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# THE SEPOY REVOLT:

ITS CAUSES AND ITS CONSEQUENCES.

BY HENRY MEAD.

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## P R E F A C E.

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IN the following pages I have condensed, to the best of my ability, the results of ten years' labour in the busy fields of Indian journalism. My opportunities of acquiring a knowledge of political and social affairs have been great; it is for the public to decide if I have made good use of them.

Were my book to be written over again, I should like to deepen the colours in which some pictures of Indian life have been painted; but the experience which enables a man to write on the subject of Eastern government, tends to blunt his sympathies, and in some degree to injure his moral sense. Torture and lawlessness, and the perpetual suffering of millions, are so familiar to me, that I am conscious of not feeling as I ought to do when wrong is done to individuals and nations. The man who lives in the vicinity of the undertaker and boiler maker, is not likely to join in the agitation against barrel organs and street cries.

There is a malady common to savages in certain parts of the world, which is termed "earth-hunger." It provokes an incessant craving for clay, a species of food which fails to satisfy the appetite, and which impairs the power of digestion. The East India Company have laboured under its influence

for a century past; and as yet the disease shows no signs of abatement. The last mail informed us that 25,000 acres, in the districts recently assigned by the Nizam, had this season been thrown out of cultivation; and current advices express the satisfaction of the Indian Government at the prospect of new confiscations. In Madras, Bombay, and the Punjab, for every acre that is cultivated, at least three remain untilled; and still we continue to make nobles landless, and to increase the sum total of Asiatic misery.

If Heaven had not a great work for us to do in the East, the cruelty, the oppression, and the measureless folly of our rule would before this have produced its natural fruits, and we should have been cast out from India, a scorn and example to the nations. We have been heavily punished, and there is yet a fearful blow to be endured; but after a while we shall comprehend the nature of our responsibilities, and try to fulfil them. England's difficulty is England's opportunity. If we are wise henceforth in dealing with India, the well of Cawnpore will so fertilise the land, that every corner of it will yield a crop of blessings.

H. M.

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# APPENDIX.

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## THE GAGGING ACT.

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*From the CALCUTTA GAZETTE.*

Legislative Council, 13th June, 1857.

THE following Act, passed by the Legislative Council of India, received the assent of the Right Honourable the Governor-General this day, and is hereby promulgated for general information.

### ACT No. XV. OF 1857.

“An Act to regulate the establishment of Printing Presses, and to restrain in certain cases the circulation of printed books and papers.”

Whereas it is expedient to prohibit the keeping or using of printing-presses, types, or other materials for printing, in any part of the territories in the possession and under the government of the East India Company, except with the previous sanction and license of Government, and under suitable provisions to guard against abuse; and whereas it may be deemed proper to prohibit the circulation, within the said territories, of newspapers, books, or other printed papers of a particular description: It is enacted as follows:—

*Preamble.*

I. No person shall keep any printing-press or types, or other materials or articles for printing, without having obtained the previous sanction and license for that purpose of the Governor-General of India in Council, or of the Executive Government of the Presidency in which such printing-press, types, or other materials or articles for printing are intended to be kept or used, or of such other person or persons as the Governor-General of India in Council may authorise to grant such sanction or license; and any person who shall keep or use any printing-press, or types, or other materials or articles for printing, without having obtained such licenses, shall be liable, on conviction before a magistrate, to a fine not exceeding five thousand rupees\*, or to imprisonment not exceeding two years, or to both.

No printing-press to be kept or used without the license of Government.

\* ₹500.

Power to search for and seize unlicensed printing-presses, &c.

II. If any person shall keep or use any printing-press, or types, or other materials or articles for printing, without such sanction or licenses aforesaid, any magistrate, within whose jurisdiction the same may be found, may seize the same, or cause them to be seized, together with any books or printed papers found on the premises; and shall dispose of the same as the Governor-General of India in Council, or the Executive Government in Council shall authorise in that behalf, may direct; and it shall be lawful for any magistrate to issue a search warrant for the entry and search of any house, building, or other place, in which he may have reason to believe that any such unlicensed printing-press, types, or other materials or articles for printing are kept or used.

Application for license to keep printing-press.

III. Whenever any person or persons shall be desirous of keeping or using any printing-press, or types, or other materials or articles for printing, he or they shall apply by writing to the magistrate within whose jurisdiction he proposes to keep or use such press or other such materials or articles as aforesaid, or to such other persons as the Governor-General in Council, or the Executive Government of the Presidency, or such other person as the Governor-General in Council shall authorise in that behalf, may appoint for that purpose. The application shall specify the name, profession, and place of abode of the proprietor or proprietors of such printing-press, types, or other materials or articles for printing, and of the person or persons who is or are intended to use the same, and the place where such printing-press, types, or other materials or articles for printing are intended to be used; and such application shall be verified by the oath, affirmation, or solemn declaration of the proprietors and persons intending to keep or use such printing-press, types, or other materials or articles for printing, or such of them as the magistrate or other person to whom the application shall be made shall direct: and any person wilfully making a false oath, affirmation, or declaration, shall be deemed guilty of perjury.

Government may grant license subject to conditions, and may revoke the same.

IV. The magistrate shall forward a copy of such application to the Governor-General in Council, or to the Executive Government of the Presidency, or to such other person as may be authorised to grant the license; and the said Governor-General in Council, or such Executive Government, or other person as aforesaid, may at his or their discretion grant such license subject to such conditions (if any) as he or they may think fit, and may also at any time revoke the same.

Penalty for using press contrary to conditions, or after revocation of license.

V. If any person or persons shall keep or use, or cause or allow to be kept or used, any such printing-press, types, or other materials or articles for printing, contrary to the conditions upon which the license may have been granted, or after notice of the revocation of such license shall have been given to, or left for, him or them at the place at which the printing-press shall have been established, he or they shall be subject to the same penalties as if no such license had been granted; and such printing-press, types, and other materials or articles for printing may

be seized and disposed of in the manner prescribed in Section II. of this Act.

VI. All books and other papers, printed at a press licensed under this Act, shall have printed legibly thereon the name of the printer and of the publisher, and the place of the printing and publication thereof; and a copy of every such book or printed paper shall be immediately forwarded to the magistrate or to such other person as the Government or other persons granting the license may direct; and every person who shall print or publish any book or paper otherwise than in conformity with this provision, or who shall neglect to forward a copy of such book or paper in manner hereinbefore directed, unless specially exempted therefrom by the Governor-General in Council, or other person granting the license, shall be liable, on conviction before a magistrate, to a fine not exceeding one thousand rupees, and in default of payment to imprisonment for a term not exceeding six calendar months.

Books, &c., to have the printer and publisher's name printed on them, and copies to be forwarded to the magistrate.

VII. The Governor-General of India in Council, or the Executive Government of any Presidency, may, by order to be published in the Government Gazette, prohibit the publication or circulation, within the said territories, or the territories subject to the said Government, or within any particular part of the said territories, of any particular newspaper, book, or other printed paper, or any newspaper of any particular description, whether printed within the said territories or not; and whoever, after such prohibition, shall knowingly import, publish or circulate, or cause to be imported, published, or circulated any such book or paper, shall be liable for every such offence, on conviction before a magistrate, to a fine not exceeding five thousand rupees, or to imprisonment not exceeding two years, or to both; and every such book or paper shall be seized and forfeited.

Government may prohibit circulation of particular books or newspapers.

VIII. The word "printing" shall include lithographing. The word "magistrate" shall include a person exercising the powers of a magistrate, and also a justice of the peace; and every person hereby made punishable by a Justice of the peace may be punishable upon summary conviction.

Interpretation.

IX. Nothing in this Act shall exempt any person from complying with the provisions of Act XI. of 1845.

Act not to exempt compliance with Act XI. of 1845.

X. No person shall be prosecuted for any offence against the provisions of this Act, within fourteen days after the passing of the Act, without an order of the Governor-General in Council or the Executive Government of the Presidency in which the offence shall be committed, or the person authorised under the provisions of this Act to grant licenses.

Prosecutions.

XI. This Act shall continue in force for one year.

Duration of Act.

W. MORGAN,  
Clerk of the Council.

*From the CALCUTTA GAZETTE Extraordinary, Saturday, 20th June, 1857.*

NOTIFICATION.

Fort William, Home Department, 18th June, 1857.

With reference to the provisions of Act No. XV. of 1857, it is hereby notified that applications for licenses to keep, or use any printing-press, or types, or other materials or articles for printing within the town of Calcutta, are to be made to the commissioner of police.

The Lieutenant-Governor of Bengal is authorised to grant licenses under the said Act, and to appoint any person or persons to receive applications for such licenses in any part of the lower provinces of the presidency of Bengal except the town of Calcutta.

The Lieutenant-Governor of the north-western provinces is authorised to grant licenses under the said Act, and to appoint any person or persons to receive such applications in any part of the north-western provinces of the presidency of Bengal.

The Governor of the straits settlements, the chief commissioners of the Punjab and Oude, and the commissioners of Mysore, Coorg, Nagpore, Pegu, and the Tenasserim and Martaban provinces, are authorised severally to appoint any person or persons to receive such applications within the provinces, districts, and settlements, under their control.

The conditions upon which licenses to keep or use any printing-press, or types, or other materials or articles for printing will ordinarily be granted, are as follows :—

1. That no book, newspaper, pamphlet, or other work printed at such press, or with such materials or articles, shall contain any observations or statements impugning the motives or designs of the British Government, either in England or India, or in any way tending to bring the said Government into hatred or contempt, to excite disaffection or unlawful resistance to its orders, or to weaken its lawful authority, or the lawful authority of its civil or military servants.

2. That no such book, pamphlet, newspaper, or other work, shall contain observations or statements having a tendency to create alarm or suspicion among the native population of any intended interference by Government with their religious opinions and observances.

3. That no such book, pamphlet, newspaper, or other work, shall contain observations having a tendency to weaken the friendship towards the British Government of native princes, chiefs, or states, in dependence upon or alliance with it.

The above conditions apply equally to original matter, and to matter copied from other publications.

A copy of every book, pamphlet, newspaper, or other work published in the town of Calcutta, is to be immediately forwarded to the commissioner of police.

By order of the Right Hon. the Governor-General in Council.

CECIL BEADON.

Secretary to the Government of India.

## THE FIRST FRUITS OF THE ACT.

No. 298.

*From the SECRETARY TO THE GOVERNMENT OF BENGAL, to J. C. MURRAY, Esq., Printer and Publisher of the "Friend of India."*

Dated Fort William, 29th June, 1857.

Sir,—I am directed to forward for your information the accompanying copy of a letter No. 1202, dated 29th June, 1857, from the Secretary to the Government of India in the Home Department relative to an article which appeared in your paper of the 25th instant. General.

I have the honour to be, Sir,

Your most obedient Servant,

A. R. YOUNG.

Secretary to the Government of Bengal.

No. 1202.

*From CECIL BEADON, Esq., Secretary to the Government of India, to A. R. YOUNG, Esq., Secretary to the Government of Bengal.*

Dated the 29th June, 1857.

Sir,—The attention of the Governor-General in Council has been given to the first leading article headed, "The Centenary of Plassey," which appeared in the *Friend of India* of the 25th inst., and especially to the two last paragraphs, which in the judgment of His Lordship in Council are fraught with mischief and calculated at the present time to spread disaffection towards the British Government, both among its native subjects and among dependent and allied states. Home department.

The article in question infringes every one of the three conditions upon which licenses to keep a printing-press are now to be granted. It tends to excite disaffection towards the British Government amongst great masses of the people; it tends to create alarm and suspicion among the Hindoo and Mahomedan population of intended interference by Government with their religion; and it tends to weaken the friendship towards the Government of native princes, chiefs, and states, in dependence upon and alliance with it.

Whatever the intentions of the writer may have been, the tendency of the article is as above described, and the publication of such remarks, even if innocent and admissible in ordinary times, is now, under the critical circumstances which rendered the passing of Act No. 15 of 1857 necessary, most dangerous not only to the Government, but to the lives of all Europeans in the Provinces not living under the close protection of British bayonets.

I am directed, therefore, to request that with the permission of the Lieutenant-Governor the views of the Government of India may be

communicated to the Publisher of the *Friend of India*, and that he may be warned that the repetition of remarks of this dangerous nature will be followed by the withdrawal of his license.

The Governor-General in Council has no intention of interfering with the fair discussion of public measures, but he cannot now permit the circulation in India of writings so framed as to excite popular disaffection.

I have, &c.,

(Signed) C. BEADON,

Secretary to the Government of India.

Council Chamber, 29th June, 1857.

(True Copy.)

A. R. YOUNG.

Secretary to the Government of Bengal.

*From the FRIEND OF INDIA, June 25th.*

THE CENTENARY OF PLASSEY.

WE have glided into the second centenary of English rule in India, and Hindus and Mussulmans who study the mysteries of fate are well nigh in despair. The stars and scriptures told them that on Monday last we had completed our allotted term of mastership, when the strength which had hitherto been resistless, the courage that never faltered, would pass away, and we should become in turn the easy prey of our vassals. The favour of the gods is not a perpetual gift, and though sire and son have witnessed so often what must to them appear supernatural results, it was but reasonable to suppose that our store of miracles would be exhausted at last. We share with them the belief in hidden influences, only what they look upon as being natural and common place, is to us the domain of the marvellous. It is easy to understand how we gained power, and wealth, and glory, at the commencement of the cycle, but hard beyond measure to find out how we have lost all three at its close. When you can succeed in realising to the imagination the most foolish thing, the most improbable thing, and the most timid thing; and have blended all these together and multiplied them, and worked them into what is called a policy, you may perhaps get some clue to the solution of the problem, but all other modes of induction will hopelessly fail.

The qualities of mind which enable a man to accumulate wealth are often those which hinder him from making a proper use of it. It was necessary for the conquest of Hindustan that the East India Company should exist, for it is only the intense greediness of traders that could have won for us the sovereignty of the country. The enemies of the Company's rule assert that they made and broke treaties, planned and fought battles, for the mere love of gain. Whatever degree of interference with private or public rights was needful for the purpose of collecting revenue, received instant and eager sanction; whatever concerned merely the welfare of Asiatic souls, or the social interests of the great body of

Englishmen and Hindus, was either coldly ignored or bitterly assailed. They imported for their own use the might of civilisation, but never cared to exhibit to the nations its beneficent features. Wealth embodied all the attributes of their good deity, to whom was rendered with cheerful devotion the homage of heart and brain. The evil principle was symbolised by power, and where they failed to vanquish they fell down and worshipped. Without a spark of patriotic feeling they set on the brow of England a gem of priceless value; without care for Christianity they paved the way for the overthrow of idolatry. Be it so, but the evil which they wrought has well nigh passed away; the good of which they have been the not unconscious instruments will go on multiplying for ever.

A hundred years is but a small point in the lifetime of a nation. It may be a period of sowing or of reaping the harvest, of giant labours such as shall influence the destiny of remote generations, or of utter folding of the hands to sleep. We found India destitute of invention and enterprise; ignorant of liberty, and of the blessings of peace. We have placed her face to face with the forces of our civilisation, and have yet to see if there are no subtle invigorating influences that can be transmitted through her aged frame. We have given her liberty such as she has not enjoyed for centuries, and never save by brief and long interrupted snatches. The Hindu stands upon the same platform with the Englishman, shares equal privileges with him, and challenges for himself as great a measure of the protection and immunities accorded by the state. He has no political enemies, and his grievances are all social. There is much to be remedied within, but without all is quiet and secure. If he has a new part to play in the world's history, the stage is clear for him, and there is an audience ready to sympathise and applaud. Whatever he has in him of creative ability may find easy vent and ready acceptance. We have swept away the obstacles which stood in the path of intellect and courage, it rests only with Nature and himself, whether he achieves success or otherwise. A second Sevajee is happily impossible, but another Luther would find an easier task than that which was imposed upon the monk of Wittenberg. The inventor, the author, the man of science will meet ready welcome and sure reward. We spread out before the dormant Asiatic soul, all the mental treasures of the West, and feel only too happy in being allowed to distribute them.

It is a great crime in some instances to trample out a nationality; to strangle in infancy what might have grown up to be one of the fairest births of Time, but except in the case of the Sikhs, there is no example of the kind to be alleged against our countrymen. The Mussulman power was effete long before the battle of Plassey, and such as Clive found the Mahomedans in the days of Surajah Dowlah, we encounter them in the time of the deposed king of Oude. Cruel, sensual, and intolerant, they are unfit to rule and unwilling to serve. Claiming to exercise sway as of Divine Right, and yet destitute of every gift with which Nature has

endowed the races meant by destiny to dominate over the world, they fell by necessity under the power of a nation replete with energy and resolution, and loathe with all the bitterness of hate the infidels who have subdued them. They will never tolerate our gifts or forgive our supremacy. We may load them with blessings, but the reward will be curses. We stand between them and a fancied earthly paradise, and are not classed in their list of good angels.

The Mahrattas have none of the elements of greatness in their character, and speaking in the interests of the dusky millions, we do not regret Assye, Deeg, and Maharajpore; but it is otherwise with regard to the Sikhs, who had they flourished as we have seen them, two centuries back, or never come in contact with the might of England, would perhaps have uprooted the tenets of Hindu and Mussulman, and breathed a new spirit into the followers of Mohamed and Brahma. Humanity, however, will be content with their overthrow. The Bible is a better book than the Grunth, and Christianity is superior to the Khalsa. Regenerated Hinduism might have obtained a new lease of existence, but it would have gained nothing in morals, and effected but little for human happiness. Its sole gain would have been power, and the example of universal destruction:

It may also be alleged against us that we have deposed the Kings, and ruined the nobles of India, but why should the world sigh over that result? Monarchs who always took the wages, but seldom performed the work, of Government, and aristocrats who looked upon authority as a personal right, and have never been able to comprehend what is meant by the sovereignty of the people, are surely better out of the way. No Englishman in these days deploras the wars of the Roses, and would like to see the Cliffords and Warwicks restored again to life. France bears with calmness the loss of her old nobility; Europe at large makes steady contributions to the list of kings out of employment. Had princes and rajahs in Hindustan been worth conserving they would have retained their titles and power. The class speedily die out in the natural course of mortality, and it is not for the benefit of society that it should be renewed.

Array the evil against the acknowledged good; weigh the broken pledges, the ruined families, the impoverished ryots, the imperfect justice, against the missionary and the schoolmaster, the railway and the steam-engine, the abolition of Suttee, and the destruction of the Thugs, and declare in which scale the balance lies! For every anna that we have taken from the noble we have returned a rupee to the trader. We have saved more lives in peace than we have sacrificed in war. We have committed many blunders and crimes; wrought evil by premeditation and good by instinct, but when all is summed up, the award must be in our favour. And with the passing away of the present cloud, there will dawn a brighter day both for England and India. We shall strengthen at the same time our hold upon the soil and upon the hearts of the people;



tighten the bonds of conquest and of mutual interest. The land must be thrown open to the capital and enterprise of Europe; the ryot lifted by degrees out of his misery, and made to feel that he is a man if not a brother, and everywhere Heaven's gifts of climate and circumstance made the most of. The first centenary of Plassey was ushered in by the revolt of the native army, the second may be celebrated in Bengal by a respected Government, and a Christian population.

The *Madras Athenæum* was "warned" and the *Bangalore Herald* suppressed, for reprinting the above article before the Government notification appeared. The latter journal was afterwards allowed to reappear on condition of the editor being dismissed.

No. 329.

From the SECRETARY TO THE GOVERNMENT OF BENGAL to J. C. MURRAY, Esq., printer and publisher of the "*Friend of India*," Serampore.

Sir,—I am directed by the Lieutenant-Governor of Bengal to forward General. for your information the accompanying copy of a letter from the Secretary to the Government of India, in the Home Department, No. 54, dated the 3rd inst., relative to the article which appeared in your paper of the 2nd idem, headed "The First Warning."

I have the honour to be, Sir,  
Your most obedient Servant,

A. R. YOUNG,

Secretary to the Government of India.

Dated Fort William, 3rd July, 1857.

No. 54.

From C. BEADON, Esq., Secretary to the Government of India, to A. R. YOUNG, Esq., Secretary to the Government of Bengal.

Sir,—In consequence of the article which appeared in the *Friend of India* of the 2nd inst., headed "The First Warning," the Governor in Council would have felt it necessary to direct the revocation of the license which had been granted to the publisher of that paper. His lordship in Council only abstains from adopting this course in consequence of an assurance he has received on the part of the representatives of the absent proprietor, that the newspaper shall, during his absence, be carried on so as to avoid all cause of complaint, and within the terms of the license. Home department.

The Governor-General in Council desires me to request that this may be conveyed to the publisher.

I have the honour to be, Sir,  
Your most obedient Servant,

CRCIL BEADON,

Secretary to the Government of India,

Council Chamber, the 3rd of July, 1857.

C C

*From the FRIEND OF INDIA, July 2nd.*

THE FIRST WARNING.

Lord Canning has done us the honour to select the *Friend of India* as the subject of his first experiment under the Gagging Act. We are, it appears, an *imperium in imperio*, studied by the native masses, watched with anxiety by Moollah and Brahmin, stronger than the East India Company. We have only to insert a couple of paragraphs, and the rebellion broadens and deepens. The chief priests amongst Hindoos and Mussulmans tremble for the safety of their creeds, and allied and dependent princes, looking upon their treaties as so much waste paper, turn a deaf ear to Governor-General and Resident, and prepare to array their fighting men against the Sirkar Bahadoor. Say that our power is complimented at the expense of our patriotism, yet what journalist could resist the temptations that beset us? What would even the *Times* give to possess such vast means of doing mischief? Who else is there of all the tribe of editors, that has authority over a hundred and fifty millions of souls, that stirs equally the ryot in his hut, the devotee in his temple, and the ruler on his throne? A few words and we can subvert the allegiance of the people. The servants of the sacred shrines, dear to all races of Asiatics, seek their destiny in these columns; wherever the English soldier is absent, we hold the lives of Europeans in the hollow of our hand. So says Lord Canning, and we may not question the truth of his statement. Here is the Governor-General's opinion of an article in our last which we dare only refer to, except for home purposes.

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If we were on our defence in a trial for libel, we should be allowed to reprint the obnoxious paragraphs, but it will be sufficient to say that they occurred in the course of a rapid sketch of the results of a century of British occupation, and formed the best apology that we were able to make for the East India Company. We had to speak of a policy which has swept away monarchies and aristocracies in all parts of the land, as if they cumbered the earth; a policy which bore its first fruits in 1757, and its latest just a century afterwards. We advocated it as has been the habit of this journal for a score of years, and however prepared for hostilities on the part of the present administration, we certainly never expected that the grounds of indictment would be found in the first leading article of our last issue. We have no objection to recant one of the obnoxious paragraphs, but must stand by the hope expressed in the other. We will say, if required, that from Suraj ool Dowlah to the King of Oude, the princes of India have been vilely dealt with, but we cannot forego the pleasing vision that in 1957, a Christian people may live happily under a respected Government.

But what is the use of beating about the bush, and assailing us under false pretences? Our fault is no question of orthodoxy, or want of sympathy with mockery Kings. It is, that whilst doing our utmost to keep eyes and ears closed to much that we were bound to receive, we

were forced to denounce the vacillation of purpose, the utter want of organisation, and the wretched crop of results, which have given such a melancholy character to the proceedings of Government since the commencement of the mutinies. We had to choose between the utterance of unpleasant censures or a dishonest silence. Between saying what in the interest of England it were traitorous to suppress, and what it was for the reputation of a few high officials should never have been written. The time had come when it was needful to take a side, and without hesitation we fell into the imperial ranks. As it turns out, we had not counted the cost, but such as our course seemed to entail we were willing to defray. On the score of public support we have no martyrdom to boast of, having gained a hundred and eleven subscribers since the 1st May, after allowing for all the deaths and withdrawals.

We venture to say that there is not a man in Calcutta, or elsewhere, who will put upon the excepted paragraphs the construction which Lord Canning has chosen to fix on them, or who will adopt any other conclusion than the palpable one, that it is thought more desirable to gag the *Friend of India* at once, than to waste time in finding a sufficient reason for the act. But we submit to his Lordship the following matter for consideration. The people of all classes, who are said to read and study this journal, know as a matter of course that it has always been the advocate of annexation and of Christianity. But all of a sudden it is silent upon those important topics. The shrewd Asiatic need not ask the reason, for he can see for himself that the Government has interfered to prevent their discussion, but he will carry the inquiry a step further, and ask what it is that has prompted the interference. If they intend to reverse the policy of their predecessors, why let them reinstate Kings, restore Jagheers, and deport Missionaries. But if they are not repentant, but merely timid; if they do not abjure the acts, but only shrink from enduring the consequences, why what a dullard he must be, to be duped into inaction by such shallow artifices! Either we advocate what is always injurious to the body politic, or it is the poorest cowardice to coerce us into silence. No man, Mussulman or Hindu, if he has half the brains that the Governor-General allots to him, can fail to recognise in this open tabooing of subjects hitherto left free for comment, the newest and most damning proof of the mistrust which the Government entertains of the allies and native subjects of the Crown of England, and the Honourable Company.

Three weeks since Lord Canning had the sympathy and support of every man of European birth or parentage. To-day there are not half a dozen who would lift up their hands in his favour. But why should he do for himself, what he has failed to do for England? Why care to retain personal when public reputation is irrecoverably gone? When the goodly ship goes down with all her rich freight on board, it is better that the captain should exhibit no anxiety to save his cabin furniture.

And now a word as to the policy of this journal—say for the next three months. We have no intention of testing the ability of Govern-

ment to put down a rebellion at Serampore. To-day is the last of our independence, and we will not write under compulsion, or invite, for interests which have been created by industry and intellect exerted for a quarter of a century, the rain which it will now cost Lord Canning nothing to decree. We accept the situation that is made for us, and take leave of political discussion—till the times mend.

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THE DACCA NEWS "WARNED."

No. 393.

To A. FORBES, Esq.

Dacca.

Sir,—I have the honour to forward herewith a copy of a letter No. 456, dated the 7th instant, from the Secretary to the Government of Bengal referring to an article published in the *Dacca News* of the 1st instant, and headed "The Tenure of Land by Europeans in India."

I have the honour to be, Sir,

Your most obedient Servant,

C. F. CARNAC,

Officiating Magistrate.

Foujdary Adawlut, Zillah of Dacca.  
The 10th August, 1857

No. 456.

From the SECRETARY TO THE GOVERNMENT OF BENGAL to the  
MAGISTRATE OF DACCA.

Dated Fort William, the 7th August, 1857.

Sir,—The attention of the Lieutenant-Governor of Bengal has been given to an article in the *Dacca News* of the 1st instant, headed "The Tenure of Land by Europeans in India," which, in his Honour's judgment, manifestly infringes the conditions on which the license to the publisher of that paper was granted. I am directed, therefore, to request that you will warn the publisher that a second infringement of these conditions on his part will compel the Lieutenant-Governor to withdraw his license.

I have, &c.

(Signed) A. R. YOUNG,

Secretary to the Government of Bengal.

(Copy.)

C. F. CARNAC,

Officiating Magistrate.

From the DACCA NEWS, August 1st.

THE TENURE OF LAND BY EUROPEANS IN INDIA.

Mr. Ewart has moved in the House of Commons for a return showing on what tenure land is allowed to be held by Europeans in India, whether in fee simple, for life or lives, or for years; and if so for what terms of

years, and whether renewable on payment of fines or otherwise. — As we may expect that the Court of Directors, which first denied that it had received a copy of Mr. Halliday's police minute, and then furnished, as the police minute, a minute which was not the police minute — as we may expect that Court to give a false return to Mr. Ewart's motion, we shall give a return of our own, as to the terms on which Europeans hold land in the perpetually settled districts. But before doing so we would remind our readers, that the Perpetual Settlement is a bargain entered into between Lord Cornwallis, on the part of the British Government, and for which he staked the good faith of England — not of the Court of Directors, or the "Company Bahadoor," for that is nil — and the landholders, that as long as they paid a certain rent to the Government, they were to enjoy in perpetuity the possession of the lands contained within certain boundaries specified in the books compiled at the time of the settlement by the various Collectors, and which had been sanctioned with regard to each particular district by the Government. This is the theory of the Perpetual Settlement. The practice has been very different, especially with regard to Europeans, who about twenty years ago were allowed to hold land on the same terms as natives. The practice is as follows : —

A European is allowed to hold lands as long as these lands do not excite the concupiscence of the Government of the East India Company, administered by a Civil Service, whose salaries depend upon the amount of revenue that can be realised, *per fas aut nefas*, from the country. — Example : Mr. George Lamb, a gentleman well known for many years in the Dacca district, purchased an estate called Chur Doopooriah, paying, under the aforesaid Perpetual Settlement, a rent to Government of two hundred and ninety odd rupees. By the encroachment of a large and rapid river, the whole of this estate was carried away. Mr. Lamb, aware, from long observation of the oscillations of the rivers in Bengal, that the land would re-form, continued to fulfil his part of the bargain entered into with the Government — that is, to pay the revenue during eight or ten years, while the estate in question formed a part of the bed of the river, which is from four to five miles broad. He of course expected that, when the river retired, he would be allowed to take possession of the lands re-formed. There is a law, however, in connection with the Settlement, which states, that if an island is thrown up in the channel of a navigable river, it becomes the property of the Government ; and this law is perfectly just, for it presupposes the drying up of the river — a circumstance of frequent occurrence in Bengal — and the formation of land on a spot which had not been included in the Perpetual Settlement, as there was no land existing there at that time. There is also another law very useful in preventing disputes, which is to the effect, that lands which are formed by the retiring of rivers from one bank and their encroachment on the other, are to belong to the proprietor on to whose lands they form. In the case before us, when the river was retiring, the Government in the first place took possession of the dry land which first appeared, as an is'land ; and then of all the lands successively emerging

from the river, as formations on to the island the property of Government. Mr. Lamb, up to the present date, hoping against hope that justice may be done to him, pays the Perpetual Settlement Revenue for Churr Doopooriah, though he is not in possession, nor has had for the last twelve or fourteen years a single bigah of land belonging to this estate. The Collector receives the rents without a murmur, though we believe the Commissioner of Revenue has ordered him to strike the very name of the estate off the books. The case, moreover, was five times decided in Mr. Lamb's favour by the Judges of the Company itself; and only gained by them when they had succeeded, after a number of years, in packing a bench. We would refer the curious with regard to this case to our supplement of the 19th of July, 1857.

A European is allowed to hold lands as long as these lands do not excite the concupiscence of any native; for, if any native should desire to possess them, they will certainly be decreed to him by the Judges of the East India Company, who find none so impracticable as European owners of land. Example: Mr. G. Lamb purchased at a sale for arrears of Revenue, from the East India Company, an Estate said to comprise within its boundaries certain specified villages. A native about the same time purchased an adjoining estate. Mr. Lamb, from information gathered from the Collector's books, brought a suit for certain villages in the possession of the native, as belonging to his estate. The native brought a cross suit claiming villages of the value of Rs. 1,500 a year against Mr. Lamb. Mr. Lamb lost his suit. The suit of the native was decreed in his favour, giving him villages producing Rs. 6,000 a year, instead of Rs. 1,500, which he had sued for. The document on which the Sudder decreed against Mr. Lamb was a forgery. It purported to be one of the original papers of the Decennial Settlement (on which the Perpetual Settlement was founded) of Zillah Tipperah. Mr. Lamb proved that the whole of that settlement was made in Arcot Rupees, while this paper was summed up in Sicca Rupees. The Sudder Dewany Adalut, The Supreme Civil Court of Bengal, decided that the word "Sicca" meant "current," and might apply to any rupee. They themselves were, at the time of this decision, receiving their salaries in Sicca Rupees of more than 6½ per cent. greater value than the Company's rupee, and would have repudiated with scorn the proposition of being paid in the Company's rupees.

A European is to be prevented from becoming the possessor of land at any cost whatever.—Example: While the last mentioned case was passing through the courts, Mr. Lamb's opponent got deeply into debt, and his creditors put up his estate for sale. Mr. Lamb was willing to purchase peace at any price, and therefore bid a large sum for this estate, which comprised the disputed lands. Mr. Lamb purchased the estate in his wife's name, in order to avoid, as he thought, all disputes. Mrs. Lamb, on becoming purchaser, sued for possession of the estate, but was nonsuited in the Superior Court, the Sudder, on the ground that she, as an English or Scotch woman, could not sue in her own name, but

must be joined by her husband. We have got the best authority for saying that this is not good English law; but supposing it were, there was nothing on the record to show that Mrs. Lamb was either an English or a Scotch woman. She might have been of any other race, among many of whom—the Armenians, Mussulmanees and Hindoos, for instance—married women may possess property apart from their husbands. The objection was not taken in any of the pleadings, and we submit that the appellate court had no power to take it up—but there was an Englishman or Scotchman, well known in their private capacities to the judges on the bench to be such, to be prevented from possessing lands. The case was therefore nonsuited. On this decision being given Mr. Lamb brought a fresh suit, joining himself with his wife. The same objection would not serve now; but Mr. Lamb lost his case in the appellate court on account of an alleged irregularity in the sale, an irregularity for which no one was responsible but the court which sold, and therefore Mr. Lamb was punished—be it observed, that Mr. Lamb gained every one of these cases in the courts of first instance. It was only when they were appealed to the Sudder, when they were taken down to Calcutta, where Civil Servicisim is rampant, where the necessity of keeping the interloper from gaining a footing in the land is fully appreciated—it was only in Calcutta that he lost them. We could adduce many a case where the same gentleman, who, unfortunately for himself, had a desire to become a landed proprietor, and to improve his lands by introducing the culture of various crops unknown in this part of India, had decree after decree given against him in the Civil Courts; many of them so absurd, that they gave rise to fresh lawsuits in the vain endeavour to have them executed. We could bring instances of parallel cases, where natives only were concerned, where decrees were given in their favour, which would have made Mr. Lamb's fortune had the same law—we shall not desecrate the name of justice by applying it to any of the dicta of the Sudder—been dealt out to him. But the interloper was there. He was to be put down. If he had not been put down, he might have had the presumption to grow cotton; and by supplying Liverpool with that material, to have made the English people take as great an interest in, and become as well acquainted with, the affairs of India as they are with those of America.

However long a European may have been in possession of land, every means to the endangering of the salvation of the judges themselves is to be used to oust him from possession, and to give it to a native, with which class the Civil Service believed, till lately perhaps, they could do anything. This is an error on the part of the Court Service. Since Reg. II. of 1819, and the Public Works Loan, the native believes that there are no depths so low to which the Company Bahadoor cannot descend, so long as they have power on their side. The Englishman confesses that the Government is "awful dodgy," but cannot believe that the men whom he knows well, and knows to be tolerably honest in their private transactions, could be guilty of the rascalities which have been committed

under the aforesaid regulation. But we are running away from our subject, which is that, however long a European may have possessed land he must be ousted somehow or another.—Example: Messrs. Lamb and Wise, two gentlemen settled in the Dacca district, learned from their attorneys that an estate was to be sold by the Collector, at the instance of the owner's creditors. They agreed to bid for the estate, and to purchase it together. The estate was put up for sale, and they bought it. Though many objections were raised to the manner in which the sale was made, &c. by the late proprietors, at the time of and immediately after the sale, they were all overruled by the courts. Messrs. Lamb and Wise were put in possession, and continued in possession for eleven years eleven months and odd days. If the twelve years had passed, their title would have been secured by prescription. But before the twelve years had expired, a suit was brought to upset the sale, on the ground that the law prescribed that notice of sale should be affixed in ten places. It had been so in nine, but there was a doubt with regard to the tenth, whether the place where it was affixed was situated on certain lands or not. The case came on in the local courts and was decided in favour of Messrs. Lamb and Wise. It was appealed to the Sudder, where it was, as a matter of course, decided against the interlopers by two judges out of three—decided, we have almost the highest legal authority in India for saying, against the common-sense interpretation of the law. But what can be expected from judges who have absolutely no legal training, and who consider the interloper as a being who has no right to be in India!

Such are a few—we solemnly affirm a very few—of the instances we can give to Mr. Ewart of the tenures on which lands are allowed to be held by Europeans in India. Were we to unfold a half—one third, of what we know, we should be scorned as unjust traducers of the Civil Service of the Honourable the East India Company. Fortunately we can prove every word we have said from the decisions of the Sudder Dewany Adalat—Lord Canning must have wondered why his proclamations were so little believed. It is long—as the evidence of every independent man will prove—since the assertions of the Government of this country have been believed by its subjects.

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### THE BENGAL HURKARU SUPPRESSED.

The *Hurkaru*, the oldest journal in India, was suppressed on the 18th of September, on account of the appearance, in different issues of the paper, of the following three articles:—

#### *From the BENGAL HURKARU.*

“The steamer which arrived on the 10th instant brought us the *Times* of 6th August, which contains a leader beginning ‘There are some acts



of atrocity so abominable that they will not even bear narration,' and ending, 'Let it be known that England will support the officers who may be charged with the duty of suppressing this mutiny, and of inflicting condign punishment upon the bloodthirsty mutineers, however terrible may be the measures which they may see fit to adopt.'

"The article in the *Times* from which the above quotations are made should be republished by Government, circulated to all civil and military authorities in substitution of Cecil Beadon's proclamation, dated 31st July, published in your paper of 2nd instant; and the article from the *Times* should be read also to every regiment in India, instead of Sir James Outram's order about the 10th regiment. Little did the *Times* know of Indian officials when he wrote 'Nothing more injudicious than Mr. Colvin's proclamation can be conceived.'

"What will the Thunderer say when he sees Cecil Beadon's proclamation, and Sir James Outram's order from Dinapore? and that the latter has since that order been reappointed commissioner in Oude, besides commanding the Dinapore and Cawnpore divisions, thus superseding Havelock and Neill? The latter is unquestionably the man who ought to have been appointed chief commissioner in Oude, for the energy he has displayed from the time he confined the railway people here, to the time he hanged the Brahmins at Cawnpore.

"The imbeciles are not all out of England yet, however; the board of control has Vernon Smith and the war department has Lord Panmure. Witness the answer of the latter, through his organ in the Commons, to Colonel North's question on the 5th August, 'Why it was that the Government were only sending 140 men to reinforce the artillery in India, when the number required to bring that force up to its war complement was 223?' Answer by Sir John Ramsden, 'vide *Times* of 6th August':—

"Sir J. Ramsden said that the artillery force was put under orders for India, the same as the other troops, in compliance with a requisition of the East India Company; and the total force of artillery which they had asked for would be made up by the particular number which had been sent' (hear! hear!).

"That is, the artillery force was rendered inefficient before its departure for India, by reducing it even under the war complement required in Europe, that certain figures sent in by the East India Company might correspond with other figures in the estimates prepared at the war department!

"With such a specimen of the way things are conducted in that department, can any one be surprised that we meet with disasters, from the ruinous effects of which to the nation nothing saves us but the devoted courage of our soldiers and sailors?—yet these are the men whose feelings are being trifled with by old women in India.

"The cavalry horses in the Crimea were starved because Sir Charles Trevelyan, at his desk in London, thought he could there form a more correct estimate of the forage required than the commissary-general on

the spot could do—and now we are to have the artillery sent out in an inefficient state because Vernon Smith and *the chair* think that the war complement, which experienced artillery officers have laid down as necessary in Europe, is too large for a fine climate like India, where they no doubt suppose ready-made artillery men grow in the Rose Gardens !”

*From the* BENGAL HURKARU.

THE FRIEND OF HINDOSTAN AND THE STATE-GRINDER.

AFTER GEORGE CANNING.

(The F. of H. represented by the Chairman of the Court of Directors, and the S. G. by a noble lord.)

F. OF H.

Needy State-grinder, whither are you going ?  
You're quite gone astray, your wheel is out of order.  
There's a row blowing up—your actions are all rotten,  
So are your speeches !

Weary State-grinder, little do those rascals  
Who with their howlings hunt down all their rulers  
Think what hard work 'tis, crying all day, “ Red tape,  
Red tape for ever ! ”

Tell me, State-grinder, how came you in this plight ?  
Did the supreme court lay its hands upon you ?  
Was it the chief, or editor of journal,  
Or some low planter ?

Was it some judge, for acting without Queen's law ?  
Rancorous chief, for keeping down his service ?  
Editor vicious, crying up the people,  
Brought you in this fix ?

(Have you not read the minute of Sir Thomas ?)  
Sparks of resentment smoulder in my headpiece,  
Ready to blow up as soon as you have told your  
Most wretched story.

S. G.

Story ! God bless you ! I have none to tell, sir,  
Only one day, I, talking in the council,  
Gagged the free press, and then made that J. P. Grant  
Gen'ral Obstructor !

Campbell was sent out, for to take me into  
His command ; they took me before the Commons ;  
Public opinion then put me in the  
Pound as a donkey !

I should be glad to drink your honour's health in  
A small pension, if you will kindly give it ;  
But for my part I never more will meddle  
With Hindostan, sir.

F. OF H.

I give thee pension ! I will see thee d—d first—  
Man whom we trusted, like so many asses ;—  
Taunted and jeered at, made no end of fun of—  
Impotent failure !

(Kicks the State-grinder, overturns his wheel, and exit in a transport of official agony and lost hopes.)

*From the BENGAL HURKARU.*

All India is eagerly watching the progress of public opinion at home, the eventual declaration of which will decide the future policy of the Government. Our rulers are being put upon their trial, while a jury composed of many millions are weighing the evidence, preparatory to laying their heads together for the consideration of the verdict.

There are many good, honest, simple people in Calcutta, who are both surprised and disappointed that popular indignation has not boiled up to a higher pitch. They are astounded at finding that Lord Canning has not been already ordered home in irons, and that Mr. Beadon has not been sentenced to be tarred and feathered and ridden upon a rail, previously to being placed in some extremely uncovenanted appointment, under a native superior. We are very far from saying that these proceedings would not be appropriate in the cases in question, but we would say to our enthusiastic friends:—My dear sirs, you are too impatient. All in good time. Public opinion is not a mere dramatic performance, got up to make the overland papers exciting, for your pleasure. It is a real earnest process, which takes time for its development, which must be expected to “drag”—in dramatic language,—now and then; which will not always produce startling effects at the most desirable moment; which keeps one waiting a long time between the acts, with nothing but “apples and oranges and a bill of the play” to fall back upon;—but for all that there can be no rational doubt that the conclusion will find virtue triumphant, and that the villains of the piece will meet with their just doom. But,—we would add to our enthusiastic friends,—what more can you expect? What more would you have at the present moment? Have you not heard through private letters that the windows of the directors’ town houses are by no means safe, and that any one of the honourable court showing himself at Bath or Cheltenham, or elsewhere where Anglo-Indianism most abides, would meet with a reception from the mob compared to which that of Marshal Haynau by the brewers was courteous and flattering? Do you not know that the Duke of Cambridge was heard to say that he should soon have the Indian army under his command? Are you not aware that the mode of communication adopted by the government of the crown towards the government of the court, at home, has already become savage and dictatorial to an extent that six months ago would have aroused Legadenskull-street to a fury of resistance? Do you not see that the comparative satisfaction which has been manifested at the mode of meeting the mutinies has been founded upon want of knowledge of the real facts of the case? Is it not obvious to the stupidest fellow among you, that where our rulers have been praised, they have been praised for doing what they have left undone, or for not doing that which they have done most thoroughly and completely? If her Majesty’s Government approve eventually of the conduct of these gentlemen they will have to do so, not merely at the cost of their consis-

ency—which they will care no more about than any other government—but at the cost of their offices, which they will not be disposed to part with for such an incidental consideration as Mr. Halliday, or such a matter of detail as Mr. Beadon—to say nothing of one or two others of the same stamp, and a higher functionary whom they have dragged into the same boat.

We ask the sanguine persons to whom we have addressed the above, what more they would have for the present? To us it seems that Parliament and the public at home have made immense progress towards a proper view of the question. In the House of Lords, the Earl of Ellenborough and the Marquis of Clanricarde have addressed themselves to it with profound knowledge and sagacity. In the Commons, Mr. Disraeli has made one of the most masterly and statesmanlike speeches that he has ever made in his life; and the question has been met by all who took part in its discussion with a high appreciation of its importance. The press has done its work well, and has been steadily drifting in the right direction, to a position which the *Times* has taken up with a decision and energy which sufficiently show that the voice of the country is on the same side. Throughout the discussion, both in parliament and the press, it is to the honour of all engaged in it, that no party feeling has been shown, however much may have been felt in some quarters. The utmost consideration has been manifested for the local government under the difficult circumstances in which they were placed, and no signs of any personal prejudice have been made apparent. Even the *Press* and the *Examiner*, the two most systematic opponents of the company's government, have handled Lord Canning as tenderly as if he was a baby, and have let Messrs. Beadon and Halliday alone with a magnanimity which is almost beyond belief, and suggests the suspicion that those usually well-informed journals have not yet acquainted themselves with the fact that there are such persons in existence.

In the meantime, the accused are awaiting the verdict which is to decide their official fate, in a highly characteristic manner, such as we see described in the London police reports as “treating the charge with the utmost levity,” or “evincing a hardened indifference to the situation in which they were placed, that was painful to behold.” But among these it is only just to remark that the most elevated personage stands out in honourable relief. His grand calmness under the ordeal is comparable to nothing but the demeanour of *Miss Madeleine Smith*, in similarly trying circumstances, which elicited the wonder and admiration of the rapt people of Glasgow. Let us hope that the omen is a good one, and, for the sake of an illustrious name, and as good intentions as have ever paved India or any other place, that the charges which have been brought against the individual in question will be “not proven.”

## THE ACT IMPROVED UPON IN PEGU.

To the PROPRIETOR OF THE RANGOON CHRONICLE AND PEGU  
GAZETTE PRESS.

Rangoon.

Sir,—I am permitted by the Commissioner of Pegu and Governor-General's agent to inform you, that in the event of your wishing to publish any articles concerning the affairs connected with the rebellion in Bengal, in your journal, you are, before doing so, to submit them to me for approval. Without such previous submission, you are not to publish such accounts or articles, whether original or extracted: this will be an especial condition of the *ad interim* protection being continued to you.

I have the honour to be, Sir,

Your most obedient Servant,

GEO. DANGERFIELD,

Officiating Magistrate of Rangoon.

Rangoon Magistrate's Office, the 5th August, 1857.

The proprietor appealed to the Commissioner, and received the following reply:—

To R. GODFREE, Esq., Proprietor of the RANGOON CHRONICLE PRESS.

Rangoon.

Sir,—I have the honour to acknowledge the receipt of your letter to the address of the Commissioner and Governor-General's agent for Pegu, forwarding a letter from the magistrate of Rangoon, herewith returned.

In granting an *ad interim* for protection in publishing the *Rangoon Chronicle*, pending the receipt of orders from the Supreme Government on your application for a license, the Commissioner and Governor-General's agent has assumed a power not strictly vested in him by the law, and has in a measure, and for a time, made himself responsible for what is published in that paper; but he refuses to accept the responsibility unless upon such conditions as will, he trusts, justify him in having incurred it with the Government he has the honour to serve.

I have the honour to be, Sir,

HORACE A. BROWNE,

Extra-Assistant to the Commissioner of Pegu.

Rangoon Commissioner's Office, 7th August, 1857.

## THE FIRST ATTACK ON THE LONDON JOURNALS.

The following letter has been addressed by the Magistrate of Poona to the Government of Bombay:—

Judicial Department, Bombay Castle, 23rd of September, 1857.

Sir,—In the *Times* newspaper of last Thursday, the Editor stated that a detachment of the 2nd Bombay Light Cavalry had mutinied at Deesa, and had been destroyed by Her Majesty's 83rd Regiment at that station;

and in last Monday's paper there is an article extracted from the English paper, the *Press*, the publication of which is calculated to have a very pernicious effect at the present time.

I am, therefore, desired by the Right Honourable the Governor in Council to request that you will be good enough to warn the editors of English and Native newspapers within your jurisdiction against republishing the articles in question.

I have, &c.,

(Signed) H. L. ANDERSON,  
Secretary to Government.

To the Magistrate of Poona.

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### MADRAS A STEP IN ADVANCE.

No. 1106.

*Extract from the MINUTES OF CONSULTATION.*

Public Department, dated 10th August, 1857.

The attention of the Right Honourable the Governor-General in Council has been drawn to an article in the *Examiner* newspaper of the 6th inst., copying a false statement from the *Hurkaru*, regarding a supposed intention to remove the Government agent at Chepauk, and reflecting on that officer's official conduct.

Government resolve to notify to the proprietors of that newspaper, that this is a violation of the terms on which they hold their license, and that their license will be withdrawn on the appearance of any similar article.

(True Copy.)

E. MALTBY,  
Acting Chief Secretary.

*From the MADRAS EXAMINER, quoted from the HURKARU.*

The Madras Government, we understand, has recommended to the Supreme Government the immediate removal of Dr. Balfour from the Government agency at Chepauk, for alleged acts of oppression.

THE END.

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