the Survey Tenure which I have taken above :

" 5. You will observe, by referring to Rule 5 of the joint Report, that the only way in which the title of a cultivator to any field can be vitiated, is through his failing to discharge the assessment laid upon it. And he will be called upon to pay this assessment upon every field entered in his name in the village books, without reference at all to the circumstance of its being waste or cultivated. So long as he pays the assessment, no field can, under any circumstances, be struck or left out of his holding, except upon his own written application to that effect under the provisions of Rule 20 ; and it will be thus evident that no rival or other party could by possibility step in and supplant him in the way supposed by Government. It seems to me difficult to imagine a more secure title to occupancy than this. It is absolutely free from all conditions, except the simple one of discharging the Government land-tax, and this condition, it is evident, could not be dispensed with under any plan of management whatever.

" 6. The occupant is moreover wholly relieved from the interference or surveillance of the Government officers. Their power is limited to the collection of the assessment due from him for the land entered in his name. They cannot demand more nor less, nor even the assessment itself, except at the stated periods fixed for the collections. So long as he is ready with the money due at such times, they have absolutely no power at all of meddling in his affairs. They have no right to interrogate him as to whether his fields are waste or cultivated ; his crops good or bad. The payment of his assessment affords a valid and sufficient answer to all objectors. A more completely independent position for a farmer to occupy than this it is hard to imagine. His own industry provides the means of paying his assessment, and he is absolutely free to exert this industry as may seem to him best, without having occasion to defer to the wishes or ideas of any one. I believe that in no country of the world are the cultivators so thoroughly independent as they will be in our surveyed districts, when the rules of the joint Report shall be fully enforced. In the Dharwar Collectorate, where they are already in operation for the most part, their effect is readily observable in the bold bearing the cultivators quickly assume towards their village officers, and other influential parties, subsequent to the introduction of the new settlement."

I have quoted these paragraphs in full, in the hope that you may be disposed to embody them in your communication to the Committee, and that they may induce you to consult the letter itself from which they are taken, as I feel very desirous that you should fully comprehend the Bombay system of field settlement, and am sanguine that it would rise in general estimation, if it were better known.

R. D. Mangles, Esq.

Believe me, &c.

(signed) G. Wingate.

Appendix, No. 2.

CIVIL JUSTICE.—AVERAGE DURATION OF SUITS.

RETURN of the Average Duration of CIVIL SUITS in the several COURTS of *India*,
from 1852 to 1857, both inclusive.

	1852.	1853.	1854.	1855.	1856.	1857.
	Y. m. d.	Y. m. d.	Y. m. d.	Y. m. d.	Y. m. d.	Y. m. d.
BENGAL:						
Sudder Dewanny Adawlut -	1 7 0	1 4 21	1 8 0	1 3 4	1 5 10	No Returns for 1857.
Civil Judges - - -	1 1 7	1 2 8	0 9 26	0 11 3	0 7 30	
Additional Judges - - -	1 1 22	0 7 18	0 10 22	0 9 14	0 11 16	
Assistant Judges - - -	—	—	—	—	—	
Principal Sudder Ameens -	1 2 6	1 3 7	1 2 19	1 0 14	0 10 8	
Sudder Ameens - - -	1 1 1	1 0 1	0 11 20	0 9 6	0 9 12	
Moonsiffs - - -	0 11 3	1 0 11	0 8 26	0 6 26	0 5 15	
NORTH WESTERN PROVINCES:						
Sudder Dewanny Adawlut -	0 1 12	0 4 3	0 4 14½	0 4 15½	No Returns since 1855.	
Judges - - -	0 6 8½	0 6 23½	0 6 27½	0 5 21½		
Principal Sudder Ameens -	0 5 27½	0 5 19½	0 4 28½	0 4 19½		
Sudder Ameens - - -	0 4 11½	0 5 12	0 5 3½	0 3 25½		
Moonsiffs - - -	0 3 7	0 2 19½	0 2 23	0 2 21½		
MADRAS:						
Sudder Adawlut - - -	- - -	0 6 13	0 4 23	0 3 15	0 2 19	0 3 5
Civil Judges - - -	1 10 4	1 10 19	1 8 12	1 11 15	1 6 1	1 3 27
Subordinate Judges - - -	1 3 25	1 6 21	1 11 23	2 1 3	1 7 2	1 5 22
Assistant Judges - - -	- - -	2 2 29	2 1 17	2 2 3	2 7 1	2 6 10
Principal Sudder Ameens -	1 4 16	1 5 25	1 7 7	2 0 27	1 4 11	1 1 20
Sudder Ameens - - -	0 0 21	0 8 7	0 6 27	0 7 24	0 7 24	0 5 14
Moonsiffs - - -	0 7 21	0 7 17	0 8 13	0 7 18	0 7 12	0 7 17
BOMBAY:						
Sudder Dewanny Adawlut -	1 7 7	1 8 28	1 5 17	2 6 3	2 9 28	2 1 20
Civil Judges - - -	0 7 29	0 9 17	1 5 16	1 1 10	0 8 10	1 2 20
Subordinate and Additional Judges -	- - -	- - -	- - -	3 8 1	3 9 13	—
Assistant Judges - - -	0 9 18	0 10 11	1 1 25	1 6 13	1 6 4	1 6 0
Principal Sudder Ameens -	0 2 20	0 3 17	0 3 23	0 3 15	0 4 11	0 4 6
Sudder Ameens - - -	0 3 4	0 2 25	0 4 9	0 4 12	0 3 12	0 3 16
Moonsiffs - - -	0 3 10	0 5 29	0 6 4	0 7 5	0 8 13	0 3 9

India Office, }
13 July 1859. }

J. Hawkins,
Secretary, Judicial and Legislative Departments.

I N D E X.

[N. B.—In this Index the Figures following the Names of the Witnesses refer to the Questions in the Evidence; those following *App. p.* to the Paging of the Appendix; and the Numerals following *Rep. p.* to the Paging of the Report.]

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