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S. H. CHIPLONKAR.

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POONA SARVAJANIK SABHA.

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PROCEEDINGS OF THE SABHA.

To,

THE HONORABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT
BRITAIN AND IRELAND IN PARLIAMENT ASSEMBLED.

THE humble petition of the Members of the Pooja Sarvajanic Sabha (People's Association) and of other inhabitants of the Deccan, Bombay Presidency in public meeting assembled,

MOST RESPECTFULLY SHOWETH,

That your humble petitioners representing many millions of the subjects of Her Most Gracious Majesty the Queen Empress of India in the Bombay Presidency watched with anxious interest the progress of the struggle in connection with the recent elections. Never before in the history of this great Dependency of the Crown had the affairs of India attracted such notice in England, nor had the struggle of parties at the general elections created such an universal and deep interest in the minds of the people of this country, as during the past few months. The administration of India during the last few years under the late Government involved a departure in so many points, from the well recognized traditions and principles of policy followed by all the preceding administrations, and the representations made by the people of India to protect their privileges and their interests from these encroachments received so little attention, that when the points of these several departures were fairly raised in controversy in the appeal to the British nation at large, your humble petitioners anxiously prayed that under an overruling Providence the result of the elections might be such as to secure a condemnation of the policy of repression at home, and aggression abroad which filled them with such apprehension and dismay, and to restore them to their former position of privileged and favoured subjects of the Crown. The success of the Liberal party whose leaders pleaded with such great force in defence of the interests of India has removed all cause for apprehension, and inspired your humble petitioners with a confidence that the change of administration will be soon followed up by beneficent reforms in legislation and in financial and general administration such as will ensure the progress and unfettered development of the country. The result of the elections having removed these apprehensions, your humble petitioners respectfully hope that their prayer for a just and responsible exercise of the power, which under Providence the Empress of India wields over this country, will receive sympathetic consideration at the hands of your Honourable House.

Under the late East India Company's rule the British Parliament so anxiously watched the interests of India that the Charter was never renewed to the Company without a long course of anxious and full inquiry into the methods of the Company's Government and without securing many beneficent concessions to the people of this country. Each renewal of the Charter thus marked a distinct step in the progressive growth of the rights of the people and in the increase of the guarantees for good rule. In 1773, the independent administration of justice was secured by the creation of the Supreme Courts. About ten years after, the power of the Presidency Governments was restricted by the institution of Local Councils. Under Lord Cornwallis's administration the permanent settlement of the land revenue was carried out and the establishment of properly constituted Civil and Criminal Courts for the several Provinces secured the benefit of uniform written laws with a capacity of progressive development according to the wants of the country. In 1833, the Natives of this country were declared eligible for all offices under the Crown. The recognition of a Free Press and the removal of all transit duties and unpopular taxes and many other similar measures marked the course of the next twenty years. In 1853, the Civil Service of the country was for the first time thrown open to competition to which natives of India were admitted on equal terms with the ruling race though the competitive examinations were held in London. After the Mutinies, the Government of India passed into the hands of the Crown, and the formal recognition of the just rights and privileges of the Natives and the measures of conciliation represented by the great Proclamation of 1858, the recognition of the rights of adoption, the amalgamation of the Sadar and Supreme Courts, the constitution of the Legislative Councils to which natives of India were admitted for the first time tended greatly to restore confidence, and to ensure the progress of administration, and the growth of the people.

Twenty years have elapsed since these measures were taken, and your petitioners submit that the time has now arrived when, though there can be no renewal of the charter in the old sense of the word, the Government of the Crown should mark its recognition of the progressive wants of the people, and their growth in intelligence by laying down broad principles of a just policy tending to draw closer together the bonds of affection and interest which bind this Dependency to the Crown, and by admitting the people of this country to a proportionately larger share in the administration than they have hitherto possessed. Such a line of action has become the more necessary by reason of the retrograde and repressive measures which have characterized the administration of the last few years. The Government of India under Lord Lytton unfortunately misunderstood the direction of their duty to the Crown, and adopted

measures of repression at home and encroachment abroad, which have created widespread and deep anxiety throughout the country, and which, by increasing the burdens of the country, have reduced it to a state bordering on insolvency. The following are some of the measures alluded to above:—

1. The privilege of a Free Press conceded forty-five years ago after mature deliberation was withdrawn at a moment's notice in a time of peace at home and abroad.

2. The country was disarmed more thoroughly than ever with partial exclusion in favour of race and colour, which went against all the principles of sound government and betrayed unmerited distrust in the people while solemnly declaring and acknowledging that there was only one feeling of loyal devotion to the Crown among the native races.

3. The Civil Service thrown open nearly thirty years ago was virtually closed by a reduction of age, which shut out Indian candidates from all chance of success. Your humble petitioners prayed at the time only for justice and equality of tests, and asked for no preference and favour. Under cover of a Parliamentary measure intended to carry out the promises of the great Proclamation of 1858, but against the letter and spirit of its provisions, a new scheme of a distinctive and subordinate service, in whose ranks candidates are admitted only by nomination, has been set up to the great disappointment of India, and the arrest of the movement towards the gradual elevation of the people.

4. The financial administration of the country has been frequently subordinated to the interests of party rule, and has resulted in an increase of the national debt, in spite of new and heavy taxation all over the country.

5. In spite of the express reservation, contained in the Resolution of the House of Commons, the Government of India partially abolished the import duties on cotton yarn and goods, at a time when they had to impose additional and vexatious taxes to make up the deficiency.

6. The tax on salt was raised 40 percent in the Presidencies of Madras and Bombay while they were suffering from the terrible effects of a three years' famine.

7. In the other Provinces the conditions of the Permanent and temporary settlements solemnly sanctioned by the Government were infringed by the imposition of the additional cesses on land.

8. While the country was suffering from the visitation of a fearful famine, no remissions of land revenue were allowed, as had been the practice before, and the land tax was collected with a rigour and stringency, which led to disastrous results.

9. With a view to provide a special fund for the relief of famine the Trades License Tax was imposed which violated all the principles of political economy taxing the very poor and the famine-stricken out of all proportion to their means, and exempting the high-salaried officials, and other rich classes who could best bear additional taxation.

10. This tax so levied expressly for a special purpose was diverted, in breach of the most solemn and binding pledges, to the purposes of a foreign war.

11. The financial integrity of the country, and the confidence in the utterances of Government were greatly shaken by the manipulation of the accounts and the estimates which erred by many crores, showing false prosperity when the country was on the brink of bankruptcy.

12. The burden of a war and a railway, carried on and expressly declared to be for Imperial purposes, beyond the borders of India, has been wholly thrown upon the shoulders of this poor country. The effect of all these blunders, and the subservience of Indian interests to party necessities in England has been that notwithstanding additional taxation of nearly two millions, imposed during the past few years, and the unprecedented yield of the opium and the enhanced salt and stamp revenue, the national debt of this country has been, increased by 20 millions, the public works, intended to insure the country against famine, have been abandoned or postponed to make room for foreign military railways, the cash balances have been diminished below the average minimum figure, and the country has been kept in the dark regarding its real financial condition.

13. Apart from the question of the justice or injustice of the Afghan War, there can be but one opinion that the Government of India was not justified in assuming the responsibility of the entire cost of the War officially admitted to have been undertaken for Imperial purposes.

14. Not content with the suppression of a Free Press the Head of the Government of India and Her Majesty the Queen's Representative treated the deputations of the most loyal subjects of Her Majesty and the leaders of the English and Native Associations, in the capital city with scorn and contempt, when they waited on him in the exercise of their right to represent their grievances. The right of petition was thus been jeopardized to an extent which leaves the people no way to impress their views on the Government.

15. The Native Princes have been also forced against their wishes to abandon their rights and control of revenues on salt and opium grown in their own country; and these negotiations have been carried on against the letter and spirit of the treaties, the binding force of which

Her Most Gracious Majesty the Queen Empress most solemnly acknowledged in the great Proclamations of 1858 and 1877 when she assumed the Imperial title.

16. Attempts have also been made to question the autonomous and subordinate independence of the rulers of the great Native States, whose feudal armies have been denounced as a danger to the Empire.

17. The Government, both in India and England, has been carried on in a manner to weaken the control of the India Council upon the Secretary of State, and of the Supreme Council on the Viceroy, by reason of their being overruled in all cases when they differed from the views of their respective heads. The constitution of these Councils has thus been violated, and the Government has become distinctly and avowedly more autocratic than ever.

18. The independence of Legislative Councils has also been greatly curtailed. The provisions of the Councils Act which were intended to secure the association of independent non-official opinion in the Councils of the Empire have been defeated by the nomination of persons who were no way qualified to represent the views of the people and the little independence that was left has been reduced to insignificance by the arbitrary procedure of hastening important measures through the Council, without allowing sufficient time for real discussion.

19. The Legislative Councils departed from the liberal traditions of old under the same influences; the independence of the Civil Courts, established to protect the rights of the people has been curtailed; and the powers of executive officers have been enhanced to an extent for which there was no justification of former precedents, or present necessity, thus leaving the people of India in many cases, without legal means to seek redress of wrongs done.

20. The cause of higher and English education has ceased to find favour with the head of the Government, as is shown by the abolition of the Delhi College and the Benares English College. The Viceroy openly expressed himself in his speech at the Panjab University last year to be opposed to the spread of high English education.

21. Over and above these measures which affected the whole of British India, your humble petitioners submit that this Presidency, under its late rulers who carried out in this respect the arbitrary principles which found favour at head quarters, suffered grievously from evils of its own. The land revenue was enhanced at the revision settlements to an extent which an official Committee appointed by the Government of India has pronounced to be unjust and excessive. And yet these enhancements have not been reduced agreeably to the recommendations of that official Committee.

22. The land revenue was rigorously collected during the

famine, and all appeals of the people for remissions were rejected, though endorsed by the local divisional officers.

23. Extensions of forests were indiscriminately ordered throughout the country, encroaching upon the rights of common and grazing of many thousands of poor people.

24. Under the pressure of a three years' famine this policy broke down, and riots and *dacoities*, on a large scale occurred in various parts of the country, which were erroneously attributed to other agencies than those to which non-official opinion, and independent official opinion attributed them and in some cases innocent individuals were prosecuted with a view to deter the expression of popular views.

25. The independence of divisional officers, who ventured to differ from the views entertained at head quarters was punished by degradation.

Your humble petitioners submit that the several circumstances set forth above indicating the grave errors and weak points of administration, which has held sway for the past few years, afford sufficient justification for a fresh Parliamentary inquiry into the affairs of India, upon the model of those which were undertaken in 1813, 1833, and 1853, with a view to serve as a basis for a fresh start, which will remedy the errors of the past, and secure guarantees for the progress of the future. The Committees appointed in 1871, 1875, and 1878, were restricted in their scope of inquiry, and led to no great results. What is now prayed for is a general and comprehensive inquiry affecting all departments, including the finances and the home and foreign administration. The people of India are inspired with a hope that the change of administration will not simply end in a transfer of power from one set of statesmen to the hands of another. The great leaders of the Liberal party in your Honorable House have, during the recent elections, spared no pains to make their views known upon all the great questions of Indian administration. They have denounced the Press Act, the Arms Act, the partial surrender of the Indian import duties on cotton goods, the enhancement of the salt and stamp duties, the supersession of their respective Councils by the Viceroy and the Secretary of State, the unsatisfactory character of the new Civil Service rules, the injustice of the Afghan War, and the still greater injustice of diverting the pledged famine funds towards the cost of that war, and the proposal to saddle the whole cost of the War upon India. In all these respects there is a complete agreement between the views of the people of this country, and of those who now wield power over them. This agreement of views will be formulated by a competent Commission of Inquiry and their report will furnish a safe foundation for future action.

Paramount to all particular questions of detailed reform is the necessity of securing a hearing at all times to the views of the people in the administration of the country. Without a self adjusting check of this character, no individual reform can achieve any lasting good. With this view the right of a Free Press, and that of free Petitioning must be solemnly recognized, thus undoing the mischief of retrograde legislation represented by the Indian Press Act, and placing it beyond the power of any future government to withdraw this privilege from the people, except in time of a grave national crisis. The ease with which the Act of 1835 was repealed, and the arbitrary manner in which similar measures were hurried through the Legislative Council shows the necessity of strengthening the non-official element in these Councils. Your petitioners submit that the time has come when the views of the independent native and European public should find a recognized place; and the only way in which this end can be secured is to admit a few representative members elected by the leading cities and populous centres throughout the country. The representative principle has now found place in the Municipalities of the three Presidency towns and has worked satisfactorily. This principle might be safely extended to the other large centres of population, and the Municipalities so elected might be safely trusted to send representative men to the several legislatures. These members might not find a place in the executive Government for the present, but if the right of interpellating the executive officers upon all questions of public importance were allowed to them, the check against arbitrary rule will be effective, and the criticism based upon such information in the Press, and in public petitions will cease to be non-effective, as at present—thus establishing greater harmony than has obtained hitherto by allowing Government to justify its measures to the people. The present advanced state of public intelligence in this country justifies the extension of this right as without the adequate check it will provide all further progress will be greatly retarded.

The proposed Committee of Inquiry would also go over every department of the administration and suggest remedies in regard to the several points touched upon before. The finances of India will never be placed upon their right footing till the policy of retrenchment in its over-grown Military and Home charges, and the substitution of native employees in place of the costly imported European officials are carried out steadily throughout all the departments. The materials of the unfinished inquiry of the Commission of 1871-73 will furnish valuable help to the new Commission, and the information gathered in England would be usefully supplemented by the deputation of a few non-official experts to make inquiry on the spot. The growing dangers of ever-recurring famines, the loss on exchange,

and the untrustworthy resource of the opium revenue—all point to the necessity of economizing all existing resources, and devoting them religiously to their proper purposes. The larger questions of general administration cannot of course be dealt with by such a committee. The responsibility of action in regard to these must rest with your Hon'ble House. With the information gathered and digested by a competent Committee, your petitioners have every confidence that your Hon'ble House will not fail to discharge the noble trust the British nation has reposed on your Members by condemning the policy pursued of late. The finances of India must be relieved of the entire burden of the charges represented by the cost of the Afghan War, and trans-frontier Military railways. India is prepared to do the part required of her by spending the blood of her sons freely in this Imperial War, but her impoverished resources being insufficient to protect her from famine and other disasters at home cannot bear the strain of the additional taxes, and the increased national debt. If these charges are lightened to her by a proportionate grant of money sufficient to pay the extra cost of the War on the precedent of the Abyssinian and Chinese Wars, the present taxes will, with the help of vigorous retrenchments, and the substitution of Natives for Europeans on a larger scale than at present, enable her government to meet all the charges of a civilized administration, and to protect the country against famine. The extension of a modified permanent settlement, where the rate being fixed in kind, and paid in money price, under periodical commutation, will encourage the investment of capital in land altogether unknown under the present system, and ensure its agricultural prosperity. The excessive centralization of power in the hands of the Viceroy in Council has had a great deal to do with the abuses in connection with land revenue. The best intentions of the local authorities under Sir P. Wodehouse were thwarted by the higher authorities in the settlement of this question. The Government of the N. W. Provinces were similarly interfered with in the matter of remission of revenue in the late famine. As the system of land revenue differs from province to province the local authorities should be allowed greater powers to carry out their views. Your petitioners trust that these, and the other reforms will follow in due course when the tone of the whole administration has been changed for the better, under the wholesome fear of the responsibility to your Hon'ble House. Your petitioners accordingly pray that your Hon'ble House will in view of the several points urged above be graciously pleased

1. To order a Commission of Inquiry to receive evidence, and report upon the several points touched above, with power to depute independent members to take evidence in India.

2. To require such Commission to report how far retrenchment

is possible in all departments of expenditure, both in India and England, and how far the Native element can be substituted with efficiency in place of the costly European machinery.

3. Meanwhile to prohibit all further abolition of the cotton import duties, till the finances are restored to their proper footing and the famine insurance fund is restored to its integrity.

4. To order that the whole burden of the cost of the Afghan War should not be thrown on India, but that all extra charges should be borne by the mother country.

5. To raise the standard of minimum age required of candidates for the Civil Service examination to 21 years and to order that the examination should be held simultaneously in India and in England.

6. To repeal the Press and the Arms Acts.

7. To order the extension of the permanent settlement of land revenue on the principles laid down in the Despatches of 1862 and 1865, with this modification for the protection of government rights that the fixed settlement should be in kind, but paid in money, at a fixed commutation of price revised periodically.

8. To order the institution of a court of appeal in England, to which Native Chiefs and Princes might be permitted to appeal, in regard to all acts and dealings between themselves and the representatives of the Paramount Power, when they have cause to feel themselves aggrieved by the decision of the authorities in India.

9. To introduce into the Legislative Councils independent non-official Native and European Members elected by the Municipalities of the Presidency towns, and other large centres of population, with the power of interpellating the executive officers on public matters, on the principle followed in several of the colonies, notably in Ceylon.

10. To curtail the powers at present assumed by the Viceroy and the Secretary of State overruling their respective Councils even upon financial matters, and to strengthen the constitutional authority of the latter upon the lines of policy laid down in the Acts of 1858 and 1861, which acts by reason of the ambiguity of their clauses have failed to secure their principal object.

11. To decentralize the power now vested in the Viceroy in Council by a further continuance of the line of policy, sketched out by Lord Mayo. The foreign relations, and dealings with Native States, the Military Department, the Customs, the Railway, Post offices, and the Mint and the Electric Telegraph Departments should be the only ones, left under the direction of the Viceregal authori.

ties in Calcutta, and all other branches of revenue and expenditure should be transferred to the Presidency Governments, who should be required to pay their portion of the surplus revenue for the purposes of defraying the cost of the departments left in the hands of the Supreme Government.

And your humble petitioners as in duty bound will ever pray.

KRISHNAJI L. NULKAR

Chairman of the Public Meeting.

S. H. CHIPLONKAR

Honorary Secretary

Poona Sarvajanic Sabha.

PROCEEDINGS OF A PUBLIC MEETING OF THE INHABITANTS OF POONA.

A public meeting of the inhabitants of Poona, convened by the Poona Sarvajanic Sabha, was held in the Town Hall (Heerabag) on Sunday the 16th of May 1880. The meeting was very largely attended and all the sections of the Native Community were duly represented. Great enthusiasm prevailed throughout the town, and large placards were stuck on the walls facing the principal streets to announce the Meeting. The central hall was crowded by 5 P. M., and several had to accommodate themselves in the adjoining verandah and the open ground outside.

Mr. Shivaram Hari Sathe, Secretary of the Poona Sarvajanic Sabha, having read the notice convening the meeting, Mr. Ganesh Ramchandra Kirloskar M. A. L. L. B. proposed, and Mr. Trimbakrao Narayan *alias* Tatia Sahab Rajamachikar (Inamdar) seconded that Rao Bahadur Krishnaji Lakshman Nulkar be requested to occupy the chair. After taking the chair the Rao Bahadur addressed the meeting as follows:

Gentlemen, the Secretary having read the list of business before you, I have only to ask gentlemen in charge of the different propositions to submit the same for your consideration. But before doing so, I have a few remarks to offer on the first subject, namely, the adoption of a Petition to the new Parliament praying for the redress of certain grievances. It will be naturally asked, why should we take the trouble of drawing up and sending these petitions to Parliament, seeing that they bear no perceptible fruit. To come to a

right understanding of the question, it is well to consider for a moment the real nature or constitution of the British Government and the actual seat of power. The British Parliament, consisting of members chosen periodically by the people of the United Kingdom, is the real seat of power, because according to the constitution, neither the Queen nor the ministry can afford to go for any length of time against the wishes of Parliament. To reach that power or to enlist it on our behalf in the matter of our grievances, we have no other resource open to us than that of petition, as we are not yet allowed to send our representatives to take part in the deliberations of that body and thereby influence the Government of our country. As a rule Parliament is apathetic in all Indian matters, and constant agitation on our part and on the part of our friends on the spot is the only means of awakening it practically to its duty towards India. Happily, we live under a government which is on the whole the best with which India could be blessed under its peculiar circumstances, historical as well as political. But like all despotic forms of government ours has its faults, traceable chiefly to individual failings. These arise first from ignorance or indifference, secondly from prostitution of power to ministerial or party objects, and thirdly, from pride and partiality towards race or class-interests. To quote recent examples, the Arms Act, partly the Press Act, the entire land-revenue system, and the policy persisted in our own Presidency in the management of the late famine, are typical of mistakes arising from sheer ignorance of facts and indifference to acquire a true knowledge of them. To see how those who control the destinies of India from England can prostitute their power in order to prolong their own tenure of office and to save their own treasury, we have only to consider how our revenues from cotton duties were recently sacrificed to gain favour with Manchester. Princely visitors to England were extravagantly entertained during their sojourn at the cost of India for the reason that in common with India their country is situated in the East. While every possible item of cost of every British soldier that is sent to serve in India, the pensions of his families, the cost of his regimental depot in England &c., are rigidly exacted from India, our rulers consider that the justice of reciprocity is amply met by paying only the extra pay of Indian troops borrowed for Imperial purposes such as the expeditions to the Persian Gulf, Abyssinia, and Malta. And we are already told that we must bear the cost the Afghan War undertaken confessedly for imperial purposes. The unchecked and unlimited growth of what are called the home charges is another instance how Peter may be robbed to pay Paul with impunity. The exemption of Europeans from the provisions of the Arms Act, the disability of native Magistrates as such to

try a British-born subject, the special and costly provision made for the education of European youths in India, and the preference given to them in the different branches of the public service, are instances of how irresponsible power is capable of being used in furtherance of race or class interests. If we wish to have these evils or any of them removed we must carry on a constant agitation at the fountain head of the power which governs us, that is, the great Parliament of England. Representation to local authorities in India is no doubt one of the constitutional means open to us of bringing our grievances to notice; but we know to our cost how our local rulers are, as a rule, wedded to the idea that they alone are capable of judging what is good for us, and that it is an unpardonable presumption on our part to point out to them where the shoe pinches. It is, therefore, necessary to supplement local efforts by agitation in England.

Mr. S. H. Chiplonkar, who moved the first proposition said :—

MR. CHAIRMAN AND GENTLEMEN,

The proposition which has been entrusted to me is a very important proposition and, therefore, I wish the task had been entrusted to some one of the gentlemen I see before me, one better qualified to do justice thereto. As it is, however, I must endeavour to acquit myself of the responsibility thrown upon me as satisfactorily as possible. The proposition which I am asked to move for your acceptance is "that in the opinion of this meeting it is both desirable and advisable to adopt an humble petition to the new House of Commons congratulating it on the accession of the Liberal leaders to power, and praying it to redress the most urgent of the many grievances of the people of India." At no period of the Indian history since under the inscrutable will of an Almighty Providence this great country passed under the most beneficent and civilizing rule of the great British nation, has such a spectacle been witnessed before as that which greeted the eye of an observant student of Indian history during the past two months. When the intelligence was flashed to this country early in March last that Parliament was to be dissolved at Easter, and that the British nation was to be asked to pronounce its verdict one way or the other on the lines of policy pursued by the Government of Lord Beaconsfield, the intelligence was welcomed with a sense of relief in this country as much as in the mother country itself. The excitement which that intelligence caused in this country was profound to a degree and quite unprecedented in the annals of British India. Two of the most influential and representative public Associations in this country—the Indian Association of Calcutta and the Sarvajanic Sabha of Poona—took time by the forelock and issued addresses or rather appeals to the free electors of Great Britain and Ireland calling upon them in the name of the unrepresented

millions of India to return Liberal candidates to the new Parliament and thus secure the subversion of a government whose policy, repressive at home and aggressive abroad, had proved quite disastrous to the true interests both of England and India. Both of these appeals have been favourably received at home, though they reached their destination rather too late to influence the result of the General Elections. This was not all. The Indian Association of Calcutta specially deputed a native gentleman to the scene of action—a gentleman in every way qualified, by social position, by education, by his engaging and accomplished manners,—to represent his dumb brethren, one of whom all India is justly proud,—I mean the accomplished gentleman and orator Babu Lal Mohun Ghose. Mr. Ghose is, we hear, fired with the laudable ambition of entering the Parliament as the representative of a British constituency and we wish him every success in his laudable undertaking. All this would have appeared quite Quixotic half a dozen years ago, but under the altered state of circumstances it appears not only Quixotic but on the other hand quite natural. What are these altered circumstances? The course of administration in India during the last six years, but especially since Lord Lytton came out as Viceroy has taught us one great political lesson above all others that India must identify herself with one or other of the two great political parties at home that alternately sway the destinies of the British Empire, before she can hope to derive to the fullest extent all the legitimate advantages of a British connection. Experience teaches us that what is the concern of all is the concern of none; and besides that there is a well-known Marathi proverb which declares that one who is simultaneously the guest of two different hosts runs the risk of being starved and cared for by neither. What is true in private life is true in public life and in political life especially. You must throw in your lot with one or other of the two great political parties at home and make fast friends with them, so that you can always command their services whenever necessary. If you can secure the firm and staunch friendship of both the parties, all good and well; but as that is impossible in the very nature of things, the principles of action of the two parties being so opposed to each other, you are bound to make sure of one support at least. Liberty, equality and justice is the watchword of India, and of the two parties which do you think is the more likely to sympathize with your aspirations? Can you expect that party to sympathize with your aspirations, a party whose leaders at home and servile instruments in India deprived you of your liberty by gagging your national press and of your right of petition, the birthright of every British subject, by insulting openly the deputation from one of the most influential and representative Asso-

ciations in the country; instituted and sanctioned invidious distinctions between Europeans and Natives by more measures than one, but notably by its Dissarming Act and the Native Civil Service rules; and violated outrageously all the recognized principles of justice and equity by manipulating the taxes paid by the people of India in the interests of their own party? Can you, I repeat, expect the leaders of such a party to sympathize with your natural aspirations? I put it to you, gentlemen, whether you can ever think of making common cause with the leaders of a party who, as you know, pursued a famine policy which resulted in the death millions of your famine-stricken fellow country-men in Bombay, Madras and the North Western Provinces, and who carried fire and sword into the territory of a weak and helpless sovereign with whom we had been in peace for nearly half a century, and who had been more sinned against than sinning. I am sure I am expressing the unanimous sense not only of those present here but even of those who are not here, when I say that it is impossible to expect such a party to sympathise with our natural aspirations. The leaders of this party have by their action during the past years compelled us *volens volens* to throw ourselves into the arms of their political adversaries who, though hitherto they may not have shown a particular regard for the interests of India, now promise to mete out justice to the unrepresented millions of India. During the last few years the leaders of the great Liberal party almost invariably espoused the cause of India and thus secured the attachment of the people of this country and won their confidence. Mr. Gladstone was perfectly right when in his speech to the electors of Midlothian after the result of the polling was announced, he said that the result of that glorious night would be hailed with a sense of relief by the millions in India. The natives of India too expect many things of the new Liberal administration not at once of course but during the course of a few years. As an earnest of their sincerity to mete out justice to India in future the leaders of the great Liberal party have included in the new ministry one whose perfectly disinterested and untiring advocacy of the interests of India both in and out of Parliament for the last ten years and more has deservedly won him the nickname of "the Member for India." Professor Fawcett's presence in the new Liberal Ministry is an unmistakable guarantee that the interests of India will receive their full share of the attention of the new government. A great Roman historian has said "*Idem velle et idem nolle, ea demum firma amicitia est.*" (To will the same thing and not to will the same thing, that at length is firm friendship.) And acting on this maxim I am, gentlemen, justified in saying that the new relations sprung up between the people of this country and the leaders of the great Liberal party at home can be not inaptly described as firm friendship.

You will thus see, gentlemen, that we are bound to congratulate the new House of Commons on the return of the Liberal leaders to power. There are those who warn us against identifying ourselves with one or other of the two political parties at home and advise us to remain neutral. But you, gentlemen, are aware that a neutral in politics has the most dangerous part to sustain. It is well known that he who endeavours to please both the belligerents pleases neither. It is true of course that the course I am advocating has both its advantages and disadvantages, but then I am persuaded that the advantages more than counterbalance the disadvantages. It is now an admitted fact that notwithstanding the indignant disavowal of Lord Lytton and Sir John Strachey the Government of India during the last four years was essentially a party government, and as a natural consequence it proved very disastrous to us in many respects no doubt, but then it must be remembered that we have derived one incalculable advantage which more than counterbalances all the disadvantages. What is this incalculable advantage? It is this that the maladministration or the party government of the last four years has compelled the British public at home to take livelier interest in the affairs of this country. We know that the Home Press, both Metropolitan and Provincial, have discussed some of our most burning questions—notably the question whether the entire cost of the Afghan War should be borne by India alone—intelligently and what is more to the purpose irrespective of party politics. What is this result attributable to, if not to the course of policy followed by the Government of Lord Beaconsfield? The British public at home is the final arbiters of the destinies of India, and for a long time it was an important problem with the well-wishers of India how the British public should be induced to take a lively and intelligent interest in the affairs of their great Eastern dependency. That problem has been happily solved, and we are no doubt indebted to the Government of Lord Lytton for this happy solution. As regards the latter part of my motion I need not detain you longer by dwelling upon it, in as much you will shortly have the petition read out to you. With these words, gentlemen, I beg to move for your acceptance the proposition that “in the opinion of this meeting &c.”

Mr. Gangaram Bhaui Mhaske, District Pleader seconded the proposition in a short speech, and also read the draft petition, whereupon Mr. Damodar Vidyadhar Ghokhle, District Pleader and Editor of the *Dnyan Prakash* proposed, and Mr. Venkatesh Govind Lela, District Pleader, seconded that the petition read be adapted. The proposition having been unanimously carried, Mr. Ganesh Wasudeo Joshi proposed, and Mr. Bajanna Linga, District Pleader, seconded that the Hon'ble Sir David Wedderburn Bart M. P. be requested to present the

petition to the House of Commons, and that the Hon'ble Mr. S. Laing M. P., the Hon'ble Sir George Balfour M. P., the Right Hon'ble Mr. James Stansfield M. P., the Hon'ble Mr. F. H. O' Donnell M. P. the Hon'ble Mr. Reid M. P. and others be requested to support the petition.

Thus ended the first business on the list, whereupon Mr. Chintamonrao Vishwanath *alias* Bhau Saheb Natu, Inamdar and Sirdar proposed, and Mr. Rajmachikar seconded that on his arrival in Poona an address of welcome be presented to His Excellency the Right Hon'ble Sir James Fergusson Bart K. C. M. G. Governor of Bombay, representing at the same time the wants and wishes of the people of the Deccan, and that the following gentlemen be requested to form a Committee with power to add to their number for the purpose of drawing up the address and arranging for its presentation:—Rao Bahadur Krishnaji Lakshman Nulkar, Mr. Trimbakrao Narayen *alias* Tatia Saheb Rajmachikar, Mr. Babaji Krishna Gokhale, Mr. Becher Amolik, Mr. Ganesh Wasudeo Joshi, Mr. Gangaram Bhau Mhaske, Mr. Baba Saheb Sanglikar, Dr. Ganesh Krishna Garde, Mr. Vinayak Rangrao *alias* Baba Saheb Purandare, Rao Bahadur Shrinivas Shesho, Rao Bahadur Chintamonrao Hari Deshmookh (First Class Sirdar), Mr. Sitaram Hari Chiplokar, and Mr. Shivaram Hari Sathe. The proposition was unanimously carried. Thus ended the second business on list.

Mr Babaji Krishna Gokhale, District Pleader, rose to move that a memorial be presented to His Excellency the Governor in Council praying His Excellency to grant to the inhabitants of Poona the right of electing their own Municipal Commissioners, and that the gentlemen appointed under the previous resolution be requested to draw up a memorial and arrange for its presentation. Mr. Gokhale made an appropriate speech in support of his motion in which he dwelt upon the shortcomings and the unsatisfactory working of the present system of nomination and upon the qualifications of the inhabitants of Poona for the privilege they were seeking to obtain. He was repeatedly cheered by the audience and resumed his seat amidst loud applause. Mr. Mahadeo Ballal Namjoshi, Editor of the *Deccan Star* seconded Mr. Gokhale's motion upon which it was carried by acclamation.

A vote of thanks to the Chairman for his able conduct was proposed by Mr. Dorabjee Dadabhoy Bootee, Proprietor of the Napier Hotel and seconded by Mr. Kashinath Govind Natu, District Pleader and received with acclamation. Thus ended the proceedings of the meeting.

FRESH TAXATION OF NATIVE STATES IN THE BOMBAY PRESIDENCY.

(THE NEW DEPARTURE IN THE FISCAL POLICY OF THE GOVERNMENT OF INDIA.)

AMONGST the political and fiscal measures of Lord Lytton's Government, there are perhaps none which so seriously affect the relations of the British Government with the Princes and Chiefs of India as the arrangements concerning opium and salt recently made or in course of being made with them. Introduced immediately after the assumption of the Imperial title by Her Majesty the Queen, these two measures have had the effect of bringing home to the minds of the Chiefs, in a practical manner, a vivid sense of humiliation and the loss of kingly prerogatives and rights which the ceremonies of the Imperial Assemblage at Delhi were, in a measure, calculated, though faintly, to evoke.

As regards the new opium arrangements, it is the Native States of Western India that are chiefly affected, and to whom Lord Lytton leaves a legacy which, for entailing a loss of revenue and of political rights, they will cherish in remembrance as long as they have revenue and semblance of political rights to boast of. Taken together, the two measures relating to opium and salt have tended to bring the subjects of Native States, within the pale of British taxation. These subjects of Native Chiefs have, for purposes of taxation, been hitherto considered by government as 'foreign,' but in regard to opium and salt they are now placed, by the new arrangements, virtually on a par with British subjects on the pretence of protecting British Imperial revenue derived from the monopolies in the

two articles. This is the most serious and important *change* in the fiscal policy of the Government towards the Native States which the arrangements mark out. It is a step which knocks the hitherto so-called financial independence of the Native States on the head, since divested of all pretentious pleas by which it is supported, what is the real meaning of this new departure in the fiscal policy? To those who look upon it in a broad and unbiassed spirit, the true aspect of it is revealed in an instant. The new departure in the fiscal policy in effect declares that the assumption of Imperial power covers the rights of the Government of India to lay the resources of Native States under fresh contribution to the exhausted Imperial Exchequer; that over and above the tribute payable by the Native States in virtue of the treaties and engagements entered into with the British Government, they shall be made to submit to such exactions as Government may from time to time think fit to levy; that treaties and engagements shall no longer bind the Imperial Government in the fiscal policy it considers expedient to pursue but that its fiscal relations with those States shall be regulated by the condition and wants of its exchequer and the exigencies of British Indian Finance. But the evil does not end here. The loss of financial independence is accompanied by a further loss of political rights and prerogatives, the protection of which has been solemnly guaranteed to them by those treaties and engagements. The spell is at last broken. Treaties and engagements are, it seems, not now to be looked upon by the Imperial Government in the light in which they have heretofore been regarded, viz, solemn contracts mutually binding on the two contracting parties. They are to be treated as if they are meant to bring coercion home to Native States but not necessarily to make the Government of India act up to its own engagements. Their solemnity and binding force on that government is held to be of

far less significance before the pressing exigencies of Imperial finance. In this way the effect of the new departure in the fiscal policy has been to gradually but insidiously undermine the rights of Native States, to reduce Native Chiefs to a position of political non-entities—a status little better than that of mere estate agents. This is the outcome of the ‘spirited’ foreign policy inaugurated by Lord Lytton in India, and the Native Rulers in this Presidency have been made so lately to taste its bitter fruits that it may be well to refer to it in greater details before the acts of its Authors,—the departing Viceroy and his henchman—the Finance Minister (Sir John Strachey) became matters of history.

The view here put forth is not drawn from imagination. It is the result of study and observation of actual facts and phenomena. The mouths of the Native Rulers are gagged. All they can venture out is to put forth a feeble protest against the inequities and injustice of high-handed proceedings. Such protests seldom reach the quarters from which the mandates are issued, and when they do reach there they seldom produce any powerful effect. The result is a feeling of innate dissatisfaction and discontent amongst those Native Rulers whose good-will and contentment it is expedient for the British Government to secure and which in Royal proclamations it is expressly desired to secure.

Before we proceed to describe in detail what this new departure in the fiscal policy is for which the Native Rulers have to thank Lord Lytton, and how it has affected their interests financially as well as politically, we would observe that we propose in this paper to discuss the merits of the new policy in respect only of the opium arrangements recently concluded by Government with the several states in this Presidency, leaving the policy of the salt question for consideration hereafter.

As the new opium arrangements differ with different Native States, it will be best to begin by stating

briefly what they are in the case of each Native State or group of States in this Presidency.

Taking Baroda as the largest Native State in this Presidency, we find that, until within the last two years, poppy cultivation in the Baroda Territory was almost-unrestricted, no assignable limit having been placed by the Gaikwar Government either in respect of locality or acreage under cultivation, or disposal of juice. The ryots were generally free to cultivate their lands with poppy, to sell the juice to any person they liked, and manufacture it into drug fit for the market. It appears, however, that poppy cultivation was chiefly carried on in the Karri or Northern Division of the Baroda Territory. The bulk of the produce thus grown and prepared was, over and above what was needed for local consumption, allowed to find its way to Bombay *via* Ahmedabad, where it was weighed and examined at the Government scales, and the usual pass-duty levied on it, before it was permitted to be exported to Bombay. From Bombay it was shipped to China. This was the old arrangement. The new arrangement, recently entered into with Government may be described, in the words of Sir T. Madhava Rao,* the Minister of Baroda, as follows:—

1st.—That the cultivation of poppy in Baroda territories, except in the Karri Division, should be prohibited.

2nd.—That the cultivation in the Karri Division be restricted to licit demand, that is to say, to the demand for local consumption and for export to the British Government scale at Ahmedabad.

3rd.—That the cultivation should be by license.

4th.—That the State should buy all the juice and convert it into opium.

5th.—That the opium for exportation should

* Administration Report of the Baroda State for 1877-78
page 129, paras. 502-504

be in charge of the State till it has paid British pass-duty at Ahmedabad.

As to retail sale of opium for consumption in the Baroda territories, the practice, before the new arrangements, was to farm out the monopoly of the sale in all but the Karri Division, where, owing to the free cultivation of the poppy, no monopoly could obviously be maintained. Under the new arrangements, however, it was decided that the Gaikwar State should establish depots in different parts of the Baroda territories, these depots to supply opium to licensed vendors in different parts of the state, with instructions not to sell opium at a price below that current in the adjoining British district. Again, as British districts intervene between one division of the Baroda territories and another, it has been also arranged that opium for retail sale, imported by the Baroda Government into its different divisions, should be free of duty. Another noticeable feature of the arrangements appears to be that in case of Malwa opium required for internal consumption in the Gaikwar territory it is to be supplied by the British authorities from British Government Depots in quantities of which the total value should not, we believe, exceed five lakhs of rupees during any single year. Since the date of these arrangements, the practice which formerly obtained of importing opium from the Gaikwar territory for local consumption in the Ahmedabad district has been given up, the wants of the district being met by a direct supply of opium from the Government Depot at Bombay.

So far for Baroda. The minor states under the Rewa Kantha and Mahi Kantha agencies, as well as the small state of Palunpore in the north of Ahmedabad, have, under the arrangements made with the Government of India, been permitted to import opium for use in their respective territories free of the Imperial pass-duty.

All the Native States of Kathiawar have for the last sixty years received their supplies of Malwa opium through Government *free of duty*. The province of Cutch also managed to obtain its own supplies of opium *free of duty*. In fact not a single instance could, so far as we are aware, be shown of Cutch having ever paid duty to the British Government for her opium supplies.

The new policy, however, inaugurated in May 1878 a distinct departure from the practice which obtained heretofore in those States. This departure consists in the Government of India throwing upon Kathiawar and Cutch the onus of obtaining their supplies for home use of opium which has paid full duty, subject, however, to a refund or discount of one-fifth or 20 per cent of the duty in consideration of those States employing an efficient preventive service to check smuggling into their respective territories. This rule, if we mistake not, applies to supplies of opium to native states in the central and southern divisions of the Presidency, so that, with one special exemption noticed above, the Native States in this Presidency are compelled to pay to government, in addition to the tributes regularly levied from them, in accordance with treaties and engagements, four-fifths of the pass-duty, that is to say *Rs. 560 per every chest of opium consumed within their territories*. This refund or discount of one-fifth or 20 per cent of the pass-duty is the measure of consideration accorded to those States for undertaking, in the first place, to maintain in efficient order a preventive establishment to guard against smuggling, and preserving British revenue from injury and, secondly, to sell within their territories opium for retail consumption at prices not below those current in the neighbouring British districts.

One of the astounding circumstances connected with this unwarranted departure from the fiscal policy hitherto pursued towards the Native States remains to

be noticed. It is that in announcing the new policy to the States thus brought under the pale of British taxation, they were informed that the policy admitted of no discussion whatever, and that no discussion on the decision of Government would be permitted. The political authorities at the courts of the Chiefs were directed not to receive or entertain any complaints or appeals against it, and furthermore, to allow no discount or refund of 20 per cent to Chiefs who refused to comply with the requirements of the new ruling ! The measure was in fact to be forced down the throats of these Chiefs *volens volens*, with all the rigour of authority of which the political officers were capable. In vain did the Chiefs apply for the necessary official papers bearing on the subject and indicating the grounds on which the resolution involving a sudden inversion of the policy of the Government of India was based ; in vain did they implore the authorities to grant their representations the hearing which the justice of their cause imperatively demanded. Many of the Chiefs in this Presidency applied directly to Sir Richard Temple, the then Governor of Bombay, for personal interview in order to discuss the merits of the question, the decision on which was fraught with such serious consequences to their revenues and their political status. But no. Sir Richard rather than look into the merits of what the Chiefs had complained against, preferred to take up the position of a passive registrar of the decrees of the Government of India. What wonder then, that the prayers of the Chiefs should fall flat upon his ears ? Their petitions and memorials met the fate common to documents of that kind on matters to which Government is unwilling to lend its ear. These were dismissed with the usual laconic remarks penned in the shape of Government Resolutions, viz :—‘Government sees no cause to interfere’ ; ‘Petitioner’s request cannot be complied with’ ; ‘the request of the Memorialists is incompatible with the policy which is being developed in the public interest’ &c.—texts of

which the petitioning Chiefs can make no head or tail. Nothing can be more evasive than these replies. And yet, looking from the petitioners' point of view, what can be more reasonable, more just, more expedient, more politically honest than the supply of information as to grounds on which their request cannot be complied with? Can it be said that Government was at all afraid of giving reasons, or that it had no good reasons to give? As to the political officers—the channels through which the grievances of the dissatisfied Chiefs are conveyed,—they may be described, with of course a few notable exceptions, as a race of trimmers. Under the *regime* of Sir Richard Temple, they grew adepts in the art of running with the hare, and stopping with the hound. They knew what would find favour at head quarters and shaped their course accordingly. They perceived what fate awaited those who had had the courage of their opinions and of their convictions. If those of them (few though they were) whose conscience naturally rebelled against the unwarrantable exercise of pressure on the Chiefs, which, in the diplomatic nomenclature, is termed 'advice' but which, in practical affairs, is understood to be little short of 'peremptory orders,' suggested a line of policy compatible with justice and fair play, such officers found themselves out of court under a Governor like Sir Richard Temple, himself an arch-trimmer, and a Viceroy who set to the official world in India an example of blind subserviency to his Chief. Such political officers would consider themselves fortunate if they are not summarily snubbed for their advanced or liberal views. Thus the evils of personal government could go no further. Such of the officers, civil or military, who could not reconcile their acts with their conscience, whose sense of justice and spirit of independence revolted against the moral servility to which they were subjected, sought solace in long or short furloughs, while not a few, disgusted with the awkward position in which they were placed, preferred

retirement from service to selling their conscience.

Under such a rigorous personal government it is scarcely to be wondered at that a deep sense of injustice, disappointment, and discontent should be engendered in the minds of the rulers of Native States whose resources were being trampled upon and whose political rights were being rudely invaded by means of a repressive measure, for no fault of their own and without being allowed even a chance of hearing. If reason and good sense, they urged, were not on their side, if long previous practice could not be affirmed in favour of the enjoyment of their rights, they could well understand the meaning of the departure from the traditional policy of Government. But when they find they are able to make out as strong a case in their favour as the most unprejudiced mind can conceive, they cannot help finding it most painful, distressing and humiliating to their position as princes and rulers of people to be peremptorily checkmated and called upon to consent to arrangements though knowing them to be subversive of all good faith and understanding. Here we may take leave to suggest *en passant* that the time has come for seriously considering the question whether, in all disputes involving *vested* political and fiscal rights of Native States on the one hand, and measures of a *repressive* character on the other, sought to be enforced by the British Government in their relations with the Native States, the best course which would be at once satisfactory to the States and just to Government, would not be to refer all such questions to an Imperial Court of Appeal, similar in constitution to Her Majesty's Privy Council in England, whose decision in these matters would command the respect and confidence of all Princes and Chiefs that feel aggrieved by reason of repressive acts on the part of British authorities. As it is, the Native Rulers have to bow and resign themselves to the supreme will and power of the British Government as represented in India by an autocratic

Viceroy or a subservient Governor. And they do it with sullen discontent, though they would gladly desire to be released from burdens imposed upon them through pressure provided they do not thereby find themselves or their states exposed to serious consequences arising from the application of more drastic measures which might be adopted by the Government of India, or from the displeasure of Government which their resistance, however lawful, to the unreasonable demands of Government would be likely to cause.

Now let us consider the merits of the hardship complained of in the new opium arrangements made by the Government of India with the Native States of this Presidency.

No Native State maintains or can maintain that contraband trade in opium should be encouraged, and that preventive measures, having for their object the protection of the British revenue, should not be taken. Any measures calculated to put down smuggling with a high hand, they would support and support most willingly. But we submit that in view of the cordial assistance given by the Native States to the stringent efforts energetically put forth by the British Government to put down traffic in illicit opium, in view of these states maintaining a heavy and costly preventive service, and in view of the sacrifices involved in the measures adopted by them to prevent exportation of opium through their ports, they are entitled to a far better consideration at the hands of the British Government than that accorded to them under the new arrangements. How they are so entitled it is our object here to show.

We are free to admit that of all Native States in the Presidency, Baroda has, upon the whole, much less cause to be dissatisfied with the new arrangements, though the first losses to the state have been considerable. The Gaikwar retains his right of poppy cultivation and of the manufacture and export

of opium, though it is undeniably true; that the trade of his merchants and dealers in the drug is gone for ever. The State is, moreover, supplied with *duty-free* opium from Malwa in such quantities as may be needed for internal consumption in the territory. On all main points the new monopoly system introduced into the Baroda territory differs little from that which obtains in British districts where Bengal opium is cultivated, manufactured, and sold. There can be no doubt, however, that the new arrangements are not quite an unmixed good to the Gaikwar. The Minister of Baroda observes :—

‘I must, however, confess that the new arrangements with regard to the cultivation of opium in the Baroda territory were agreed to by His Highness’s Government with considerable misgiving. We should fain have consented to less drastic measures. As it is, however, we have, in deference to the wishes of the British Government, adopted the scheme indicated above, though it cannot but be distasteful to our ryots and merchants.

The first results of the new arrangements in Baroda have been a marked falling off in the cultivation of poppy. Sir T. Madhava Rao, the Dewan of Baroda,* writing in 1877-78, says :—

‘We do not expect more than 150 Chests from this season’s cultivation, whereas the ordinary out-turn was between 2000 and 3000 chests. I hope better results will be obtained in future years and that this large source of revenue will not suffer owing to the new arrangements. Every necessary effort is made to ensure success in this matter.’

But the efforts of the Dewan have not, during the past two or three years been attended with the success anticipated. So far as we are aware, the new system has thus far proved an utter failure, and that this ‘large source of revenue’ leaves in the Baroda exchequer a gap of between about three and four lakhs of rupees every year. The Gaikwar Government have organized a new branch of service under the name of ‘the Opium Department’ at a heavy cost but its working results so far show that the Department is hardly self-supporting.

* Administration Report for 1877-78.

On the contrary we are not far wrong in saying it is a drag on the other sources of revenue.

In the case of Palhunpore and the minor inland states of Gujarat, comprised under the Rewakanta and Mahikanta Agencies, the right of poppy cultivation is denied to them. They, however, enjoy the advantage of *duty-free* supplies of opium from the Government Depots. These states, therefore, may be looked upon as having, next after Baroda, fared well under the new arrangements.

But it seems to be the misfortune of the Native States of Kathiawar and the outlying principality of Cutch as well as of other Native States in the Presidency of Western India to be not only denied the right of poppy cultivation within the limits of their respective territories, not for export purposes, mind, as in the case of Baroda and the Native States of Central India but for local consumption, but are, for the first time, burdened with a duty of Rs. 560 or four-fifths of the pass-duty on every chest of opium consumed within their respective territories.

The issues which the new departure in the fiscal policy of the Government of India raises are :—

Firstly.—What has been the policy of the British Government so far in the matter of the Malwa opium monopoly in relation to the Native States situated on the coast of Western India ?

Secondly.—What is the relative position of the Native States on the coast of Western India as compared to that of the inland States of Gujarat ?

Thirdly.—What has been the practice hitherto in regard to the supply of opium to Native States in this Presidency ?

Fourthly.—Is the Government of India entitled to tax certain Native States in this Presidency for the supply of an article which is not the product of British territory but of other Native States and on which it levies a transit duty in

the shape of pass-fee, when exported from its place of growth in the Native States?

Fifthly.—Is the levy of pass-fee on opium supplied to Native States just or expedient?

First, then, as to the past policy of the British Government in respect of opium supplies to Native States for local consumption. This policy has a history of its own. For our present purposes, however, it is sufficient to refer to its most salient points as briefly as our limits would permit. The East India Company, in opening their trade with India, had been, from the earliest period, intent upon obtaining a complete monopoly of the opium trade with China. This was, however, by no means an easy task. However tempting to the commercial greed of the Company the project was beset with great and serious, if not insuperable, difficulties. On the one hand, the Company had to secure a monopoly of supply and traffic in opium in India—a vast continent in itself,—interspersed with Native States where opium was grown and whose ports were open to the markets of the world. On the other hand, they had to drive away all foreign competitors in the markets of China by offering their drug to the Chinese at rates at which it would not pay others to sell. To succeed in this two-fold object required all the resources of power, tact, diplomacy, enterprise, and mercantile sagacity of which, it must be admitted, the servants of the Company were then alone capable. Within its own territories the Company had a monopoly of poppy cultivation and manufacture. Of this monopoly it availed itself to the fullest extent by restricting poppy cultivation in British territory to the districts of Behar, Benares, Patna, and others in the N. W. Provinces and prohibiting, under stringent penal clauses, its cultivation elsewhere. This was, however, not enough, since Malwa opium—the product of Native States in Central India—competed successfully with Bengal opium in the Chinese markets by reason

of its superior flavour. The growth, manufacture, and exportation of this opium could not be stopped. The Company's influence over the Native States was at that time not so great or powerful. It would not also do to set Malwa opium in antagonism with Bengal opium in the markets of China. The chief care of the Company accordingly was how to make Malwa opium a source of profit, instead of an obstacle, to their scheme of acquiring an exclusive control over the China market. The plan first hit upon was to acquire an exclusive right of purchasing Malwa opium grown in the native territory. Accordingly in 1826 agreements were entered into with the Native States of Indore, Dewas, Ratlam, Jaora, Thota, Sillana, Partab Garh, Amjhera, and Sitaman. These agreements expressly provided for a certain quantity to be reserved for internal consumption.

This system which gave the Company an annual revenue of thirty-one lakhs, had scarcely worked for six months when it was found to be unfair and impolitic and had to be given up for the following reasons:—

1st, That evils of a serious nature were inflicted by the monopoly system upon all who came within the sphere of its operation; 2nd, that it was found impracticable to enforce that part of the original scheme which contemplated a positive reduction of the quantity of poppy cultivated; 3rd, that the measures for controlling the transit and exportation of Malwa opium were vexatious and oppressive to the people, and unpalatable and offensive to their rulers, 4th, that the efficiency of the system was materially impaired by that practice of smuggling, which it had been found impossible to prevent, owing principally to the intervening scattered possessions of Sindhia which could not be included; 5th, that the repeated and desperate efforts made to pass the opium beyond the limits of the restrictions by large armed bands of smugglers, and their open systematic defiance of the local authorities, operated to demoralize and disorga-

nize the country, and to revive the turbulent habits of the Minas, and other uncivilized tribes, in a degree which demanded the most serious consideration; 6th, that the monopoly, if ineffectual, must tend to destroy the internal trade of the country by depriving it of the most valuable article of commerce; and lastly that a system unavoidably fraught with so many evils could not be really acceptable to the native rulers, who had entered into the opium engagements, or be otherwise than extremely hurtful to their feelings and interests.* The monopoly system was accordingly set aside in favour of the pass-duty whereby all opium exported from the central depots in Malwa was subjected to a transit duty or pass-fee levied by the British Government. In 1827 the Court of Directors of the East India Company wrote to the Governor-General in Council at Calcutta as under:—

'One point to which we do not see that you have adverted will present itself for consideration, namely, whether by arrangements with the Governments to which the several ports in the Western Coast belong, a considerable export duty might not be imposed.'

The substitution of pass-duty in place of the monopoly system made it doubly necessary for the British Government to act upon this hint and to enter into arrangements with the Native States on the coast of Western India with a view to intercept untaxed opium exported from these coast ports to China. How important, in a fiscal point of view, these arrangements with the Native States were to the British Government would appear from the fact that a vast trade in exports of contraband opium was carried on from these ports and that the opium so exported competed with the monopoly drug in the Chinese markets. The most serious danger apprehended at the time by the British Government in the opium trade with China was in respect of those Native States on the coast which commanded the sea-ports, and where the drug found its way from the interior of Central India and

* The Chiefs of Central India by G. R. Aberigh Mackay, Vol. I Introduction page LVIII.

Rajputana by tortuous routes into the ports of Cutch, Sindh, and Kathiawar. Most of these sea-coast States were in a position, if so inclined, to prove highly obstructive to the Government. For instance, on the coast of the outlying province of Cutch, the Cutchis were the most dreaded of pirates and adventurers of the time. They had struck terror down the whole coast of Western India as far south as the Malabar coast. Merchants from Rajputana, finding this to be a lucrative trade, had established themselves at the principal Cutch ports. In Mandavi, for instance, we find to this day firms of Gosains and Bairagis—the descendants of those who had settled in Cutch from Jesselmere and other parts of Rajputana. We also find that in those days, bold and enterprising Cutchi sailors carried inland Malwa opium across the ocean to the Persian Gulf and Arabian Ports, whence the drug was carried by other nations in other bottoms to China. Large quantities of Malwa opium found its way into the foreign settlements of Damaun and Diu from Central India for exportation to India. We know of several Marwari firms at present in Bombay who had agents in those two settlements in those days. It is not surprising that the English merchants and the Government of India of that day should feel dismay at finding that their monopoly opium from Bengal and their duty-paid Malwa opium had to compete with the contraband drug thus brought to the China markets. The Government of India accordingly saw that their best way to deal with Malwa opium was to adopt measures whereby the export of opium through the ports of Cutch, Kattyawar and Sindh and from the Portuguese ports of Daman and Diu might be best prevented. At this period of British history in Western India, however, the Government of India could only exercise a moral pressure on these Native States. It was, therefore, no small assistance that these Native States rendered, when, to

enable the Government of India to maintain their Bengal opium revenues intact, they sacrificed an important source of their revenue by arranging for the prevention of exports of opium from their ports. Mr. Pritchard himself who negotiated the new opium arrangements, admits the valuable assistance thus rendered by these coast Native States, though he does not regard it so valuable as to count for any *substantial* compensation to these States. Though no formal treaties were entered into at the time, it is certain that Kathiawar and Kutch States agreed to prohibit exports of opium, thereby sacrificing a valuable source of income. About 1843 Sind became a British Province and its ports passed under the direct control of the British authorities. The closing of these ports to opium traffic at once enabled the Government to raise their export duty on Malwa opium from Rs. 125 to Rs. 200 and thence to Rs. 300 per chest. As the restriction of exports from the ports on the Western coast became greater and greater, the Government of India was able to advance its scale of pass-duty on Malwa opium. It is noticeable by what gradual steps the duty rose from Rs. 125 at which it stood in 1835 to Rs. 700 per chest in 1878. From 1835 to 1843 it stood at Rs. 125. In 1843-44 it was raised to Rs. 200 and in 1845 to Rs. 300, which rate continued till May 1847, when it was raised to Rs. 400. This lasted till 1859, when it rose to Rs. 500 per chest and to Rs. 600 in October 1868. This rate continued with a few fluctuations till 1877 when it was raised to Rs. 650, and it now stands at Rs. 700 per chest.

Some idea of the vast growth of the opium trade of British India with China during the present century may be formed from the fact that there were exported to China in the year 1800 about 500 chests and in 1825 and in 1850, 12000 and 50000 chests respectively.

Since 1854-55, the progress of the opium trade every five years may be noted from the following figures:—

	Average number of chests exported.	Average total value.
1854-55 to 1858-59 ...	74,239. ...	£ 7,884,611.
1859-60 to 1863-64 ...	68,119. ...	„ 10,608,542.
1864-65 to 1868-69 ...	81,976. ...	„ 10,898,648.
1869-70 to 1873-74 ...	87,840. ...	„ 11,722,111.
1874-75 to 1878-79 ...	92,797. ...	„ 12,175,696.
In 1879-80 ...	105,507 ...	„ 14,323,314.

Thus, in the course of the past thirty years where- as the number of chests exported to China has more than doubled, their value has advanced three times and a half, or from four crores to fourteen crores of rupees. In the list of Indian exports opium takes the first rank. Cotton contested supremacy with opium but only for a time.

It must be admitted that this amazing expansion of the opium trade with China and of opium receipts to the Government of India is due to the energy, enterprise, and diplomatic skill and achievements of the British authorities in India and of British representatives in China. But it would be most unfair, we think, to deny that the result is in a large measure due to the cordial assistance so cheerfully afforded the Government of India by the Native States on the Western coast of India, during the early period of British Indian trade with China and when it stood in sore need of such assistance, especially, by those very States of Kathiawar and Cutch who are now most unjustifiably, we think, burdened with four-fifths of the export duty on opium.

The question recurs, What is the consideration accorded by the Government of India to those Native States for having come forward cheerfully and closed their ports at a time when any indifference or connivance on their part would have endangered British revenue. The footing on which the Government then stood was such that it could only have exercised a moral pressure on the coast States and

that these States might fairly have exacted very *substantial* recompense indeed from the Government of India as the price of their assistance,—a price which looking to the magnitude of interests at stake the Government of the day would scarcely, we think, have thought fit to refuse to pay.

The transit of opium through the Western parts having been thus barred through the voluntary and self-sacrificing action of the Native States, the next question is, how were the States to provide themselves with opium for their local consumption? It is certain they could not do without the drug. The intervening States through which opium used to pass having ceased to be outlets of supply, the question of meeting the wants of these States in regard to internal consumption of opium could not have escaped the British Government of the time. It is true that, as a matter of fact, the States on the Western Coast were left to meet their wants as best they could. That is, however, quite beside the question. The real point is, What was the understanding with the British Government in regard to such supplies? To ascertain this point, we have to refer to the correspondence, and the treaties and engagements of the period. From them we find that both at the time the monopoly system was in force, and since its abolition and substitution by the pass-fee system it has been the anxious desire of the British Government to furnish such supplies to Native States *free of duty*. The Court of Directors invariably insisted on the authorities in India supplying this opium to Native States as cheaply as possible. In their letter dated 10th September 1829, they lay down this policy in these most unequivocal terms:—

These rulers (of Native States) will only be induced to draw cordially with you in the measures necessary to secure your monopoly by being led to think that *they rather gain than lose by doing so*. (The Italics are our own.—Editor.) and this persuasion you must endeavour to establish in their minds, while you must suggest to them such modes of confining the cultivation of the poppy, to the best soils &c.

and of limiting the total extent of its cultivation as may be least oppressive, and least forcibly strike the ryot as an *arbitrary* and *injurious* interference with their rights and interests. Vide page 25 of Appendix IV. on administration of monopolies of Salt and Opium, in connection with the Report on the Affairs of the East India Company, 11th October 1831.

Again further on, the Court observes 'the internal consumption should of course be provided for by us at a cheap rate.' (Page 29, *ibid.*) In another communication it is stated, 'another great object is to provide for the internal consumption of the countries to the North-West at the most moderate rate.' (Page 30, *ibid.*) In other place we read, 'the Agent states that he had heard of no dissatisfaction being caused by the system, that so long as internal consumption is fully and cheaply provided for, the ryots will be satisfied, and the rulers will remain contented as long as our compensation to them is fair and liberal which it is at present,' (Page 32, *ibid.*) But the strongest presumption that duty-free opium alone was meant to be supplied is furnished by the following in a letter from the Court of Directors, dated the 3rd August 1830:—'We directed the Agent's attention to the necessity of vigilantly enquiring whether, under the name of local consumption, the article might not be carried through indirect channels for exportation by sea.*' This shows clearly that no enquiry, of the kind would be necessary if opium for 'local consumption was taxed in the same way as that for exportation. But such supplies being untaxed, it is natural that the Court should carefully guard against any opium under the name of local consumption finding its way though the ports of the Native States.'

With the abolition of the monopoly system the necessity for stricter restrictive arrangements with the states on the coast of Western India became evidently doubly apparent, so that it is hard to

* Page 43 of the Blue Book on opium and salt monopolies.

resist the conclusion that the British Government supplied opium to such states to meet their internal wants free of duty. The policy of the British Government throughout these opium negotiations at the time of the monopoly system and after it was clearly to supply such opium duty-free.

Secondly :—From their geographical situation it would appear that the coast States of Western India were relatively of greater importance to the British Government than the inland Gujarat States, so far as the intercepting and prohibition of untaxed opium was concerned. The inland states could only prevent the passage of smuggled opium through their territory, whereas with the coast states rested the higher responsibility of preventing all exports of opium. To the former it was a small loss of revenue in the shape of a transit duty to perform their part of the duty. To the latter there was the additional loss of extensive export duties. Then it must be remembered that a breach of duty on the part of the inland states to prevent the passing of untaxed opium could be very easily detected when contraband opium passed through their territory, while exports from the ports of a coast native state would be difficult to discover. These important considerations go far to show the relative importance of the coast states of Kathiawar and Cutch over inland states, even including the important state of Baroda. They accordingly establish the right of the coast states to a duty-free supply of opium for local consumption far more satisfactorily than that of the inland states.

Thirdly :—But any doubts as to the past practice of the coast states of Kathiawar and Cutch receiving their supplies of opium for home use duty-free is set at rest by the abundance of testimony in their favour. In regard to Kathiawar we have the recorded official statements of the Government of Bombay as to how this Province was, till about a year ago, supplied with opium. In the Administration Report of the

Bombay Presidency for 1873-74, the Government of Bombay authoritatively informs us that 'opium is supplied for local consumption in Kathiawar free of the Imperial Pass Duty of Rs. 600 per chest under the following special arrangements. The Political Agent informs the Commissioner of Customs and Opium of the quantity required during the year. The Malwa Opium Agency is then authorized to purchase this quantity and it is forwarded from Indore by the G. I. P. and B. B. and C. I. Railways to Kathiawar. It is there distributed at a rate calculated to cover all expenses and to leave a small margin of profit over and above the interest on purchase money.' In the report of the following year (1874-75) the following further confirmation is authoritatively made (55):—The supply to this Province (Kathiawar) is free of the pass-fee of Rs. 600 a chest under special arrangements.' Further on in the Report for 1875-76, we find the same admission repeated for the third time in the following words:—'The opium to this province (Kathiawar) is issued free of pass-fee.' Moreover, in the Administration Report next following, we have the same thing repeated:—"The opium is issued to the Province of Kathiawar free of pass-fee charges.' The authoritative admission, however, ends here. The next official report is silent on the subject of pass-duty. The reason is not far to seek. The proposal to levy the pass-fee was during that year pending the consideration of Government, for in the next Administration Report, namely that for 1878-79, we have the result of the deliberations of Government,—the new departure in the fiscal policy, for we meet with the following statement.—"In 1877-78, the selling price was regulated on the actual cost, exclusive of pass-fee, plus conveyance charges &c., whereas for 1878-77 the selling price is the one fixed by Government, and includes pass-fee.' Thus, after the lapse of sixty years for which Kathiawar has uninterruptedly been supplied with free opium, the British Go-

vernment have, by a single stroke of the pen, thought proper to set aside all previous practice without, as will be seen, any thing to justify so extraordinary a proceeding. The case of Cutch also shows a most flagrant breach of faith on the part of the Government of India. At the time the opium arrangements were first made in 1819 with that State, the affairs of Cutch were administered, as at present, by a Council of Regency, with the Political Resident as President of the Council. The British representative at the court of Bhuj was Captain MacMurdo. He represented a dual capacity. He it was who, with the concurrence of the Regency Council, negotiated the opium arrangements. No formal treaty on the subject was entered into but the understanding arrived at between Cutch and the Bombay Government of the day was, if we are not mistaken, that under an offer on the part of the British Government to supply annually the quantity that may be required for the internal consumption of the Province, the Government of Bombay accepted the offer of the Cutch Durbar to prohibit not only the export of the article from Cutch, but its transit into it. This understanding, coupled with the fact that the Cutch Durbar has paid no duty to the British Government for the opium it has obtained during the last sixty years, affords the strongest presumption that no such duty was ever intended to be levied on opium so obtained.

Fourthly.—What then are the grounds on which the British Government seek to rely for this novel departure in its fiscal policy, setting aside the practice of the past sixty years, and begin to levy an additional burden on those Native States of this Presidency especially, which have so largely contributed towards its most cherished desire to obtain a monopoly of opium trade in China by the prohibition of exports from their ports? So far as we have been able to ascertain them, the principal reasons urged in support of the new imposition are :—

1. That opium being a necessary article of consumption in Native States, the British Government is entitled to levy at its discretion an indirect tax like the pass-fee on the quantity required for home use.

2. That the Native States and their subjects in this Presidency have, during the past sixty years, received the protection of the British Government without being called upon to contribute anything additional to the Imperial Exchequer in consideration of that protection.

With respect to the first of these positions, we beg leave to state that the relations between the British Government and the Native States are clearly defined by treaties and engagements entered into with them. These treaties lay down definitely what shall be the amount leviable from the Native States in the shape of tributes and contributions. Any levies not justified by the obligations arising out of the treaties but enforced through the sheer superior power and influence of the enforced British Government are clearly *arbitrary*. Now it cannot be denied that in all matters relating to the taxation of their subjects the Native Rulers are, to all intents and purposes, perfectly independent, the British Government having eschewed all rights of interference in their internal affairs unless any of their measures assume a character of flagrant injustice and produce or are likely to produce results endangering the stability or peace of the States. The financial independence of the Native States being admitted, one point of fiscal policy to be considered in the relations of the British Government with the Native States is as to how far that Government, even in an indirect manner, may tax the subjects of Native States for the supply of articles which are either necessities or luxuries of life. That the Government in levying, for purposes of revenue, taxes on commodities which are either produced within their own territory or are imported into British territory for inter-

nal consumption, or for re-exports to Native States place the subjects of those Native States under an indirect contribution is a feature of commercial intercourse of which no Native State can have cause to complain. Behind all such intercourse there underlies an implied understanding, a tacit assumption that such States are free to supply their wants either (1) by direct importations from the producing countries, or (2) by themselves producing or manufacturing them within their own territory. In case of direct importation from the producing country they of course pay such duties as are levied by that producing country on exportation. But it is scarcely correct to infer therefrom that the producing country has thereby a *right to tax another country*. It is simply a feature of ordinary trade between one country and another which implies nothing like a right of taxation. Take, for instance, the case of the Sultan of Zanzibar who levies a certain duty on elephant teeth exported to England. The English merchant in London who buys elephant teeth pays also the export duty in the price at which he buys the teeth. Can it be said therefrom that in levying this duty on elephant-teeth supplied to England, the Sultan *taxes* or *has a right to tax* England, or can the Sultan be said to exercise a discretionary power in such matters, that is to say, tax elephant teeth supplied to England, while permit France or Germany to obtain elephant teeth from Zanzibar, free of the export duty?

But the case with opium is still more different. The British Government would in a sense be justified in levying even discretionarily, and the Native States would be bound to pay, a duty on opium supplied to them under either of the three circumstances :—

(a.) If Malwa opium was a product of British territory.

(b.) If it could not be imported by the Native States into their territory direct from the opium-producing districts in Native territory.

(c.) Or, if the States themselves cannot grow poppy and manufacture it into opium.

Under the first of these conditions, it is clear that opium supplied to the Native States of Western India is not a product of British territory. The duty which the Government of India levies is simply a transit or pass-duty on an article grown and manufactured in a foreign state. The British Government, in fact, exercises 'a right of way' in respect of all opium passing through their territory and their ports to China. Whether the Government are justified in levying a *transit* duty upon a necessary article of consumption after pressing Native States to abolish all *transit* duties on goods passing through their territories is a question into which we do not propose to enter here. But such Native States in India, as are in a position to obtain their supplies without the intervention of British territory from the 'opium-producing districts or to grow opium for home consumption within their territory, can no more be bound to pay duty for opium than Native States that may obtain Manchester goods directly from England without the payment of the import duty to the Indian Government. It is true that the intervening Native territory through which it is possible to obtain such supplies of Malwa opium, such as Pahlunpore and other states, have lately been blocked up by the arrangements made by the Government of India with these States not to permit untaxed opium to pass through their territory, and that these arrangements would now *forbid* the coast States of Kattywar and Cutch from obtaining their supplies for internal use directly from Malwa, but it must be remembered that at the date of these arrangements no such understanding with the intervening states had existed, and that the consuming Native States were free to obtain untaxed opium directly from Malwa through the intervening states. Moreover, those states that are now asked to receive taxed opium have not bound them-

selves by treaties or engagements not to cultivate poppy within their territory and to meet the necessary wants of their own subjects. There is, so far as we can see, nothing in their treaties with the British Government to prevent them from exercising their inherent right of poppy cultivation, when they find they are driven to it by the steady refusal of the British Government to supply untaxed opium which they have for the last sixty years been in the habit of receiving from that government. It may be asked, Why did not the states exercise that right for so many years? To this we reply, why should they do it so long as they obtained the drug free of duty? Surely their having allowed this right of poppy cultivation to be held in abeyance cannot extinguish that right. It was not exercised because there was no occasion for it. Now they find that they have been most unjustly dealt with in this matter of opium supply. They find that whereas the inland states of far minor importance, such as of those Palhunpore, Mahikanta and Rewakanta agencies are totally exempted from the pass-duty for services which are comparatively far less significant, they have been called upon to pay four-fifths of the duty, thereby laying down for the first time in the history of British relations with Native States a most invidious distinction, contrary to all principles of fiscal policy. The inland states, as we have shown, have nothing in the shape of treaties or engagements to entitle them to this exemption. On the contrary, if past services and past practice be any claim upon Government for exemption, then the coast states have a strong, clear case for such exemption. For when to the undoubted right they possess of poppy cultivation within their own territory is added the fact that the British Government intended the internal consumption of opium in Native States, to be free of duty even before and after the monopoly system was in use, and during the time the pass-system came into operation; that during an interrupted period of sixty years, Government actu-

ally supplied Kathiawar with *free* opium and that for that equally long time Cutch paid no duty whatever on the supplies it obtained; that the British Government were under far greater obligations to the Native States on the coast of Western India than they ever were to the inland states, for the check given to contraband trade by maintaining, in strict operation, the restrictive system of prohibiting exports of opium from their ports, even at the sacrifice of their own revenue, the case becomes irresistibly strong for the Native States on the coast, and it becomes abundantly clear that in insisting upon the levy of four-fifths of the pass-duty, the Government of India lays itself open to the charge of having set aside the practice of the past sixty years and adopted a most illiberal and short sighted policy; of a total disregard of the intentions of the late Court of Directors of the East India Company, to say nothing of want of appreciation of past services, of seeking the furtherance of its interests at the sacrifice of justice and sound policy, and of being actuated by the mere sordid desire of replenishing its exhausted Treasury by bringing under the pale of British taxation subjects of Native States hitherto exempt from it.

The case would appear to be one of flagrant injustice when it is considered that the pass-duty on opium has been of an ever increasing character. Within the last forty years the duty as shown above has been raised from Rs. 125 to Rs. 700 per chest. In 1838 the opium receipts of the Government of India, amounted to £838,000. In 1879 they amounted to £7,250,000. There are not wanting persons who advocate the enhancement of the duty by Rs 100 or Rs. 200 per chest. Now, every increase in the amount of pass-duty means so much additional taxation of those Native States which are made to pay four-fifths of the duty. It cannot but be felt as a hardship by them, partly from the injustice of levy and partly from the invidious distinction sought

to be maintained by the Government of India in regard to the States exempted, who have not a tittle of claim to the exemption.

It remains for us now to consider the merits of the argument often brought forward by the Government of India itself as well as by a class of writers in the Anglo-Indian Press in this Presidency, since upon it is founded this claim for additional taxation. Now what does this argument amount to? It is urged, that within the last fifty or sixty years the Native States of Western India and their subjects have derived the greatest benefits from the protection of the British Government, without their contributing any thing additional to the Imperial Exchequer, and that those who are now made to pay the pass-duty on opium are bound to consider the benefits of this protection. Now if the benefits of this protection are thus to be made the pretext for every additional taxation, over and above the regular tribute or contributions which the States, in virtue of treaty obligations, are bound to pay, well may the states enquire if these benefits are all and exclusively on the side of the protected States and none on the side of the protecting British Government? Again is not this protection the result of the harmonious and clearly defined understanding come to by the British Government with the Native States? Is it not the result of the *mutual* obligations arising from the spirit as well as the wording of these treaties? Do the Native States ask of the British Government to afford them any protection over and above that arising out of, or guaranteed by, the treaty obligations? On the contrary is it not often the case, that under the pretext of affording protection the British Government have interfered in the internal affairs of the States, in a manner scarcely warranted? Under the name of 'protection' have not place and patronage been found in Native States for the favourite servants of the British Government? But setting these considerations apart, is not peace within

the territories of Native States and immunity from foreign troubles a source of benefit to the British Government and the British nation as well as of comfort and happiness to the people themselves? We tell the apologists of the protectionist argument that peace and prosperity in Native States mean a greater demand for Manchester goods, and Manchester machinery, for Birmingham and Sheffield hardware, &c. In the heat of this protection argument, it is forgotten to what extent the population and Chiefs of Native States have contributed directly or indirectly to the revenues and trade of British India and to the ultimate interests of British manufacturer. While, therefore, unhesitatingly acknowledging the benefits of British protection to the Native States, we maintain that internal peace, order, and prosperity, brought about by means of that protection, have contributed, in no small degree, to the furtherance of the revenues of the Government of India and through it of the interests of the producer and manufacture of Great Britain.

The last consideration we have to urge on the attention of the Government of India is that whereas the addition to government revenue represented by the levy of pass-fee on opium supplied to Kathiawar and Cutch is small compared to the prodigious amount of the annual opium receipts of the Government of India, derived from the trade with China, the evident injustice of the new departure in fiscal policy and the invidious distinctions it seeks to create amongst the Chiefs of Western India are results which cannot have been contemplated by the new fiscal policy. Let us see. The opium trade of India with China amounts to somewhere near 14 crores of rupees; the opium receipts of the Government amount to over 7 crores of rupees. Compared to these enormous sums what is, after all, the gain to the government by the adoption of the new iniquitous policy? The number of chests of opium consumed by

Kathiawar in 1878-79 was, according to the Bombay Administration Report for that year, 650 while that for Cutch was 50 chests, in all 700 chests. On these 700 chests the portion of the pass-duty leviable by the Government at Rs. 560 per chest would amount to Rs. 3,92,000 or, say, about 4 lakhs. We put it to the Government of India whether, for the sake of a paltry sum of four lakhs of rupees, they consider it wise, politic, and just to belie all past practice, and past services on the part of those very States which, by the aid they gave to the British Government by the maintenance of the restrictive system in thorough good order, they contributed to the progress of that trade with China which has enabled the Government of India to expand it to its present enormous size.

We trust we have laid sufficient materials in regard to the new opium policy of Government to enable the reader to see that it is a wide departure from the fiscal policy hitherto maintained by the British Government, and that while its expediency has been most questionable, its injustice and unfairness are stamped on its very face.

THE VICEROYALTY OF LORD LYTTON.

L'adresse et l'artifice ont passé dans mon cœur,
Qu'on a sous cet habit et d'esprit et de ruse.*

Régnard.

Here lies our Sovereign Lord the King
Whose word no man relies on;
Who never said a foolish thing,
And never did a wise one.

Epitaph on Charles II.

The greatest, brightest, meanest of mankind.

Pope's "Essay on Man."

The period that elapsed between the announcement that the late parliament was to be dissolved at Easter, and that the country was to be given an opportunity to pronounce its verdict, either one way or the other, upon the lines of policy pursued by the Government of Lord Beaconsfield, and the last day of the General Elections, was one of intense excitement and anxious suspense to the millions in India. At no previous period in the history of British India was such an interesting and instructive spectacle witnessed as that which was seen throughout the length and breadth of this country in March and April last. Every one who had the slightest idea of what the General Elections meant, heartily prayed in the secret recesses of his soul for the overthrow of the Government of Lord Beaconsfield. The Indian Association of Calcutta and the Sarvajanic Sabha of Poona issued appeals

* Subtlety and craft have taken possession of my heart, but under this habit one exhibits both shrewdness and wit.

to the free electors of Great Britain and Ireland on behalf of the unrepresented millions of India beseeching them to return Liberal candidates as their representatives in the new Parliament, and thus to ensure the overthrow of the Government of Lord Beaconsfield. The people of this country possess no constitutional power by which they could secure the recall of Lord Lytton before his term of office was over while his party continued in power. Their interest in the result of the General Elections was, therefore, heightened by the fact which was generally understood that Lord Beaconsfield and Lord Lytton must stand or fall together. It is true few people in this country or in England expected at the time that the spell of Imperialism would lose its potency so soon, and make way for a change of administration. The utmost that was expected was that Lord Beaconsfield might perchance command a smaller majority this time. But even this chance was worth struggling, for the interests at stake were great beyond all price. It was never dreamt that Lord Beaconsfield would be driven out of office by such an overwhelming majority as the Liberals have obtained in the General Elections. But according to one of the well-known utterances of Lord Beaconsfield himself it is the impossible that not unfrequently happens; and so in this case the country having pronounced its verdict against the policy pursued by his Lordship, Lord Beaconsfield tendered his resignation. And what is unprecedented in the annals of British India his Lordship carried in his pocket the resignation of his Indian Lieutenant and tendered it to Her Imperial Majesty along with his own. This is the first instance of an Indian Viceroy having resigned his office along with the Ministry to which he owed his appointment. The way in which Lord Lytton had identified himself with the Indian policy of his Chief rendered it absolutely necessary that along

with the accession of the Liberal leaders to power, he should make room for a successor who possessed the confidence of the new Liberal Ministry. It will be within the recollection of the reader that the Marquis of Hartington, the new Secretary of State for India, who but for Mr. Gladstone would have been very likely the Premier, had from his seat in the late House of Commons openly declared that Lord Lytton was everything that a Viceroy of India ought not to be. Such being the case, it was inevitable that Lord Lytton should resign on the accession of the Liberal leaders to power, and he has resigned, thus affording his political opponents no opportunity of humiliating him either by compelling him to enforce a new policy or, failing that, by ordering his recall. The Indian Viceroyalty has thus become from the fate which befell Lord Northbrook and Lord Lytton, as much a party office as the Lord Lieutenantcy of Ireland. We augur nothing but good from the change notwithstanding the timid fears of those who wish to keep India apart from the sphere of party feelings. Now that Lord Lytton has retired, the time has come when we should take stock of our gains and losses under his rule. We shall endeavour to be as impartial as the circumstances of the case permit, and try to judge of the late administration as a matter of past history, and apart from all the heat of contemporary strife.

WHEN the appointment of Lord Lytton to the Viceroyalty of India was first announced more than four years ago, it astonished the whole nation, and was considered one of the surprises of Lord Beaconsfield. Nothing was known about his administrative capacity, for his Lordship had never before been tried as an administrator. The little that was then known of him was that he was a diplomatist of second or even third rate abilities, who had passed the whole of his life up to that period in the diplomatic service of his country.

Nevertheless it was thought that, as on a former occasion in the case of the late Lord Mayo, the wisdom of whose nomination in 1868, though questioned at the time, was subsequently admitted even by his political opponents, the selection of Lord Lytton for the same exalted post would prove happy, and that Lord Beaconsfield must have discovered in his nominee some really admirable administrative capacity, which was perhaps quite unsuspected by the world at large. The fame of his poetic genius had, however, preceded him in India, and it was generally supposed that the strong susceptibilities and ever-ready sympathies of a poetic mind like his would lead him to actively and humanely sympathise with the people of the country under his charge. The illustrious father of Lord Lytton in one of his novels describes a man of true genius to be one who takes laws, and harmony, and order from the great code of Truth and Nature, one in short who pays homage at the shrine of those two motive forces in the world. And need we say that it was generally believed that Owen Meredith would fulfill all the essential requirements of this definition? As a general rule the people of India are always indulgent to a fault in forming an estimate of the character of their rulers. They almost invariably feel disposed to look at the bright side of the picture, and ignore its dark side. It was in this way that they formed a favourable estimate of the character of Lord Lytton when his selection to the Indian Viceroyalty was announced and they indulged the fancy that out here the strong susceptibilities and ever-ready sympathies of the poet would prevail over the subtlety of the diplomatist. The obvious unpopularity of Lord Northbrook during the last days of his otherwise successful and peaceful administration, brought on chiefly by his high-handed dealings in the case of the unfortunate ex-Prince of Baroda, had perhaps, not inconsiderably, contributed by contrast to the favourable anticipa-

tions of Lord Lytton's Indian career which were formed by the people of India just at the very outset of his administration. It is a melancholy task to wake up from these early dreams, and find that on no previous occasion that we can remember have the people of India been so grossly undeceived in their Viceroy who has in four years managed to alienate all classes, to violate all the nobler traditions of his office, and to justify the taunts of his enemies by being all that a Viceroy should not be.

The four years of Lord Lytton's administration of India have proved disastrous beyond all precedent to the true interests of the millions committed to his fostering care. The besetting sin of his administration has been that it was eminently untruthful, repressive and reactionary at home, unjustly aggressive abroad, and disastrous to the safety of our finance and material prosperity. In one of his own poems Lord Lytton the Viceroy says that the world is in a sad state, and that there is—

So much that needs setting to rights !

Hate, massacre, murder and war.

But.....how sweet are those midsummer nights !

Shall we let things be as they are ?

Notwithstanding these noble sentiments, however, Lord Lytton, instead of using his high and short-lived authority to set to rights what needed setting to rights, actually encouraged hate, massacre, murder and war. And why ? Simply because his Lordship had, in furtherance of the Imperialist policy of his party, consented to carry out to the letter the behests of his chief and master who had set his heart upon the extension of the limits of the British Indian Empire during his tenure of the Premiership. With a view to secure the interests of his party at the elections, he sacrificed against his own convictions the interests of the empire to the selfish demands of Lancashire. In the accomplishment of these ends, Lord Lytton had often to descend to the free use of the arts of simula-

lation and dissimulation, in which he showed rare proficiency due perhaps to his diplomatic experience in foreign Courts. Moreover under the blighting influences of the same instincts Lord Lytton affected the vanities of oriental pomp, and display, and his Lordship became self-willed to a degree, and, as a natural consequence, resented the free expression of opinion by the governed classes, and bore no love to free institutions. Impatient of public criticism, his Lordship was equally impatient of the criticism of his colleagues in the government. Servilely obedient to his own masters, he expected his subordinates to be equally obedient to himself. In his excessive pride of Englishism and in his ridiculous histrionic habits Lord Lytton equalled, if he did not surpass Sir Richard Temple. The guiding principle of his administration appears to have been the creed contained in the following sentence culled out from the writings of an anonymous writer of the last century, who says:—"Deceit is the strong but subtle chain which runs through all the members of a society, and links them together; trick or be tricked, is the alternative; 'tis the way of the world, and without it intercourse would drop." Such in brief is the character of the poet statesman who last month handed over the reins of the Government of India to his successor without having accomplished to his own satisfaction the ignoble task undertaken by him little more than four years ago. We can not but congratulate both India and England on the overthrow of an administration which has been without a parallel in the annals of British India for its disastrous failure in war, in finance, in legislation and administration.

It is necessary that we should now review in detail the history of the past four years, and briefly notice the more salient events which will be perpetually associated with this disastrous failure of a career which was at first so full of promise. It must, however,

be admitted in justice to the late Viceroy that the first notable event of his administration which reflected his personal feelings tended to confirm the good impression which the people of this country had formed of his rule. For several years past the personal behaviour of the lower classes of Europeans towards the natives of India had attracted general attention, and the administration of justice in cases wherein a native of India was maltreated, assaulted, or killed by a European, had become quite scandalous. This state of things required to be remedied, as it was hopelessly alienating the governing from the governed classes. The Fuller case of Agra presented Lord Lytton with an opportunity of expressing his grave displeasure at the conduct of the Agra Magistrate who had visited Mr. Fuller with a simple fine of Rs. 30 for having caused the death of his syce. His Lordship recorded the now memorable minute in which he severely censured the conduct not only of the Agra Magistrate, but of the Judges of Her Majesty's High Court of Judicature at Allahabad, who had confirmed the Magistrate's proceeding. This bold action of the Viceroy was applauded throughout the length and breadth of the country by the native populations who, though they regarded the step as extremely unconstitutional, deemed that it was justified not by constitutional considerations, but by those of political expediency, and that extreme cases required extreme measures. The growing nature of the evil was everywhere admitted; and it was similarly admitted on all hands that its growth required to be arrested by some means more efficacious than the partial action of the Courts in individual cases. An authoritative denunciation of the abuse by the highest executive authority was likely to secure this end, and there can be no doubt that the step then taken by the Viceroy has considerably arrested the growth of the evil, and that instances of similar mis-

carriage of justice are happily now less frequent. And this fact is in itself the most powerful justification of the Viceregal action taken in 1876. This circumstance, as we have already remarked above, confirmed the favourable impression of the people of India regarding their new Viceroy. But in this, as subsequent events have proved to demonstration, they were egregiously mistaken. The Viceroy's conduct in this matter, when judged by the light thrown on it by his subsequent career, was influenced not so much by his keen sense of humanity over-riding the restraints of law, but by his desire to exalt the executive over the judicial office. The plea of humanity had really no more legitimate place here than the similar plea of a pure regard for the interests of India had when he subsequently repealed a portion of the Indian import duties on Manchester piece goods against the opinion of an overwhelming majority of his council. The Fuller Minute was the first manifestation of the Imperial regime subsequently inaugurated. It was evidently recorded for sensational purposes, and with a view to throw the people off their guard, and prevent them from closely scrutinizing the character of the new fangled Imperialism. During the first half year of his administration, his Lordship's public utterances too were of a nature calculated to allay all suspicions in the public mind regarding the true character of the Imperialism inaugurated by him at Delhi on the New Year's Day of 1877. It was not the public only that was so misled, but the majority of his colleagues also in the Government of India, as has been made too manifest by the deservedly strong language of the minute recorded by Sir Alexander Arbuthnot in March 1879. The Delhi assemblage was most, unfortunately timed, its display of Mogul pomp was in bad grace when famine and inundation devastated half India. For the first time also, the people of India were told that the promises of the previous

Proclamations and Acts of Parliament in their favour were dead letters and could not be carried out ; that they must not aspire to an equality with the ruling race, and must be content with their subordinate lot. This was the birth of the Imperialist idea, and it was necessary to signalize its birth and distract national attention by the cheap success of a foreign war, and accordingly Lord Lytton resolved upon solving the Afghan problem by cutting the Gordian knot with his sword.

IT is now a well-known fact that the immediate cause of Lord Northbrook's resignation of the Viceroyalty of India was the Afghan policy of the Government of Lord Beaconsfield and Lord Salisbury. These two unscrupulous English statesmen wanted Lord Northbrook in the first place to cancel all obligations between the British Government and the late Amir Shere Ali Khan of Afghanistan, by insisting on his reception of English Agents at his Court even at the peril of picking up a quarrel with him. All this was unprovoked and wanton aggression ; for in the same despatch in which Lord Salisbury asked Lord Northbrook to force British officers upon the Amir in violation of our previous pledges to the contrary, it is admitted that no morbid fear of Russian advance in Central Asia dictated the step. "I do not desire, by the observations which I have made," says Lord Salisbury in the Despatch, "to convey to your Excellency the impression that in the opinion of Her Majesty's Government the Russian Government have any intention of violating the frontier of Afghanistan. * * * It is undoubtedly true that the recent advances in Central Asia have been rather forced upon the Government of St. Petersburg than originated by them : and that their efforts at present are sincerely directed to the prevention of any movement which may give just umbrage to the British Government." So far as regards Russia. As far as Afghanistan itself was concerned, the strong

rule of Amir Shere Ali Khan had consolidated his Kingdom and had made it the "strong and independent Afghanistan," which English diplomacy so anxiously wished to see. The political horizon was, therefore, perfectly cloudless. And yet Lord Lytton undertook the unfortunate task of alienating a ruler whom his three predecessors had succeeded in attaching to the British Indian Government by ties of common friendship and mutual interest. But Lords Beaconsfield and Salisbury were anxious to advance the British Indian frontier up to the other, or Cabul side of the mountain passes of Afghanistan, and further to establish a permanent British Mission in that mountainous country. It appears, however, that in the estimation of Her Majesty's late government the latter was not a very important object; for in their despatch of July 1879, after the Treaty of Gandamak was ratified, the Government of India state that a permanent British Mission under the ill-starred Major Sir Louis Cavagnari was established at Cabul in deference to the express wishes of the Amir Yakub Ali Khan. The demand which the Government of Lord Lytton made at the Peshawar conference through Sir Lewis Pelly; that the Amir should admit a permanent British Mission at his court, was evidently a means to an end, and not the end itself. The threatening language which the Viceroy used before the Peshawar conference in which he likened the position of the Amir to that of "an earthen pipkin between two iron pots," and the abrupt closing of the Peshawar conference after the death of the Amir's Prime Minister and Plenipotentiary Noor Mahomed Shah, even though, as the Viceroy himself has admitted in a state document, the Amir was sending a fresh envoy with instructions "to accept eventually all the conditions of the British Government,"—these two incontrovertible facts prove to demonstration that Lord Lytton was not sincere in the propositions he had made to the Amir, and that

his Lordship's wish that the Amir should come "to a speedy understanding," with him, was no more sincere than that of the wolf in the Aesop's fable wherein that voracious animal attempted to fasten some quarrel upon the poor lamb. The demand for admitting a permanent British Mission at the Court of Cabul was made with the express knowlegde and desire that the Amir would not comply with that demand, and would thus afford Lord Lytton a pretext for breaking off diplomatic relations with him. In this, however, Lord Lytton over-reached himself. His Lordship subsequently withdrew the British Native Agent, Atta Mahomed Khan, from the Court of Cabul, and thus took the most decisive step next to a declaration of war, by openly disavowing all connection with His Highness. This was done early in 1877, before the actual outbreak of hostilities between Russia and Turkey both in Europe and Asia. A strong and firm ally, whose regard for our friendship was so strong that rather than forfeit it, he actually consented to receive a permanent British Mission at his Court against his own will and judgment, was alienated at a time when if the subsequent straitened relations between the Courts of St. James and St. Petersberg had actually, as was anticipated, led to hostilities between the two Powers, his friendship and good will would have rendered us an invaluable service by enabling the British Government to strike a really powerful and effective blow against the Russian Power in the plains of Central Asia. Lord Lytton and Lord Salisbury did not wish that the Amir should come to a speedy understanding with them, by consenting to receive a permanent British Mission at his Court. What both of them wanted and earnestly endeavoured to attain was the complete alienation of the Amir so that they might under some pretext or other invade his dominions whenever a fitting opportunity offered itself, and thus advance the British Indian frontier to the desired point. We need not here stop to see how the late Government,

both in India and England, endeavoured to mislead Parliament and the public by assuring them that there was not the slightest change in our relations with, and attitude towards, the late ruler of Afghanistan, although the traditional policy of the previous forty years had been cast to the winds against the unanimous and strong advice of those best qualified to give it; but we pass on at once to that stage of this question when the mask was finally thrown off. The presence of a Russian Mission in Cabul in the latter half of 1878 presented Lord Lytton with the longed-for opportunity, though we may rest assured that even if it had not presented itself it would have been in no way difficult for "a specially gifted" Viceroy, one proficient in the occult science of statecraft, *to have found out or even created*, if that were necessary, a *casus belli*. Lord Lytton affected to be alarmed at the presence of the Russian Mission at Cabul, and at once organized a counter Mission under General Sir Neville Chamberlain, the Madras Commander-in-Chief, and deputed in advance Nawab Gulam Hussein Khan to Cabul to obtain the permission of the Afghan ruler for the entrance of the Chamberlain Mission into his territories. While yet the General with his Mission was at Peshawar the Nawab from Cabul reported to him as follows:— "If Mission will await Amir's permission, everything will be arranged, God willing, in the best manner, and no room will be left for complaint in the future. Farther, if the Mission starts on 18th without waiting for the Amir's permission, there would be no hope left for the renewal of friendship or communication." And yet the Viceroy ordered the Mission to start without waiting and force its way through the Khyber Pass evidently with the object of hastening the crisis. All the world knows the sequel. The hasty despatch of the *Ultimatum*, and the promulgation of the *suggestio falsi* that the Mission was insulted and that the Af-

ghan Commandant at Ali Musjid had threatened to fire on Major Cœvagnari, have been condemned on all hands. Just as on the occasion of the Peshawar conference, Lord Lytton had no wish whatever to effect a peaceful settlement of the question and, therefore, did everything in his power to render inevitable the outbreak of hostilities. His Lordship did not only not allow sufficient time to the Amir to reply to his *Ultimatum* but went so far as to declare war on the very day on which the period mentioned in the *Ultimatum* expired, lest the Amir's reply thereto might arrive in time to defeat his foregone purposes. Such is the origin of the second Afghan War, and we feel sure that if the author of the pamphlet "How wars are got up in India" were alive now, his righteous indignation would have known no bounds, had it fallen to his lot to chronicle the incidents of this most unjustifiable war. Of course a fruitless attempt, as is customary, was made in the proclamation issued on the eve of the war to demonstrate its justice and necessity, but no one out-side of the charmed circle is, we are afraid, convinced of the justice and necessity of our course.*

At this stage we might be permitted to draw the pointed attention of the reader to the strong and remarkable resemblance between the Afghan policy of the British Government at two different stages in the British Indian history, with this difference perhaps that while some excuses might be pleaded for our criminal folly in the first instance, no such excuses can be pleaded in the second. In the first instance we had no previous experience to guide us, but in the second instance such was not the case. We knew by our experience of the Afghans what we were to ex-

*

Earth is sick

And Heaven is weary of the hollow words,
Which States and Kingdoms utter when they talk
Of truth and justice.

pect of them. And yet as has been admitted by Lord Lytton in the opening paragraphs of the Afghan despatch of July last, our government refused to profit by its past experience. The Afghan policy of Lord Lytton bears so strong a resemblance to that of Lord Auckland's Government forty years ago that history may be said to have repeated itself in the most marked manner. The chief actor in the drama of forty years ago—we mean Sir William Macnaughten admitted in one of his letters to Lord Auckland that we had deprived Dost Mahomed of his kingdom without the slightest provocation on his part simply because our policy required the sacrifice.* In the second drama Shere Ali bodily fell a victim to our policy equally wicked and criminal. Forty years ago our army suffered a terrible reverse and was annihilated by the treacherous tactics of Akbar Khan, while in the second case our army was on the point of being annihilated by Mahomed Jan in December last when he compelled General Roberts to shut himself up in the Sherpur Cantonment. Our good fortune alone spared us that ignominy, for it is certain that if Mahomed Jan had displayed greater tact and energy, the disaster would have been as complete as that of 1841. The evacuation of Afghanistan by our forces in the first case was followed by the forcible and un-

* This is what Sir William Macnaughten wrote to Lord Auckland when Dost Mahomed was deported to India after he had surrendered himself unconditionally soon after his victory at Purwandurrah in 1840 A. D. :—

“I trust that the Dost will be treated with liberality. His case has been compared with that of Shah Sooja, and I have seen it argued that he should not be treated more handsomely than his Majesty was; but surely the cases are not parallel. The Shah had no claim upon us. *We had no hand in depriving him of his Kingdom, whereas we ejected the Dost, who never offended us, in support of our policy of which he was the victim.*”

Sir John Kaye's History of the Affghan War Vol. II.

justifiable occupation of Sind on flimsy pretences, and we may be sure that if the Government of Lord Beaconsfield had got a fresh lease of power at the recent General Elections, Lord Lytton would have annexed the kingdom of Kashmere to the British Indian Empire.

Now what has been the result of this wicked and guilty policy? The safest and strongest frontier India can possibly have, was described by Lord Lytton himself to be "a belt of independent frontier states throughout which the British name is honoured and trusted; within which British subjects are welcomed and respected, because they are the subjects of a Government *known to be unselfish as it is powerful, and resolute as it is humane*; by which our advice is followed without suspicion, and *our word relied on without misgiving*, because the first has been justified by good results, and *the second never quibbled away by timorous subintends or tricky saving clauses.*" Have we got such a frontier as has been described here? It took nearly forty years to obliterate the dreadful and horrible memories of the first Afghan War. Who can say how many years will be required to obliterate the memories of the second Afghan War? According to Lord Lytton we must have on our frontier not only a belt of independent states, but, moreover, such states the chiefs and people of which should respect us for our unselfishness, humanity and truthfulness. As regards these additional requirements we have, we fear, already forfeited our character and forfeited it irretrievably with the Afghans. But apart from that question have we got a really independent Afghanistan? Our policy has ended in creating anarchy and confusion in Afghanistan, and though we may succeed in setting up an Amir on the throne ere we retire our forces from that unfortunate country, we are afraid the retirement of the army will be the prelude and signal of a bloody and internecine civil war. Of one thing we feel tolerably, if not confidently,

certain, that it will be long before we see re-established in Afghanistan that peace and order which we have ourselves wantonly disturbed. No Amir that we can set up on the throne of Cabul will be firm in his seat unless he can make good his position by an exhibition of personal prowess, valour and other abilities required in their ruler by those mountaineers. That sturdy race of mountaineers is so modelled by nature that they will never recognize as their ruler one, who, instead of making good his title to the throne by fighting his way to it, simply relies upon the support of British or Russian bayonets. The sad fate which befell Shah Sooja forty years ago, and that befell Yakub Khan in our own days, is sufficient to bear us out in the position we have assumed. "The Lord God of recompense shall surely requite;" and we have already been punished for our wicked and guilty conduct in this war in so far as, though we are the conquerors by right of war, and ought as such to be the masters of the situation, we are ourselves anxious for peace and are being dictated to, instead of being the dictators. But we fear a graver punishment is yet in store for us in the immediate future. We shall have to look hopelessly, and, we may add, helplessly on, while the Afghans shed each other's blood freely in their attempt to set up a popular and strong ruler, and it will, as we have said above, be long before we again have a peaceful and orderly Afghanistan on our North-Western Frontier,—such an independent state in fact as we have had with a short-lived interruption since the days of Dost Mahomed.

We have thus far dealt with the Afghan policy of Lord Lytton's government. We shall next proceed to review briefly the leading features of his domestic policy. It must be remarked at the outset that the characteristic feature of what is called the home administration under his Lordship's Government was its thoroughly repressive and retrograde character. During the last four years

that Lord Lytton presided over the destinies of India, the country not only made no progress whatever in the way of obtaining more rights and privileges, but was actually deprived of some of the most valued rights and privileges which she had enjoyed, some of them for half a century, and some for a quarter of a century. By far the most important measure of his domestic policy was the Indian Vernacular Press Act by which at a time of acknowledged peace and tranquility the entire Vernacular Press was gagged in a day without any justification whatever. The times were peaceful, the people were acknowledged to be perfectly loyal, and the Indian Penal Code had long since been amended to provide sufficient security for punishing adequately any writings in the Vernacular Press which might exceed the bounds of legitimate criticism and assume a disloyal and seditious attitude. But the provisions contained in the Penal Code did not satisfy the requirements of the new Imperial government, not because they had been tried and found wanting, but because they required a judicial trial which the government wanted to dispense with. The Press Act of 1878 deliberately did away with the judicial trial altogether, and placed the whole vernacular press at the mercy or discretion of the Executive officers. It is not necessary for us here to inquire into and examine the motives of Government in passing that Act. Suffice it to say that the Honorable proposer of that Bill, Sir Alexander Arbuthnot has since confessed that, had he had the slightest inkling of the dangerous course upon which the government was to launch within a year of the passing of the Act, nothing would have induced him to be a party to it. The Press Act was intended to silence inconvenient criticism and to secure a silent and obsequious unanimity. It was the first development of the Imperial regime inaugurated at Delhi a year before, and is the best proof of the charge we have brought against Lord Lytton that he had not only no love of

free institutions, but that on the contrary he was extremely impatient of criticism. The treatment accorded by the Viceroy later on to the deputation which the British Indian Association of Calcutta sent to wait upon him with a view to acquaint him with the views of the public on the then contemplated (since accomplished) remission of import duties on Manchester piece goods, was a manifestation of the same Imperialistic spirit. Lord Lytton was not satisfied with having gagged the entire vernacular press, and with having openly insulted an influential deputation from one of the most influential and representative native political associations in the country. He must needs go further, and try his skill in nobbling or suppressing Anglo-Indian public opinion also. The scandal in connection with the *Statesman and Friend of India* newspaper of Calcutta, and the rebuff administered to the Viceroy and Sir John Strachey by the Bengal Chamber of Commerce, when they affirmed the censure passed upon the Government policy by Mr. Yule by re-electing him President with an unanimous vote, show pretty clearly that the Viceroy tried, though unsuccessfully, to influence and coerce independent Anglo-Indian public opinion also. Such a retrograde and repressive policy, instituted by the head of the Indian Government could not but be attended with baneful results. As a natural consequence of this change in the spirit which had hitherto guided British rule in India, many a British officer has displayed signs of impatience, intolerance, self-assertiveness and want of sympathy, by no means conducive to the promotion of those cordial relations which ought to subsist between the governing and the governed classes, and without which no good government and no real progress is possible in a country, circumstanced as India is. The unfortunate tendency of this repressive policy is so universal that even responsible officers, who are ordinarily kind and courteous in their personal behaviour to the na-

tives of the country, do not hesitate to become self-assertive, and to openly express their distrust of a statement of facts when it does not coincide with their foregone conclusions and deeply rooted prejudices.

The Arms Act, or as it is popularly styled, the Disarming Act, was the next measure of repression which the Government of Lord Lytton inflicted upon the people of India. This ill-advised measure casts an unmerited stigma upon the loyalty of the people of India, although the fact of such loyalty Lord Lytton had himself acknowledged in most graceful and eloquent terms at Delhi only a year before on the occasion of the proclamation of the Imperial title. While native loyalty was thus openly distrusted, the whole body of Europeans, Americans, and Eurasians residing in India were recognized almost for the first time as a privileged caste, and exempted from the operation of the Act. This Act is one of those happily few measures by which Her Imperial Majesty's Indian subjects are reminded that, notwithstanding all professions to the contrary, their boasted equality in the eyes of law with the Anglo-Indian subjects of Her Imperial Majesty, so far as rights and privileges are concerned, is more of a myth than a reality. Apart from the political and moral aspect of this disabling measure, it has worked such an amount of material mischief that it can be more readily imagined than described. Though the object of this Act, as announced by the Honourable member in charge of the Bill, was "to restrict the trade in fire arms of precision, and to restrain the use of them by the wild frontier tribes and the more unruly races among the Indian population, the law recognizes no distinction between fire arms of precision and other arms, nor between the loyal and the disloyal, the orderly and the turbulent tribes and races, those who follow the arts of peace and those who live by plunder or predatory expeditions; and it has been in this respect "an unnecessarily sweeping measure," prohibiting the pos-

session of arms of any description without a license. The country has been so thoroughly disarmed that the people, we mean the masses, are unable to defend themselves against the attack of wild beasts as also from dacoits and predatory classes, and have to rely solely upon the police and the military for their protection. Such a state of complete helplessness can not but be attended in the end by disastrous results. When it is borne in mind that nothing in the general attitude of the people of India towards the British Government had rendered necessary this recourse to such repressive measures, the only admissible explanation of such tortuous policy that occurs to us is that the conscience of an evil-doer is always on the alert in suggesting various precautions against the evil consequences of his own evil deeds. On no other ground can we account for the policy which suggested the enactment of two such repressive measures as the Press Act and the Arms Act.

Lord Lytton's admirers never fail to make most of the determination said to have been shown by his Lordship in solving the native Civil Service question, which successive governments had given up as hopeless. We confess people were at first taken by some surprise at this display of magnanimity, but when the whole correspondence regarding the new Civil Service scheme was published it appeared clear that Lord Lytton has dealt another blow to the legitimate aspirations of the natives, while posing all the while as their benefactor. The title of the natives of India to a proper and just share in the administration of their country is based, apart from natural rights which are inalienable, upon the Charter Act of 1833 wherein it is expressly provided that "no native of the said territory, nor any natural born subject of His Majesty resident therein, shall, by reason of religion, place, birth, descent or colour, or any of them, be disabled from holding any place or office or employ-

ment whatever under the said company." This title received a further recognition in the Royal Proclamation, a quarter of a century later on, wherein it is said that "it is our further wish that, so far as may be, all subjects of whatever race or creed be freely and impartially admitted to all offices or services, the duties of which they may be qualified by their education, ability and integrity duly to discharge." This recognition was further followed by an Act of Parliament in 1870 which, as His Grace the Duke of Argyll expressed himself on the occasion, "set free the Government of India to appoint Natives to all or any of the offices now exclusively confined to the Covenanted Civil Service." Nearly ten years were allowed to elapse before the rules and regulations required by this Act were framed, and when Lord Lytton framed them at last, they have been so warped and tampered with as to defeat the purposes of the two Parliamentary Statutes and of the Royal Proclamation of 1858. New tests other than those provided for in the Parliamentary statutes and the Royal Proclamation, have been improvised. "Birth and descent," two tests expressly declared by an Act of Parliament as in no way disabling natives of India from entering the Civil Service, and discounted by another which speaks of promoting tried merit and ability, are the very tests which found favour with Lord Lytton. Under the new rules a candidate, desirous of admission into the Indian Civil Service, if we may be permitted to use such an expression to designate the newly established service, must be nobly descended, or his ancestors must have rendered some distinguished service to the British Government. These are the tests of primary importance which Indian candidates must satisfy, and all other tests are duly subordinated to them. A man may be highly educated, he may be in every way qualified for admission into the Civil Service, his honesty may be perfectly unimpeachable, but if

he can not satisfy the two new tests improvised by the Government of India under Lord Lytton, he may despair for ever of entering the "heaven born" service. A new governing caste has been established in British India. It is in this way that Lord Lytton, whose sympathies for the rising aspirations of the educated natives of India were fully on a par with his love of free institutions, has solved the Civil Service question by keeping up the pretensions of the English caste, and throwing a few crumbs to the scions of rich families. It was perfectly natural in one who regarded and openly described the institutions for imparting high class English education to the natives of the country as so many "educational hotbeds and forcing houses," and who preferred the Punjab Oriental University scheme to the Calcutta University,—it was, we repeat, perfectly natural in one who entertained such views to do the utmost in his power to discourage high class English education and to suppress the rising aspirations of the recipients of such education. With this end in view, Lord Lytton wrote in one of his despatches to the Secretary of State as follows:—

"In the opinion of the Government of India, and of most of the officers who have been consulted, it is desirable that, when this special Native Service is constituted, the ordinary Covenanted Civil Service should no longer be open to Natives." This recommendation, it is evident, was specially made with a view to prevent the entrance of the educated classes into the Civil Service by the door of open competition; but Lord Cranbrook expressed his inability to get Parliament to sanction such a retrograde measure, and so the insidious attempt failed. But the reduction of the standard of age for the Covenanted Civil Service competition had practically effected the same object, and Lord Lytton consoled himself and his colleagues:—"That the recent reduction of the standard of age for the competitive examination will practically render the com-

petition of Natives educated in their own country a matter of exceptional difficulty." An adequate idea of the spirit in which this important question was approached and its solution effected, may be formed from a due appreciation of the narrow and illiberal sentiments contained in the two sentences we have quoted above. A truly magnanimous and honest statesman would have earned the lasting gratitude of the millions committed to his care by a more honest and statesmanlike solution of this long-pending question. He would have set apart a fixed proportion of the appointments in the Covenanted Civil Service to be competed for by the natives of India in their own country, on the same terms and subject to the same tests as the British candidates were subjected to. If the principle of competition which supplanted that of nomination thirty years ago has been found to work very satisfactorily in the case of Europeans, what is it, we ask, that prevents it from being suitable in the case of Natives also, and succeeding in the same way? Intellectual superiority as a general rule always means moral superiority, and this is one of those principles which hold good in all countries and in all ages.* Yet in his tenacious love of power and patronage, and caste exclusiveness Lord Lytton ruled otherwise, and it will take years of agitation to restore the question to its old bearings,

*Lord Macaulay's Committee, which was appointed nearly thirty years ago to consider the question of introducing as a test competitive examination in the place of nomination wrote as follows:—

"Early superiority in science and literature generally indicates the existence of some qualities which are securities against vice,—industry, self-denial, a taste for pleasures not sensual, a laudable desire of honourable distinction, a still more laudable desire to obtain the approbation of friends and relations. We, therefore, believe that the intellectual test which is about to be established, will be found *in practice* to be also the best moral test which can be devised."

as a question not of pay nor honour, but of political and social equality based on intellectual and moral excellence and not on race or caste distinctions. We are of course not disposed to quarrel with the Government at the present time on the ground of the fixed proportion being too low, though some persons may not unreasonably quarrel on that ground also. It is, however, a minor question at the present time. Our quarrel with the Government of India is on account of their having improvised one set of tests for Natives and quite a different one for Europeans, thus stamping the newly constituted Native Service with a bare-faced inferiority in the eyes of all concerned. What we want and claim as our own right, is not a separate service, (that we have already) but a fitting recognition of our rightful claims to enter the true Civil Service already existing on a footing of equality with Europeans, and enjoying the same rights and privileges. Anything less than this can never satisfy the just aspirations of the educated natives of the country.

We now pass on to the consideration of the famine policy of Lord Lytton's government. Some of his official apologists have said that in nothing has Lord Lytton been so conspicuously and eminently successful as "in his treatment of the difficult problems connected with the management and relief of famine." Independent non-official testimony will not, and can not, corroborate the eulogy passed on Lord Lytton by the Secretary of the Famine Commission; that testimony conclusively proves that in nothing has Lord Lytton so conspicuously and so miserably failed as "in his treatment of the difficult problems connected with the management and relief of famine." During his administration of four years, the Bombay Presidency, the Madras Presidency, and the North Western Provinces, were visited by this dreadful visitation of Nature, and the mor-

tality in these three provinces taken together has been set down at nearly nine millions!!! When this simple fact is stated, and the prodigious total of lives lost is realized, it alone is sufficient to seal the doom of any administration that could be held responsible for it. While half the country was afflicted with an unprecedentedly dreadful famine and its multifarious attendant evils, and when a terrible cyclone had depopulated one of the rich districts of Bengal, and carried away thousands of people in a single night, Lord Lytton was seriously engaged in arranging for the great *Tamasha* at Delhi just as if nothing had occurred or was occurring to distract the mind of the principal actors in that Assemblage. This was just like celebrating a marriage and holding festivities, while Death was busy in the house. A more humane and discreet statesman, having a proper and just appreciation of the duties and responsibilities of the Sovereign towards his starving subjects, would have certainly deferred the proclamation of the Imperial Title to some more auspicious and fitting occasion. No end that we are aware of, has been served by the immediate proclamation of the Imperial Title. This simple incident strikingly illustrates the character of the poet-Viceroy, whose famine policy, inaugurated in such patent indifference, naturally resulted in the death from starvation, as we have already stated at the outset, of nearly nine millions of Her Majesty's Indian subjects. The obligation of the State to save its famine-stricken subjects from starvation at any risk and at any cost was first recognized by the Government of Lord Northbrook on the occasion of the Bengal Famine of 1873-74. The credit of this recognition belongs solely to the Government of Mr. Gladstone, who sanctioned the liberal and humane famine policy of Lord Northbrook. This obligation was, however, renounced by the Government of Lord Lytton under the advice of Sir John Strachey, and in its stead was substituted an illiberal

and inhuman policy which subordinated the important question of saving the famine-stricken people from death by starvation to financial considerations. This policy was hatched at Delhi during the Imperial Assemblage festivities; and Sir Richard Temple, was deputed as the Delegate of the Government of India to faithfully carry it out. And he did carry it out more thoroughly and completely than perhaps even its authors wished, as we all know to our cost. The distance, the labour, and the wage tests were then improvised with the view of rendering relief works less attractive, and thus discouraging people from resorting to them when they could do without them. Of the three tests the last, or as it is more familiarly known by the name of the one pound ration test, was the most cruel. The process of slow starvation and eventual death, which was the natural result of the new fangled relief system, sent thousands and hundreds of thousands of famine stricken people to death. When professional men condemned the ration as miserably low and insufficient, Sir Richard Temple went the length of experimenting upon the convicts in the Bombay Presidency jails, as if they were *corpus vile*, with the result that the jail mortality forthwith swelled immensely. Hundreds and thousands of the famine-stricken people in both the Western and the Southern Presidencies got disgusted with the new-fangled system of relief, and preferred immediate death to this slow process of starvation death. So far as the famine administration in the native state of Mysore is concerned, where the system of famine administration, being under the direct supervision of the Government of India, was precisely the same as that which obtained in British territory, this fact has been openly confessed to by no less a personage than Lord Lytton himself.* What is true of the Mysore famine administration is more

* * * * One most serious consequence was that the Government and its superior officers remained to some extent in ignorance of

or less true of the famine administration in both the Southern and Western Presidencies. This heartless policy was still more rampant in the famine ad-

(Continued.)

the condition of the country and the people, and misunderstood some of the phenomena that were reported. For instance, when it was reported that people would not come to the relief works in a particular district, the Government did not learn until it was too late that *mismanagement of the relief works had caused the famine-stricken people either to wander off and die, or to go home and starve.* An inadequate organization and an inefficient system were unfortunately prolonged by that insufficiency of information which was their natural result. The situation required that the whole power of the Government in all departments throughout the province, aided by a largely increased organization should be directed to the relief of famine, on a system pre-arranged down to details, but with scope for personal discretion. Had this been done in December 1876, as it afterwards was done in September 1877, the facts of the Mysore Famine would have been earlier ascertained, and the necessary measures of relief could have been taken from the first. More money would indeed have been spent; but disorganization and waste would have been avoided; while many thousands of lives would have been saved.

7 * * * Among the poor creatures who were wandering over the country in quest of food, the mortality was very great. During those five months there died at the relief kitchens tens of thousands to whom the relief came too late; and in the streets of Bangalore, the chief city of the province, the bodies of those who had died during the night, were picked up morning after morning by the score. Money was by that time being spent on relief at the rate of nearly £ 100,000 a month; but the organization had not been strengthened; the expenditure had not been systematized; and the Government officers of Mysore, many of whom worked zealously to relieve the distress, and to make the Government aid go as far as possible, were unable to cope with the gigantic dimensions of the calamity. The concluding pages of Chapter IV of the Report show how and why the relief works, which in Indian famines are and ought to be the back-bone of the relief system, failed to furnish any appreciable aid to the distressed people. *I am afraid that the ill-success of the Mysore relief works must be attributed mainly to mismanagement; and I feel that the Government of India must accept its share in the responsibility for that mismanagement in a province that was under its own control, in as much as it did not appreciate in their proper force the facts that underlay the reported results, and did not at an earlier date insist on the application of a sufficient remedy.—Lord Lytton's Minute.* (dated 14th November 1878.)

ministration of the North West Provinces, and for the lamentable results it produced there, the Government of Lord Lytton alone must be held responsible. The local Government of those Provinces did everything they could to awaken the Government of India to a sense of their duties and responsibilities towards the people under such trying circumstances, but both Lord Lytton and Sir John Strachey proved inexorable to the last. They refused to open relief works necessary for making adequate provision for the starving people, and the District officers in those Provinces were openly instructed not to have any famine on the record nor make any fuss about a few deaths more or less. The existence of famine was kept a close secret till Mr. Robert Knight of the *Calcutta Statesman and Friend of India* published to the world at large the real state of affairs in those Provinces by exposing the authorities concerned. Had it not been for the single-minded services of Mr. Knight for which he deserves the best thanks of the people at large, the out-side public would have known nothing of this famine in the North West Provinces during the winter of 1877-78. The consequence of all this was that over a million of people are said to have died of starvation in these Provinces alone.*

Now, if the famine policy of Lord Lytton's government be contrasted with that of his noble predeces-

* In a letter to the *London Times* in reply to Mr. Elliott's in defence of Lord Lytton's famine policy against Colonel R. D. Osborn's powerful attack thereon in the pages of the *Contemporary Review* Mr. James Caird C. B., a distinguished member of the Famine Commission says :—

“ It has been estimated, on authority which Mr. Elliott will not question, that 342,000 tons of food-grain had been lost to the Provinces by the drought. This is equivalent to the food of 21 millions of the population. If all the money expended by the Government in relief had been laid out in the purchase of food, it would not have kept alive more than one in each 150 of that vast multitude; 1,250,000 died of famine.

For Lord Northbrook, it will be found that the comparison is extremely favourable to the latter, though we are not blind to the fact that much more was spent in the Bengal famine of 1873-74 than was justified by the actual circumstances of the case. It will be of course readily admitted that under such circumstances it is at least safe to err, if at all, on the side of liberality and humanity rather than on the side of stinginess and severity. It will be seen that in the Bombay and Madras famines the Government of Lord Lytton repudiated or at least attenuated to a large extent the obligation of government to ensure the suffering people against death from starvation at any cost and at any risk; and that in the case of the North West Provinces famine a successful attempt was made to return to the do-nothing policy of Sir John Lawrence's government during the Orissa Famine.

There was one characteristic incident of this famine administration of Lord Lytton which deserves to be specially noticed. It will be within the recollection of the reader that before his departure for Delhi to attend the Imperial Assemblage, Sir Philip Wodehouse had promised to preside at a public meeting in Bombay for the purpose of collecting subscriptions and raising a famine relief fund in aid of the famine-stricken people of this Presidency, but that, soon after his return from Delhi, His Excellency refused to convene or preside over a public meeting. It appears from a despatch of the Government of India subsequently published that both Sir Philip Wodehouse and the Duke of Buckingham had positive and peremptory orders from the Supreme Government not to lend the weight of their official authority to any systematic attempt at appealing to public charity in aid of the suffering population in Western and Southern India. Lord Lytton thought that such an appeal to public charity both in England and India, if countenanced by the heads of the local governments, would be tan-

tamount to a reflection upon the ability of his government to cope with the calamity single-handed. And Lord Lytton persisted in refusing permission to the heads of the local governments to countenance such movements, until His Grace of Buckingham and Chandos made bold to head a movement set on foot in Madras with a view to appeal to public charity both in England and India. The whole of the first year of famine passed off without any such appeal being made, and it was not until it became clear that we were on the eve of a second year of famine that His Grace of Buckingham and Chandos appealed to the English public for help apparently against the wishes of Lord Lytton and his advisers. Had it not been for the bold and resolute step taken by His Grace of Buckingham and Chandos in refusing to be further guided by the wishes of the Supreme Government, the mortality in Southern India among the famine-stricken people would have considerably increased. The truth is that Lord Lytton and his advisers esteemed it to be an act of the highest statesmanship to withhold from the British public at home the knowledge of the real state of affairs in Southern India in 1876-77 and 1877-78. We are confirmed in this belief by the fact that, it was only after His Grace of Buckingham and Chandos had appealed to public charity both in England and India to come liberally forward for the relief of distress and not till then, that Lord Lytton became uneasy at the unpleasant turn the affairs in Southern India were taking, and at once hastened to the scene of action personally to remonstrate with the Duke on the bold step His Grace had taken without his previous sanction in appealing to the British public; and lest His Grace might prove more troublesome hereafter, General Sir Michael Kennedy was appointed to be His Grace's sole adviser in famine matters, and the authority of the Executive Council was

set aside to make way for the temporary dictatorship. The unintelligible distinction made by Lord Cranbrook and Lord Lytton in their despatches on the subject between appeals to the British public and those to the Indian public corroborates our position that Lord Lytton and his advisers were most anxious to mask the famine and to minimize the consequent agitation by with-holding all knowledge from the British public. We are unable to understand the principle or the necessity of instituting this distinction between appeals to the British public and those to the Indian public for charity, unless it be that the former possesses the power, which the latter does not, of influencing the action of the Government in India, and that the Indian government under Lord Lytton was unwilling to have the pressure of public opinion at home brought to bear upon its settled line of action.*

Another characteristic feature of the famine po-

* The Government of India in one of their despatches on the subject wrote :—

With the action of unofficial persons in inviting subscriptions the Government cannot of course, interfere. Such invitations, unsupported by the authority of Government, would probably meet with but little response ; but we are decidedly of opinion that a general rule should be laid down directing that, in cases of future famine, the head of the local Government should not, whether in his private or official capacity, appeal to the liberality of the English public without first receiving the approval of the Supreme Government, not only in regard to the appeal being made, but also in regard to the purposes to which the money, so contributed, is to be devoted, and to the agency to be employed in distributing it.

The Secretary of State for India wrote on the subject in one of his despatches as follows :—

Your Excellency in Council has made these proposals in reference only to appeals preferred to the English public. Their adoption in such cases will not, however, preclude appeals being made to the Indian public by local Governments or for lesser objects, within more limited areas by high officials.

licy of Lord Lytton's government was its refusal to grant remissions of the land revenue demand even in times of an unprecedentedly and exceptionally severe calamity. The Government of Bombay, both under Sir Philip Wodehouse and Sir Richard Temple, tamely and without the slightest protest, carried out to the very letter the policy laid down for them. It is not known what the Government of Madras did, but one thing is known,—and let it be distinctly stated to the credit of Sir George Couper,—that the Government of the North West Provinces protested very strongly against the orders of the Supreme Government, and did all they could to condemn the utter inhumanity and injustice of these orders for rigorously collecting the land revenue. Every farthing of the land revenue that could be wrung out was recovered from the starving ryots of the Presidencies of Bombay and Madras and the North West Provinces on the plea that the essential principle of the land revenue administration of the periodically settled provinces was “low assessments and no remissions.” So far at least as the Bombay Presidency* is concerned,—and we think the same principle applies to the Madras Presidency and the North Western Provinces,—it has been satisfactorily established that this plea is altogether baseless and untenable. But even granting for the sake of the argument that the plea was perfectly just, we maintain that Shylock's self could not have insisted more persistently and with more heartless severity upon his “pound of flesh” than did the Government of India under Lord Lytton insist upon recovering the land revenue demand. The ryots had to sell their all and to borrow at a very usurious rate of interest in order to satisfy the exorbitant demands of the Government. This was not all. Many a ryot in the famine-stricken districts of the Bombay Presidency is reported to

* See Vol II. No. I pp. 61-67 (Proceedings Section).

have had to part with the Tagai advances made to them by the Famine Relief Fund Committees in order to satisfy the government demand. Was this not out-doing Shylock's self? And wherefore did the Government of Lord Lytton resort to such extreme measures in recovering the land revenue demand? The answer is not far to seek. The government was in sore need of money to prosecute its premeditated designs of aggression and conquest on our North West Frontier, ostensibly of course in search of a "friendly and independent Afghanistan" but really in quest of a "scientific frontier."

Such was the famine policy of the Government of Lord Lytton. We have not the slightest doubt as to what the verdict of posterity will be; we feel confident also that the verdict even of every unprejudiced and impartial contemporary will be that the famine policy of Lord Lytton's government was the most unprincipled in its conception, harsh in its management, and disastrous in its consequences. And yet Lord Lytton's government was reported to have seriously contemplated the annexation of the native state of Kashmere on the ground that its famine administration was a disgrace to humanity! The national proverb is just and appropriate which declares that it is easy to discover a mote in other people's eyes but not a beam in one's own.

We have thus far dealt with the famine policy of Lord Lytton's government. We have now to notice briefly the financial policy of his government. As we have, however, exhaustively reviewed it twice during the last year, we need not here do more than briefly touch upon the more salient points. We have said at the very outset of this paper that the besetting sin of Lord Lytton's administration consisted in its having been eminently untruthful. This untruthfulness was nowhere so strongly displayed as in the financial administration. This untruthfulness was displayed in the imposition of the Trades License Tax with

its unequal incidence, on the ground that the trading classes benefitted most by famine ; in the enhancement of the salt duty in the Western and the Southern Presidencies, when they were still suffering from famine, on the pretence of equalizing the duty throughout India ; in the establishment of the (now obsolete) Famine Insurance Fund with distinct and unequivocal pledges that not a single rupee of that fund would be spent upon works other than those calculated to insure the country against future famines ; in the violation of the same sacred pledge and the misappropriation of that fund for purposes of foreign war ; in the repeal of a portion of the import duties on Manchester piece goods in direct contravention of the resolution of the House of Commons with a view to conciliate the Lancashire manufacturers at the then impending General Elections ; in the assumption of the responsibility of defraying the entire cost of a foreign war prosecuted beyond the frontiers of India for Imperial purposes, in distinct violation of the provisions of the Parliamentary Act of 1858 for the better government of India ; in the abrupt and violent suspension of all works of public utility with a view to convince Parliament of the ability of India to assume that responsibility ; in the increase of the national debt and the diminution of the cash balances to an unprecedented extent ; in the absorption of the provincial balances into the Imperial Treasury, though, properly speaking, under the decentralization scheme they ought to have been placed solely at the disposal of the provincial governments for the prosecution of local works of public utility, and in the creation to order of desperate or hopeful budgets, of fancy surpluses, turned into awful deficits. These are some of the leading features of the financial administration of India under the Government of Lord Lytton, with which the reader of these pages has been already made familiar. The recent startling but by no means unexpected discovery of a heavy deficit in the finances of India has given fresh and renewed

interest to these features, and, moreover, that startling discovery clearly proves that the last budget which was published to the world in February last, was deliberately made to order by Lord Lytton and Sir John Strachey with the express object of strengthening the hands of the Government of Lord Beaconsfield at the late General Elections. The unexplained fact that the last budget statement was made at an earlier date than usual so as to be in time for the English Elections, and the party speech made by Lord Lytton, in a style unusual for Indian Viceroys, condemning the attitude of Mr. Gladstone and Mr. Forster, fully bear us out in our surmise. We have said above that the startling discovery of the deficit in question was by no means "unexpected," and we have used that word advisedly, for no one for a moment believed the "prosperity budget," which Lord Lytton and Sir John Strachey had published, as a truthful account of Indian Finance. Nobody either in India or England attached any value to these declarations, and we may take some credit to ourselves for having prophesied the close advent of a financial disaster. In our last number we remarked as follows ;—"In conclusion we have only this much to add, that we have many and serious misgivings regarding the *real* financial prospects, and that we apprehend the close advent of a financial crisis which will necessitate either additional borrowing to a large extent, or the imposition of new and oppressive burdens on the already tax-ridden people of India. Those who care to read between the lines of the speeches of Sir John Strachey and Lord Lytton in connection with the financial statement, will readily admit the well-founded character of our apprehensions. Both of these speeches are replete with ominous allusions to the unsatisfactory condition of our finances, and we have no doubt that Lord Lytton will leave to his successor a rich legacy of troubles both at home and abroad." Subsequent events have proved that we were perfectly justified

in expressing the serious apprehensions we had confidently expressed on that occasion. A heavy deficit has been discovered to exist in the finances of India. This deficit owes its origin entirely to the fact that Lord Lytton and Sir John Strachey deliberately under-estimated the cost of the Afghan War by half, or, in other words, that the cost of the War has, since the budget, increased hundred per cent. What is very strange is that this mistake occurs principally in the accounts of 1879-80, and not in the budget estimates for 1880-81. This is of course evident from the fact that, as admitted by them in their recent despatch on the subject, Lord Lytton and Sir John Strachey became alarmed at the apparently unexpected and sudden increase of the demands on the frontier treasuries during the period that elapsed between the 24th of February, when the financial statement was made, and the 13th of March about which time the mistake was discovered. The new year had not even commenced when this mistake was found out, and it is evident, therefore, that it refers principally to the accounts of 1879-80. It is, however, said that the mistake entirely refers to the budget estimates for 1880-81, but we confess we are unable to see how any outgoings from the frontier treasuries during the last month or two of 1879-80 could have any the slightest reference to calculations for the year which had not even commenced, and we are nowhere told that the budget estimates for 1880-81 have been revised. It is of course true that the estimates of the cost of the war "must be to a great extent speculative," but then it is impossible to see how this can be true of the regular estimates. When the regular estimates for 1879-80 were made public, it was only five weeks to the end of the year and we are unable to see how any mistake in the regular estimates can be termed accidental. Such being the case, it is evident that correct information in regard to the actual expenditure of the

military operations in Afghanistan for 1879-80 was deliberately withheld from the public here and in England simply because the hands of Lord Beaconsfield might be strengthened in his appeal to the country to give him a fresh lease of power. This must be as clear as the noon-day sun to any unprejudiced and impartial student of facts; for if it had been otherwise, and if the mistake were really unintentional, we have no doubt that the government of Lord Lytton would have published the fact the moment the mistake was discovered. In their despatch Lord Lytton and Sir John Strachey admit that they discovered the mistake early in March; if so, why did they not disclose the fact in clear and distinct language to the Secretary of State in their telegram dated 13th March? The distinct and clear language occurs in the telegram dated 8th April, when for the first time the Secretary of State is told in unequivocal terms that the outgoings from the treasury for the War were very alarming, and far exceeded the estimates. It is of course certain that all this would never have been disclosed, if the late General Elections had resulted in the return of Lord Beaconsfield to power. In this respect we are entirely at one with Mr. Morrison, the Chairman of the Calcutta Chamber of Commerce in holding that when the budget statement was made in February last, it was deliberately manipulated to serve party purposes, and that the mistake was confessed only at a time when it became obvious that it could be no longer concealed with credit or safety. Mr. Morrison at a recent meeting of the Calcutta Chamber of Commerce said :—

“ With astounding rapidity the revelations came, and in less than nine weeks after the Budget was read, the public were put in possession of a State paper, the most extraordinary, I suppose, in the annals of India, where the whole Council, from the Viceroy downwards, had to put their names to a confession which meant virtually that they did not know their business, or, as some said,

that their Budget was drawn up to suit party 'exigencies' in England at the forthcoming elections. The former view we could hardly take without accusing the Members of Council of an incapacity which their antecedents would not justify; but if we adopt the other view! "Well, what are we to think?" For my own part, I firmly believe that trusting to the apparent certainty of a return to power of those who initiated the Afghan policy, a Bill of indemnity would then be easily obtained, and the whole thing hushed up; and that it was only when the change of parties in England shewed that concealment was no longer possible, that the so-called "sudden and unexpected demand on *our Treasuries* was found out."

In the absence of any satisfactory explanation from the Government of India as to what occurred to upset the original budget estimates, one can not but come to the conclusion at which Mr. Morrison has arrived; and the language of Lord Cranbrook's despatch of April 22 goes a great way to corroborate that conclusion. In the ninth para of that despatch His Lordship remarks as follows:—

It seems evident that your difficulties must mainly have arisen from an under-estimate of your liabilities in regard to the war, and I am desirous of drawing your attention to the manner in which this question has been placed before Her Majesty's Government. On Feb. 24 your financial statement was published, showing an anticipated expenditure on account of military operations in 1880-81 amounting to 2,090,000 *l.*, subject to reduction by railway and telegraph receipts. So sanguine were you of the adequacy of this estimate, that you determined not to proceed with the revision of the licence taxes which had been proposed to me as tending to remove certain inequalities felt to be injurious, and had received my cordial sanction, and you abandoned the measure, notwithstanding some urgency on my part, because you stated that in the flourishing state of your finances, neither your Excellency nor any member of your Government was prepared to proceed with that part of it which involved fresh taxation. You further determined to remit the export duties on certain articles, and you resolved on the unusual step of meeting, during a time of war, an expenditure of 3,312,000*l.* for Productive Public Works, without resorting to the money market for a loan. *At the same time you informed me that*

you had deliberately determined to face any inconvenience resulting from the depletion of your balances, in order that you might announce so satisfactory an evidence of the sound state of your finances.

It is perfectly clear from the foregoing that the government of Lord Lytton had, deliberately and even against the express advice of the Secretary of State, undertaken to face any inconvenience likely to arise from the depletion of the cash balances, because of their extreme anxiety to announce so satisfactory an evidence of the sound state of the Indian finances. Why was such a hopeful and satisfactory announcement deemed necessary at all hazards, if it were not to smooth everything in view of the then impending General Elections? Could it have been simply accidental that Major Newmarch, the Accountant General Military Department, about whose general ability and the remarkable correctness and accuracy of whose estimates both Lord Lytton and Sir John Strachey passed an extremely flattering eulogy in February last, should have under-estimated by half the cost of the second campaign subsequent to the assassination of Sir Louis Cavagnari? Certainly not. On the contrary it is perfectly natural to expect that owing to the experience gained in the first campaign, the estimates for which proved remarkably accurate, the estimates for the second campaign too ought to have proved at least equally, if not even more, accurate. When all the circumstances are duly considered,—the depth of political immorality to which the principal actors had reduced themselves during the past four years, and their known anxiety to do every thing in their power to smooth things for their masters, though at the expense of India, as evidenced by the repeal of a portion of import duties on Manchester piece goods,* even when their non-protective character was acknowledged by

* The following extract from Sir Alexander Arbuthnot's minute on the question of the repeal of import duties dated, 15th March

Lord Lytton himself* and that too when the financial out-look was gloomy enough—when these

(Continued.)

1879 shows that even the highest officers of Government regarded the said action of the Viceroy as an electioneering movement:—

Nor is the impression to which I allude confined to the unofficial classes. It is equally shared by the great body of the official hierarchy throughout India. *I am convinced that I do not overstate the case when I affirm my belief that there are not at the present time a dozen officials in India who do not regard the policy which has been adopted in this matter, as a policy which has been adopted, not in the interests of India, not even in the interests of England, but in the interests, or the supposed interests, of a political party, the leaders of which deem it necessary at any cost to retain the political support of the cotton manufacturers in Lancashire.* This, it appears to me, is a most unfortunate state of things. It is very undesirable that an impression should exist, which, if it were well founded, would go far to justify the forebodings of those who deprecated the transfer of the direct government of India from the East India Company to the Crown, on the ground that India would be sacrificed to the exigencies of political parties in Parliament. For many years after that transfer took place, the propriety, and indeed the necessity, of treating Indian questions, and especially questions connected with the internal administration of India, as a thing apart from parliamentary politics, was recognized by both the great parties in the state. By a tacit, but well understood, compact India was excluded from the arena of party politics in the House of Commons.

* This is what Lord Lytton himself declared to be his opinion to the Bombay Chamber of Commerce:—

“He was of opinion that with the exception of about forty thousand pounds sterling, the duties were not protective, because Manchester had no Indian competitors in finer manufactures. He thought the eight hundred thousand pounds collected yearly, as duty on finer fabrics, a fair item of revenue.” With regard to the duty on coarse goods he thought it “protective,” because Bombay mills competed with Manchester; but he did not see how it could be abolished because it would lead to irregularities in order to evade duty.”

circumstances, we say, are duly considered we fail to see how any one having a particle of self respect in him can maintain for a single moment that the proximity of the General Elections and the under-estimating by nearly half the cost of the second Afghan campaign could be termed simply accidental. The last sentence in the paragraph from Lord Cranbrook's Despatch quoted above is, however, suggestively clear and conclusively demonstrates the intentional and deliberate character of the discreditable manipulation practised upon the public. The pen of a friendly and sympathetic Secretary of State has done more to condemn the financial administration of Lord Lytton and Sir John Strachey than any amount of incisive criticism at the hands of the Opposition could ever expect to do. The Government of Lord Beaconsfield has, it is evident, openly disavowed all partisanship in this scandalous affair, and well may Lord Lytton and Sir John Strachey severally exclaim with Cardinal Wolsey

Had I but serv'd my God with half the zeal
I served my king, he would not in mine age
Have left me naked to mine enemies.

We have thus passed under review all the leading features of Lord Lytton's administration,—his Afghan policy, his home administration, his famine management, and his financial failures, and we have, we believe, sufficiently substantiated all the charges we brought against his Lordship's Indian administration at the outset of this paper. The future historian will hardly find any other period of equal duration in the annals of British India, when so many disasters were crowded together within such a brief interval, one and all of them being the natural and direct consequences of the tortuous and immoral policy of the statesman at the head of affairs. When Lord Lytton assumed the reins of government, he delivered the following oration, which, though it was addressed to his colleagues who had assembled at the Council table to welcome him, may be said to have been intended

for the edification of the whole country :—" Gentlemen, it is my fervent prayer that a Power higher than that of any earthly government may inspire and bless the progress of our counsels, granting me with your valued assistance to direct them to such issues as may prove conducive to the honour of our country, to the authority and prestige of its august Sovereign, to the progressive well-being of the millions committed to our fostering care, and to the security of the princes and chiefs of India, as well as of our allies beyond the frontier, to the undisturbed enjoyment of their just rights and hereditary privileges." Such was the programme laid before us, and such was the fair promise of the career which has ended so disastrously. Under such circumstances well may the people and Princes of India exclaim with King Lear in the play :—

"Is this the promised end?"

The faith of the people of India in the "honour" of England has been considerably shaken, and "the authority and prestige of its august Sovereign" sullied in the eyes of the subject millions by the untruthfulness and the mean jugglery of Lord Lytton's attempts to over-reach them; "the progressive well-being of the millions," both material and moral, has been successfully thrown back for many decades, the former by the suspension of all works of public utility, and the increase of taxation and national indebtedness, and the latter by such measures as the Press Act, the Arms Act, and the Native Civil Service rules; "the just rights and hereditary privileges" of the Princes and Chiefs of India have been violated by the salt and opium negotiations and by the threatened disbandment of the armies of native Princes, and those of "our allies beyond the frontier" have been infringed in the case of the Afghan ruler by an unprovoked and wanton invasion of his country by our forces, and in the case of Burmah by the needless withdrawal of the Resident at his Court.

We have done with Lord Lytton's career in India. So far as the people of India are concerned, they have emphasized their condemnation of his Lordship's administration by allowing him to leave the country uncared for, and without even a word of parting farewell. Some Bengal officers are reported to have canvassed hard to get up a demonstration in favour of the departed Viceroy, but no one would respond, as nobody could lay his finger upon a single act of his career which might be said to have been conceived in a sympathising spirit, and executed with in a sense of equal justice. The promoters of the celebrated equestrian statue farce of Bombay have been put to shame by their brothers of the other side of India. The Mahomedan Literary Association of Calcutta was the only body which was prevailed upon to vote a farewell address to Lord Lytton, an address which has been unanimously condemned by the "interpreters" of native as well Anglo-Indian public opinion.

The British public also has, by its recent verdict in response to the appeal made thereto by Lord Beaconsfield in March last, done its duty, when it emphasized its condemnation of Lord Lytton's Indian administration by driving his chief from power. X We can only hope that with the retirement of Sir R. Temple, and the enforced resignation of Lord Lytton and Sir John Strachey, the retrograde, and blustering policy which over-shadowed and poisoned all the departments of administration, and repressed the growth of our national aspirations, may be said to have had its fitting close, and that a more genuinely liberal, just and sympathetic rule will dawn upon the country and undo the disastrous work of a false and short-lived Imperialism.

CURRENT LITERATURE.

Mr. Fawcett's "Three Essays on Indian Finance" republished from the Nineteenth Century," in which journal they first appeared during the last year, travel over the whole of the ground covered by the great financial problems of the day, and though the present volume was published in January last some months before the elections took place, the success of the Liberals in the new Parliament and the fact that the illustrious author of these essays occupies an important position in the new Liberal Ministry have lent all the importance of a political manifesto to the views set forth therein. The lines of thought suggested and the conclusions laid down in these essays will certainly shake the counsels and regulate the dealings of the new administration for many years to come, and as the chief difficulty of the Indian Government resolves itself into the question of its finances, the value of avoiding erroneous and exaggerated views in regard to our present condition and future prospects can hardly be overrated. Mr. Fawcett may well claim to have made Indian finances his speciality, and to him belongs the rare credit of having converted statesmen of both parties and the authorities in India to accept his views as affording the only reasonable prospect of re-establishing the solvency and prosperity of the country. We can only hope to lay down briefly the more important of the positions elaborated at length throughout these essays.

1. The first fundamental position regarding Indian finance is the recognition of the fact that India is an extremely poor country, and that the great mass of the people are in such a state of impoverishment that the Government will have to contend with exceptional difficulties if it becomes necessary to procure increased revenue by additional taxation. Relatively to population and extent England is 70 times richer than India.

2. The real net revenue of India is derived from six sources, viz. land, opium, salt, excise, customs and stamps; excluding collection charges, the net revenue amounts to 38 millions a year. The other items of revenue, which swell up the gross total to 63 millions, are either nominal ones, or are counterbalanced by corresponding items of expenditure.

3. The real net revenue of India is inelastic, and has been stationary for the last 12 years, and represents year after year a diminishing value. The land revenue is for the most part permanently or temporarily settled, and in the latter case at such a pitch that the agricultural classes are not in a condition to bear heavier assessment at the time of the resettlement. The opium revenue is uncertain, and depends for its continuance on the variable temper of the Chinese Government. The salt duty is already 2000 percent on the prime cost of the article, and cannot bear any increase without checking consumption. The revenue from excise and customs can never be great in a poor population like that of India, and admits of no increase in the face of the English agitation for the abolition of the duties.

4. As the whole of the revenue is obtained in silver, while nearly one half of the revenue is absorbed by the payments in gold made in England, the fall of the value of silver relatively to gold decreases the money value of the revenues of India by a considerable percentage.

5. While the revenue is stationary, inelastic, and diminishing in money value, the expenditure under all heads has a tendency to increase, and this upward tendency has been intensified of late by the effects of a foreign war, famine, and loss by exchange, and the interest on increased national debt.

6. The military expenditure is excessive, being 45 per cent. of the net revenue. Even before the Afghan war, the military expenditure had in consequence of the amalgamation increased from 12½

millions, fixed as the reasonable maximum charge by Lord Canning after the mutinies, to 17 millions and the forward policy of the war would require a permanent addition of three millions more per year. The general cost of administration, exclusive of the Army and Public Works, has increased during a period of 15 years (1856 to 1871) from 15 millions to $23\frac{1}{2}$ millions, partly by reason of enhanced prices, and partly owing to the absence of adequate economy.

7. The loss by exchange was scarcely regarded as a considerable item on the expenditure side before 1870. During the last ten years it has increased from a few thousand pounds to three millions by reason of the depreciation of silver, and disproportionate increase in the Home Charges.

8. The annual payment of interest on the national debt has doubled in twenty years, having increased from 2 millions of pre-mutiny times (1856) to $4\frac{1}{2}$ millions in 1876, under the influence of the policy of borrowing a large sum every year for so-called reproductive works on which the returns are but nominal. During the last few years 16 millions were borrowed for famine relief purposes, and the Afghan war charges and the cost of the frontier Railway will amount up to another 20 millions.

9. Over and above the increased Imperial taxation, there has been an increase of nearly 3 millions in what is called Provincial taxation since 1870.

10. A comparatively stationary revenue having to meet an ever-increasing expenditure, it will be necessary unless a policy of retrenchment is carried out earnestly, sooner or later, to add to the taxation of India. Constant borrowing will, so far from remedying the ever-recurring deficit, only lead to additional indebtedness, and necessitate additional taxation.

11. It is not possible to suggest, not politically safe to effect, any sensible addition to the taxation.

Direct taxes like the License and Income taxes, succession duties, and a tobacco tax have been condemned on all hands as likely to foment discontent by their inquisitorial character and in consequence of the general poverty of the people, will after all yield an insignificant sum. Indirect taxes also cannot be imposed without defeating their own object, because the people consume no luxuries, and the only necessary of life salt is already taxed most heavily.

12. It therefore follows that retrenchment and substitution of Native for European agency are the only remedies open to the Government. The cardinal error has been that India has been governed on too costly a scale, and the Indian Government has been living beyond its means on borrowed capital for years together, and of late it has sacrificed Indian finance to the exigencies of English estimates. It must retrace its steps, reduce its army charges, and the cost of its Civil administration and its public works expenditure, and govern India in her own interests.

13. Finance is the key of England's position in India. The checks on extravagance which used to obtain under the rule of the E. I. Company from the wholesome fear of Parliamentary inquisition, were removed with the extinction of the Company's power, and the checks substituted by the Act of 1858 have been found insufficient, as the Secretary of State, himself has on diverse occasions overruled his Council even in matters which directly affected the finances of India.

These thirteen propositions, represent the substance of Mr. Fawcett's first essay, and must be laid to heart by every impartial student of Indian Finance, as they bring out all the weak points of the existing arrangements with singular clearness and force. In his second essay Mr. Fawcett has attempted to illustrate his several propositions by a review of the Indian Budget of 1879. We shall only touch upon those portions of his observations which touch upon

the abolition of the cotton duties. Mr. Fawcett most unmistakeably condemns the surrender of the cotton duties at a time, when the Government of India, having no surplus of its own, had, notwithstanding the increased famine taxation, to take power to raise 15½ millions for current expenditure.

(a.) In the first place he questions if the duties are really protective.

(b.) Further that even if they were protective, they should not have been surrendered as long as India had no real surplus, and could not pay its way without borrowing or imposing additional taxation, and there were other taxes to be abolished which should have been given the preference in Indian interests.

(c.) In considering questions of taxation nothing can be more unwise than to conclude that that particular tax must be the best which is most in accord with the principles of economical science. The tastes, the habits and wishes of the tax-paying people must be consulted by practical statesmen. The cotton duties were not open to any objection on this ground as nobody in India complained of them.

(d.) The cotton duties on the finer stuff of English manufacture were to some extent a tax on the wealthy, and the only tax which reached the subjects of Native States. Their abolition tends to aggravate the inequality of the existing taxation.

(e.) Even if India could afford to give up an existing source of revenue, the export duties on rice should have been the first to go as they sin more flagrantly against economic maxims, and their abolition, by increasing the export trade, would lessen the loss by exchange, while the abolition of the Import Duties would affect the exchange unfavourably.

(f.) Another objection to the policy of this surrender is comprised in the fact that the famine taxation was diverted from its own proper purposes for defraying the cost of the Afghan war, to create an artificial surplus with a view to meet the letter, though

in utter violation of the spirit, of the Parliamentary Resolution of 10th July 1877 on the subject of these duties.

(g.) The surrender moreover was dictated by the exigencies of English party politics to which the interests of India were sacrificed against the express protest of the Supreme Council by an extraordinary straining of the powers confirmed by the Sea Customs Act of 1878 on the Viceroy. Mr. Fawcett concludes his second essay by a forcible exposition of the injustice involved in the arrangement by which England threw nearly the whole burden of an imperial war, on the Indian Treasury, and contented itself with advancing two millions free of interest though the war was waged beyond the frontiers of India to maintain the influence of England in Europe. By a narrow majority of 12, the late ministry secured the sanction of Parliament to this adjustment, but as the war charges have now mounted to 15 millions, the question will have to be re-opened again in the present Parliament when Mr. Fawcett's well-known views cannot fail to secure final justice to India. The general review of the Budget statement of 1879 was thus full of despondency. In every important respect, there was a violation of the principles of sound finance, while beyond reducing the extraordinary Public works grant by a crore of Rupees, no effort at retrenchment was made or promised. As might have been expected, this unnatural condition of things broke down, and the Government of India soon found it necessary to retrace their steps, and admit their mistake. This change of attitude was effected in the interval of a few months which elapsed from the publication of the Budget in India and its discussion in Parliament. Mr. Fawcett's third essay is devoted to this new departure in Indian Finance, when statesmen of both parties for the first time admitted that the financial condition of India was gloomy enough to justify the worst apprehensions, and that the rosy

coloured accounts of Indian prosperity and its deficits turned into surpluses were all a delusion which no manipulation of items should have blinded men from mistaking for a reality.

It may be of use to specify more particularly the delusions which for so long held sway, and had to be abandoned at last under the stress of a great calamity. The first of these delusions was that India possessed a normal surplus of revenue. The second delusion was that Public Works became reproductive simply because they were paid for out of the extraordinary grant from year to year. The third delusion was that India was rich in its actual and possible resources, and could bear easily the burden of the most costly administration. The fourth delusion was that a policy of aggression represented by the Afghan War could be carried out without any strain on the finances. The fifth delusion was that the limit of taxation had not been reached in India, and that persons with Rs. 100 of annual income were fairly competent and able to pay two per cent direct taxes on their incomes. Another delusion was that things would get right of themselves, that there would be no accidents and no mishaps, no famines and no wars. And lastly that retrenchment on any large scale was impossible. All these delusions were dispelled by the stern reality of the situation as it developed itself in the latter half of 1879. Under the pressure of a costly war, heavy loss by exchange, and the necessity of providing against famine, the Government of India admitted its readiness to effect a saving of one million in the Civil departments, of $1\frac{1}{2}$ millions in the Public Works grant, and another million in the military charges. Such a recognition of the true situation of affairs was a great fact in itself, and a considerable portion of the credit of having effected this conversion belongs to Mr. Fawcett's persistent agitation and advocacy of Indian interests in and out of Parliament. The only danger now is that this change of mind

may be only temporary in its effects, and that under the influence of better seasons, and peace abroad and a more favourable exchange, the lesson learned in adversity might be forgotten, and the old speculative buoyancy of spirits might return! The alternative of retrenchment as against additional taxation is always disagreeable to a bureaucracy, and every effort must, therefore, be made to enforce it at all risks and annoyance. (2) The cost of civil administration must be reduced by cutting down the salaries of the higher officers to the English or colonial scale. (3) Further increase of taxation must be adjured as political insanity. (4) The ever-increasing home charges which so heavily tell upon the exchange must be kept down. (5) The Military charges must be reduced by doing away with the short service and Staff Corps systems, and by establishing a local Indian army under a centralized command on the scale recommended by Lord Canning. (6) The temptation of manipulating the currency must be resisted as involving a breach of faith, and tending to depress silver, and raise the rate of exchange. (7) Public Works should be carried out as far as possible from surplus revenue, and not from loans. (8) If loans have to be raised they should not exceed $2\frac{1}{2}$ millions as recommended by the Parliamentary Committee, and they should be raised in India rather than in England, in silver and not in gold. (8) England's contribution to the cost of the Afghan War must be raised proportionately to the imperial interests involved in its successful conclusion; (9) and the war brought to an early close, and all idea of annexing Afghanistan abandoned on grounds of economy, if not of justice and policy. (10) The gradual substitution of Native for equally efficient, but more costly, European agency must be carried out wherever practicable and safe. These are the directions in which those who have at heart the protection of Indian interests must persevere before the recent conversion

of Government can be expected to produce lasting good. Indian economists must not rest till the annual expenditure is reduced by another three or four millions, which reduction will enable government to do away with the Licence Tax, lower the salt duties, abolish the export duty on rice, and resume many useful Public Works intended to insure the country against famine out of surplus revenue in place of foreign loans. This is the ideal condition of Indian Finance which Mr. Fawcett sets forth as the goal which Indian administrators must reach, if India is to be permanently rescued from its present normal confusion, and ever-increasing indebtedness, and its resources developed healthily and progressively. A Parliamentary Commission of Inquiry can alone ensure such a happy result, and secure that control of the Council over the Secretary of State which is so urgently needed in the interests of economy and good rule. We cordially endorse this suggestion. Our summary of Mr. Fawcett's work cannot more fitly close than with an expression of his main position that India can never be well governed unless she is governed in her own interests, and that above all sound Finance is the chief of Indian interests.

The reports on the administration of Dhar for the three years 1875, 1876 and 1877, though published too late in the day for any purposes of practically effective criticism, afford a most welcome indication of the growth of responsibility and the desire of taking the public into confidence which many rulers of native states have begun of late to feel. The Dhar territory contains 937 villages and hamlets inhabited by a lack and fourteen thousand souls, of whom only 9 percent are Mahomedans, 60 per cent are the representatives of the aboriginal races, and thirty per cent are made up of the higher castes, Brahmins, Rajpoots, Marathas, Baniyas and Kunbees. The land

under cultivation is about $5\frac{1}{2}$ lacks of Bighas or 5 Bighas to one man, besides much waste land. The revenue of the state is between 6 and 7 lacks, of which the land revenue yields four and a quarter lacks, the tributes 87,724, opium 30,000, Abkari 30,000, stamps together with law and justice yield about 25,000 Rs. and the customs about 40,000 Rs. a year. On the expenditure side, the Chief and his Khasgi establishments take up nearly one third of the total revenue; the payments to religious and charitable endowments and other alienations and allowances come to a total of nearly 80,000 Rs., the Civil establishments including the Police and judicial departments cost about $1\frac{1}{2}$ lacks, and the military expenditure exceeds a lack. The grant for education is one percent of the total revenue of the State, and the Public Works expenditure is between sixty and seventy thousand Rupees. A complete separation of the Khasgi and Doulat jurisdictions appears to have been effected, and maintained intact throughout the years under Report. The separation of judicial and revenue duties, and the separate constitution and due subordination of Civil and Criminal Courts of higher and lower grade, the encouragement of Municipalities, the maintenance of schools and hospitals, Public gardens, a News-paper press, and Post offices, all point to a distinct advance in the conception, and a considerable realization, of what a well-ordered native state can effect in the way of reform. The resources of this state were severely tested during the famine crisis, but the authorities proved equal to it, and they took effective measures to afford positive relief, as well as the abolition of customs duties on imports and exports, to mitigate its severest pressure, though these arrangements involved a loss of nearly 33,000 Rs. The State spent also 30,000 Rs. in the three years on irrigation works, securing an annual income of nearly 3000 Rs. from the irrigated lands. The three years' review of the administration of this state presents on

the whole a very favourable out-look. The Dhar State has historical associations of the most ennobling character, and we confess to a special satisfaction at the manifest signs of well-ordered rule which present themselves in every page of these modest reports.

"The Baroda Administration in 1874" is the title of a statement recently published by Professor Dadabhai Naoroji in vindication of himself and his colleagues from certain charges brought against them by Colonel Phayre, the late Resident of Baroda, and published in the Baroda Blue Books of 1875. The Home Government distinctly refused to find any room for this reply in the Parliamentary papers in April 1875. Professor Dadabhai was perfectly justified, under the circumstances, to publish his defence to the world, five years ago, and in his own interest, as also in the interest of a true appreciation of the grave political crisis, in which he figured so prominently, it is much to be regretted that Professor Dadabhai should have so long delayed the publication of his defence. Of course the duel between Professor Dadabhai, the calm Professor whom nothing could irritate, and the irascible Colonel, who possessed singularly little discretion for his post, between the philosopher who sought like Plato of old to take the sting out of a tyrant and remodel his state after his own Utopia, and a military officer who swore loudly that he would either fall himself or cause Dadabhai's fall, the duel between the two was singularly unequal, and if Professor Dadabhai failed, there was little to be ashamed of in that noble failure. As far as the personal dispute is concerned, the reputation of the Professor was vindicated by the final orders of the Local and Supreme Governments. The Gaikwar's complaints of the Resident's arbitrary interference were admitted to be reasonable, Colonel Phayre was blamed for having shown want of proper consideration in his dealings with the Gaikwar

and his Parsi Minister, and Lord Salisbury went so far as to state that Colonel Phayre was not fitted for the delicate duties he had to discharge, and that he so seriously departed from the orders of his superiors that his conduct could not be overlooked. While Colonel Phayre was thus censured and removed from the post, Professor Dadabhai's honesty of purpose, and his desire for reform are acknowledged and commended by the Secretary of State in his final orders.

The events to which these papers refer have, however, more than a personal bearing. The incidents connected with Professor Dadabhai's administration bring out more strongly than ever the necessity of a recognized rudimentary constitution for Native States. Colonel Phayre would not have ruined Baroda if the Maharaja had resigned himself entirely to the Resident's dictation. There were two parties among the Baroda Darbaris,—the men whom Colonel Phayre dubbed as honest, and who acted as his spies with H. H. the Maharaja and counselled Malharao to yield all points to the Resident, and the men who sought by putting forth Professor Dadabhai to rescue the State and the Chief from their thralldom. We must say that Professor Dadabhai made a great mistake when he consented to be minister without securing a definite, full and free permission of the Bombay Government and of its Resident to his nomination. This weakness of his position increased with his perplexities, for his hold on the Maharaja was also at times considerably shaken. No minister can under such circumstances hope to accomplish any good who does not enjoy the confidence of the Paramount Power. The incident related by Professor Dadabhai of his negotiations with H. H. Malharao, and the articles they drew up as checks upon their mutual authority, will not be without their lessons to those who care for the welfare of native states. The Maharajah's constitution was a simple one. He will give orders as he likes,

and spend as much as he pleases, and nobody should alter or interfere with his orders. Professor Dadabhai could not work with such a constitution. He, therefore, insisted that (1) written orders issued by him in the name of the Maharaja and countersigned by the Minister, and no others should be obeyed, (2) all orders for payment must be initialed by the minister, (3) the Khasgi expenditure should be fixed for once and portioned off separately to be spent by the Maharaja at his own pleasure, (4) the Minister should have a *carte blanche* to spend a sum of 5 lacks in providing his improved system and entertaining the services of competent men; (5) the existing laws were to be observed in Civil, Criminal and Revenue matters till they were changed, and (6) no Nazarana should be levied in matters of justice or appointments, and appointments and dismissals should be made by the Maharaja with the minister's consent in respect of all persons drawing salaries above a fixed maximum. While the Maharaja's powers were thus placed under restraint, the minister agreed to bind himself not to give away land or money, or incur any expenditure over a certain fixed minimum, or make new laws or alter the systems of Revenue, or correspond with the Paramount Power except according to the satisfaction and sanction of the Maharaja. We think this compromise was a reasonable one. It agrees in most important respects with the heads of a native constitution which we sketched out in a former number. Portions of the reform sketched herein were carried out in a fitful way, but the unfortunate Maharaja felt himself not firm enough to rely solely on his reforming minister, and resist the double influence of a hostile Resident and self-seeking old Darbaris. And so he went from bad to worse, and refused to agree to the constitution, which refusal led to the resignation of Professor Dadabhai and his colleagues after a strongly troubled rule of a year or so at Baroda. Here we must end this brief notice

with the expression of a wish that Professor Dadabhai or any of his colleagues would publish one of these days a connected narrative of the work they did in Baroda; and of their experiences of their troubled days.

NOTICE TO SUBSCRIBERS.

Those who have not as yet sent in their subscriptions should kindly send them in immediately on the receipt of this number. The annual subscription with postage is Ra. 4-4.

NOTICE.

A desire has been expressed by several European and Native well-wishers of the Poona Sarvajanic Sabha that its proceedings should be published regularly in the form of a quarterly publication so as to be easily available for purposes of reference. The Managing Committee of the Sabha have accordingly resolved to try the experiment of such a periodical publication of the proceedings of the Sabha. Besides publishing the proceedings, it is proposed to take advantage of such a publication to insert independent communications, reviewing and discussing the more important political questions of the day. There are many topics upon which public opinion has to be created and formed before any formal action can be taken in respect of them by the Sabha. Such topics will find a fitting place in the independent section of the proposed quarterly journal.

The services of a competent Editor have been secured and contributions have been promised by many writers of established reputation.

The journal will consist of about 48 pages royal octavo to be priced at four rupees per annum to be paid in advance or one rupee and a half for each separate number, besides postage charges, and it will be published in the months of July, October, January and April.

As the Sabha has undertaken this work at considerable risk and expense and as the publication will supply a long-felt want, the Managing Committee of the Sabha trusts that the public and the Princes and Chiefs in India will give their most cordial support to the scheme.

Names of intending subscribers can be registered at the office of the Dnyan Prakash Press.

All communications should be addressed to Mr. Sitaram Hari Chip- lonkar, Editor and Manager of this Journal.

SIVARAM HARI SATHE,

Secretary Poona Sarvajanic Sabha.

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PROCEEDINGS OF THE SABHA.

PRESENTATION ON THE TRADES AND PROFESSIONS TAX BILL.

No. 111. OF 1879.

SARVAJANIK SABHA ROOMS,
Nagarkar's Wada, near Vishram Bag.
POONA, 17th December 1879.

To,

THE SECRETARY TO THE GOVERNMENT OF INDIA,
LEGISLATIVE DEPARTMENT,
CALCUTTA.

SIR,

We have been directed by the Managing Committee of the Poona Sarvajanik Sabha to submit for the consideration of the Right Honorable the President and members of the Viceregal Legislative Council the following observations in regard to the provisions of Bill No. 18 of 1879 entitled, "The Trades and Professions Tax Act" and to request that the same may be laid before the members of the Select Committee, or if the Select Committee shall have already prepared and submitted its report, before the General Committee of the Council.

1. The Committee of the Sabha can not but at the outset express their feeling of satisfaction at the resolution which the Government of India have adopted in the matter of the minimum of taxable income of traders and dealers. The new minimum limit of taxable income which the Government of India propose to raise to Rs. 250 in the case of those who follow any trade, dealing, art or industry of profession, though it will no doubt exempt the greater portion of the real poverty of the country from liability to pay any tax under the proposed Act, will not by any means exempt all poverty from liability to pay the new tax. The minimum limit of taxable income under the proposed Act is proposed to be fixed at Rs. 100 per mensem or Rs. 1200 per annum in the case of officers and servants, or to speak more accurately in the case of men having fixed salaries or incomes. The Committee of the Sabha freely confess their inability to understand why there should be such vast and almost invidious differences between these two minimum limits of taxable income under the proposed Act. With all due deference to the high authority of the honorable mover of the Bill, the Committee of the Sabha submit that if it be deemed advisable to

fix the minimum limit of taxable income under the proposed Act at Rs. 1200 per annum in the case of government officers and servants, this minimum limit ought to be fixed at Rs. 1800 per annum in the case of the servants of private employers for the obvious reason that while the former have the certain and sure prospect before them of enjoying a respectable pension in the rainy day of their life, and are not, therefore, quite naturally enough as anxious about their future means of subsistence and livelihood as those who can never have such a bright prospect before them, the latter have to provide out of their current salary a kind of provident fund to serve as future pension. To rank government servants and private servants, the former having the aforesaid bright prospect before them and the latter having nothing of the kind to cheer them on during their service,—to rank both these in the same class is, the Committee of the Sabha submit, either undue leniency to the former, or great injustice to the latter. The same arguments that can be brought forward in justification of fixing the minimum limit of taxable income under the proposed Act at Rs. 1200 per annum in the case of government servants hold equally good in justifying the Committee of the Sabha in urging that the said minimum limit be raised to Rs. 1800 per annum in the case of private servants.

In the same way the Committee of the Sabha freely confess their inability to understand why the minimum limit of taxable income under the new Act should be fixed at such a low figure as Rs. 250 per annum in the case of professional men, traders and artisans and such like persons. Even if the soundness of the arguments brought forward by the honourable mover of the bill be accepted for the sake of argument that "when scarcity affects one part of India, the producers of grain, the dealers in grain, and other traders in parts of the country not so affected make large profits," it must not be forgotten that the assessing officers, while assessing any particular individual belonging to this class, generally take into their calculation the average profits which such an individual is supposed to make, instead of valuing him at the price mentioned by himself. It must not also be forgotten that when scarcity affects one part of India, it is only the producers of grain and the dealers in grain that may be reasonably supposed to make large profits, but the same cannot be said of all other traders, artisans, and professional men. They are not only not profitted but are actually compelled to suffer on account of high prices ruling in consequence of scarcity prevailing in a part of the country, while the traders, other than grain-dealers, artisans and professional men of the part of the country so affected suffer far more heavily from a general depression and stagnation in business. What excessive profits traders in silks, wollen cloths, and similar other articles, carpenters, masons, weavers, and professional men such as Vakils and doctors, belonging to a part of the country

not affected by scarcity, can be supposed to be making, the Committee of the Sabha freely express their thorough inability to understand, while it scarcely requires an argument to show that the individual members of the classes mentioned above belonging to the territory affected by scarcity, suffer very heavily. It is therefore extremely unjust, the Committee of the Sabha submit, to fix the minimum limit of taxable income in the case of "men of business" at nearly one fifth of that fixed in the case of government servants; for it can not be maintained for a single moment with any shadow of reason that after the assessing officer has assessed one, who comes under the provisions of chapter II. of the proposed Act and whose annual income is set down at Rs. 250 after all minute inquiry into the condition of his business, can be expected to make such profits as to justify the serious measure now contemplated,—profits represented by the difference between the two minimum limits of taxable incomes. Besides the remarks which we have made above as affecting the case of private servants, apply with equal force to those who come under the provisions of chapter II, and whose annual income falls short of Rs 1200. There is also another circumstance which ought not to be quite lost sight of; that there is one great disadvantage, perhaps by far the greatest which both private servants and traders of small means have not unfrequently to labour under, and which is conspicuous by its absence in the case of government servants. It is this that while those who once get a permanent appointment under government, feel all reasonable certainty of their never being discharged therefrom during good behaviour, no private servant ever feels that certainty of permanent continuance in service during good behaviour. In the same way few traders of small means feel any certainty about the uninterrupted continuance of their calling or trade. The evident inequality and partiality in the two minimum limits will become quite apparent and will convince honourable members thereof if an illustration were taken. A skilled mechanic, or carpenter, or mason, so long as he drives his trade on his own personal account, becomes liable to a tax under the provisions of chapter II. of the proposed Act. Such a skilled artisan can at the best expect to get one rupee or one rupee and a half per day, or say between thirty or forty rupees per mensem, or between Rs. 360 and Rs. 480 per annum, and becomes liable under the second schedule to a tax of Rs. 7 per annum, while if the same person succeeds in securing a permanent appointment under government or some private contractor, he is not liable to pay any tax, though his annual income under altered circumstances exceed his former income. Again the honourable mover of the Bill says in justification of the vast and invidious difference between the two minimum limits that those "who depend on fixed incomes for their support or on incomes little affected by competition, suffer from

the pressure of high prices, not only when scarcity prevails in their own provinces, but when it prevails elsewhere," and he also adds that "when scarcity affects one part of India, the producers of grain, the dealers in grain, and other traders in parts of the country not so affected, make large profits; and that while the agricultural and trading classes are, on the one hand, those that require large measures of relief in a region suffering from extreme scarcity, so, on the other hand, these are the classes which are in a position to obtain large profits when their own provinces are flourishing, and other provinces are suffering." Now with regard to the former statement of the honourable mover of the Bill it should be borne in mind that if those who depend on fixed incomes for their support suffer from the pressure of high prices in a season of scarcity,—and the number of such seasons in any given number of years always falls far short of prosperous seasons,—they gain comparatively much more in seasons of prosperity on account of the very same cause. In the same way with regard to his second statement of facts it should be remembered that his remarks do not apply to any class of traders, artisans, and professional men but to those who either produce, or deal in, grain; and that they too, like men of fixed incomes, suffer alike from the pressure of high prices, and even more from a general depression in trade. The Hon'ble Mr. Batten has pleaded and successfully too the cause of professional men and the Hon'ble mover of the Bill has consented to include them in chapter III. and to extend to them the same concessions as regards both the minimum limit of taxable income and the rate of tax. In the opinion of the Committee of the Sabha the case of traders and dealers is precisely analogous to that of professional men. Having regard to all these circumstances the Committee of the Sabha confidently trust that honourable members will find their way to fix the minimum limit of taxable income at Rs. 900 per annum at least, if not at Rs. 1200, as in the case of those who fall under the provisions of chapter III. of the proposed Act.

2. The Committee of the Sabha quite concur with the Government of India in holding that in as much as past experience teaches us to expect a scarcity or famine in one or other part of this vast Asiatic Empire of Her Imperial Majesty within every ten years or thereabouts, it behoves the Indian Government to adequately provide for these calamities of a chronic nature from the ordinary revenues of the Empire. Such an obligation becomes the more binding when it is remembered that the Government has cheerfully undertaken, as every Government having the slightest pretensions to be called civilized can not but undertake, the duty and responsibility of preserving from starvation the lives of its subjects at all cost and risk. The principle was first recognized on the occasion of the Bengal famine of 1874 by the Government of Lord Northbrook and solemnly ratified by Her Most

Gracious Imperial Majesty. Every Indian subject of Her Majesty fully appreciated the firm resolution of the Government of India to make such a provision for the insurance of the Empire against the calamities of famine and to accept the consequent expenditure as an ordinary charge on the revenues of the state, though of course there was a difference of opinion as to whether this requisite surplus should be secured by increasing the annual revenue, or by diminishing the annual expenditure. Notwithstanding this difference of opinion, the Indian populations, having due regard to the noble and sacred object for which the surplus was required, loyally acquiesced in the taxation measures adopted by the Government of India at the commencement of the last year. The objects for which this surplus was required, were fully set forth in the speeches of honourable members of the Government of India when the Trades License Tax Bill was introduced two years ago, and the Government of India pledged itself to faithfully devote the surplus for the objects for which it was professedly raised. If any suspicions were after all the assurances still lurking in the minds of the people of the country, they were completely allayed by a minute which His Excellency the Viceroy recorded on the subject on the 12th March 1878, in which His Lordship assured the public that the surplus was required, not for general purposes, but for the construction of a particular class of public works, and that it would to a rupee be expended on those works. It grieves the Committee of the Sabha extremely to see that after all these unequivocal and explicit pledges the Government of India should have been led to divert the surplus, though temporarily, for purposes for which it was not intended, and that too for purposes towards the expenditure attendant on which India ought never to have been called upon to contribute. The Committee of the Sabha do not desire now to enter into the complicated question of the justness or otherwise of having made India pay the entire expenses of the Afghan War; but they cannot refrain from observing that at any rate the import duties on Manchester piece goods ought never to have been, even partially, repealed, so long at least as India was unable to do so without additional taxation. The measure ought not to have been taken even if the surplus provided by the last year's taxation were formally and legally incorporated with the general revenues, because there were many other taxes, such as the Salt Tax which had a priority of claim, if government were really in a position to remit one or other of the burdens. *A fortiori*, therefore, the measure ought not to have been taken, when the word of the Government of India was unequivocally pledged not to spend a single rupee of the special resources upon works of a different character. The Committee of the Sabha are unable to understand how the Government of India can, consistently with its honour and dignity, recede from the position it deliberately

took in 1878 when the Trades License Tax Act was passed. It is true that the honourable mover of the bill has assured the public that the Government proposes no change of policy and that it will continue to carry out the same policy in the future as it has done hitherto. If such be the case, the Committee of the Sabha are unable to understand why the Government should have thought it desirable to omit all reference to the Famine Insurance Fund in the preamble of the proposed Act; because in their humble opinion, a moral obligation entered into with its subjects is as much binding upon a civilized government as a legal one. The Committee of the Sabha therefore recommend that the preamble of the proposed Act should contain the same assurance with regard to the use of the surplus, as Act No. II of 1878 contained, in as much as when a respectable surplus is available for general purposes, the temptation is too strong to be resisted by any administration, and the moral obligation too slender to restrain one bent upon using the surplus for purposes other than those contained in the moral binding. A great deal of mistrust and suspicion of the intentions of the Government would be unnecessarily caused by the omission of all reference to famine in the preamble of the Act, which should be prevented as far as possible. This is the more likely to be the case when it is remembered that Her Majesty's Secretary of State for Foreign Affairs, the Marquis of Salisbury lately held out sanguine hopes to the Manchester manufacturers for the total abolition of the import duties on their piece goods. The Committee of the Sabha therefore trust that the Government of India will, after a due consideration of the forementioned circumstances, give the same kind of solemn pledges as it did before.

3. The Committee of the Sabha freely express their inability to understand why the salaried men and professional men, as suggested by the Honourable Mr. Batten and acquiesced in by the honourable mover of the bill should, on the one hand, have their annual incomes taxed at a different rate from the one which men of business have to submit to under the provisions of chapter II. It is impossible to arrive satisfactorily at the grounds which must have induced the honourable mover of the Bill to make such an invidious distinction not only between salaried persons and men of business or traders but between traders and traders. For instance a trader whose annual income exceeds, though very insignificantly, Rs. 2,00,000, has to pay under the second schedule Rs. 4000 as his tax, that is, Rs. 400 more than the Viceroy himself though the former's income is less than the latter's by Rs. 40,000. Again under the same schedule a trader whose income is Rs. 2,50,000 per annum has to pay the same tax of R. 4000, though the difference between the annual incomes of the two is so great as half a lac of rupees. This inequality and invidious distinction

should, like the inequality and invidious distinction already alluded to above, be forthwith altogether removed as instead of bringing much commensurate relief to the treasury it will only serve to keep alive a deep sense of jealousy and heart-burning between several sections of the society. The Committee of the Sabha submit therefore with due deference that the minimum limit of taxable income should be raised to Rs. 900 per annum in the case of those who fall under the provisions of chapter II. of the Bill, and that an uniform rate should be fixed for all alike without making any invidious distinction.

4. There is another important point which the Committee of the Sabha beg to urge on the serious consideration of the Government of India, and of the honourable members of the Viceregal Legislative Council. There is every reason to believe that the recommendations of the Army Re-organization Commission of Lord Northbrook in England and of Sir Ashley Eden in India, as well as the recommendations on the Famine Commission on the subject of rendering the administration of the country cheaper than at present, will ultimately end in effecting a considerable saving in the present enormous expenditure. The recent reductions in the Public Works Department too must have given some considerable relief to the Indian treasury. The foreign exchanges too are rising, and it is almost certain that this disturbing element will in the future cease to unsettle the financial equilibrium of this empire. Under all these circumstances the Committee of the Sabha feel themselves justified in urging on the serious consideration of the Government of India and of the Viceregal Legislative Council that a certain limit of time should be fixed in the body of the Act itself during which the Act might remain in force. It will of course be competent to the Government to extend this period by a fresh legislative enactment after the expiration of the period, if the requisite saving be not effected by the time. One great advantage from such a course, as is recommended above, would be that the executive government will be morally bound to exert itself to the utmost of its power to give due and prompt effect to the recommendations of the three Commissions whose reports are being anxiously looked forward to by the extremely over-taxed people of this Empire, whereas if no such provision were made, the urgency of the necessity of retrenchments in the present enormous expenditure is likely to be forgotten, until some other emergency arises. In the opinion of the Committee of the Sabha the forementioned object would be effectively secured by providing a limit of two years to the operation of the proposed Act, as a period of two years would be quite sufficient to give due effect to whatever recommendations the forementioned three Commissions may have soon to make.

5. The experience of the past two years during which time the Trades License Tax Act has been in full force, has taught us, and even the honourable mover of the bill has admitted it during the course of his opening speech, that the inherent unpopularity of the existing License Tax Acts was considerably aggravated by the proverbial over-zealousness and high-handedness of the assessing officers. In a great many cases the gross abuses of these officers were remedied by the officers appointed to hear appeals, but the Committee of the Sabha can not close their eyes to the probability that in a great many cases justice must have been denied to the aggrieved parties, not wholly of course, because of the summary nature of the inquiry before the supervising officers. Appended to this letter will be found a tabular statement containing a few of the many cases of gross abuse on the part of the assessing officers. These cases are from the Municipal limits of the town of Poona, and the Committee of the Sabha feel convinced that there must be thousands of such cases of gross abuse in every district of the country. It is almost impossible for every aggrieved party to adduce perfectly satisfactory and convincing proofs before the supervising officers, and that too when the inquiry is of a summary nature, to get his wrongs redressed. We are directed to request you to draw the prominent attention of honourable members to the cases of those individuals whose cases are marked in the annexed tabular statement Nos. 14, 21, 31, 35, 38, 41, 47, 58, and 63. These cases to which we have to draw the prominent attention of honourable members, differ from the rest included in the tabular statement hereunto appended in so far that while in the latter the assessing officers raised the tax without any adequate rise in the annual earnings of the individual traders concerned, in the former notwithstanding that there was a fall of nearly 50 per cent in their annual earnings, as satisfactorily proved to the supervising officers, he (the assessor) raised it in some cases by 50 per cent, in some by 100 per cent, and in one by 600 per cent. These instances serve to show most clearly and conclusively that the assessing officers are guided in their actions not so much by any settled principle, as by their caprices and whims; for it can not for a moment be supposed that if the assessing officers had made any inquiry worth the name, he would never have enhanced the tax in the cases of those individuals whose annual earnings had diminished by 50 per cent. Such capricious proceedings on the part of the assessing officers can not but cause unnecessary annoyance and vexation to the public and aggravate hundredfold the inherent unpopularity of such a measure of direct taxation as the present. The Committee of the Sabha, therefore, humbly submit that every person who now falls under the provisions of chapter II of the Bill should be served with a notice by the District Collector or any other officer,

whom the local government may appoint to state on an oath before him his annual income as approximately as possible and that the person should be assessed accordingly. It should be also publicly notified that he who deliberately and with an intent to deceive furnishes false information, shall be liable to a fine not exceeding three times the amount of the tax properly payable by him. This suggestion has the precedent of the provisions contained in Act XXXII of 1860, and moreover the general and well-known law-abiding character of the Indian populations justifies the Committee of the Sabha in recommending the above-mentioned suggestion to the serious consideration of honourable members of the Viceregal Legislative Council. The Committee of the Sabha feel convinced that while their proposal, if adopted by the Legislature, will effectually obviate all annoyance and vexation caused by the present system both to the assesseses and to the supervising officers, there will be very few, if any at all, who will deceive the authorities.

6. Having thus briefly stated the objections which the Committee of the Sabha entertain to those provisions of the bill, which appear to the Sabha to be radically defective or based on wrong principles, we shall next proceed to state some of the amendments which, in the opinion of the Sabha, appear to be desirable in particular sections of the bill to secure its proper and safe working.

Preamble—The following words should be added to the preamble “and whereas it is expedient to effect a permanent increase of the revenue, in order to provide means for defraying the public expenditure from time to time incurred and to be incurred for relief and prevention of famine in British India.” The reasons for this addition have been already explained in the body of the general remarks. There is no justification whatever, so far as the Committee of the Sabha can see, for seeking an increase of the revenue unless it be to provide means for defraying the public expenditure from time to time incurred and to be incurred for the relief and prevention of famine in British India. The existing License Tax Acts contain such an assurance, and the new bill by which they are sought to be supplanted and amended and consolidated, will surely be understood to contain the same assurance by implication. Under these circumstances it would be advisable to openly and formally include the same.

Section 1.—A new clause should be added to this section, specifying a limit of two years during which time the proposed Act shall be in force. The reasons for this step have been clearly set forth in the body of the general remarks.

Sections 4 and 5.—These sections should be amended as recommended in the body of the general remarks. The minimum limit of taxable income should be raised to Rs. 900 at least in the case of those who fall under the provisions of chapter II, and a uniform rate of tax be once for all fixed instead of the almost arbitrary scale mentioned in the second schedule. In the eyes of law all are equal, whether high or low, and therefore no such invidious distinctions should be sanctioned by the Legislature.

Sections 6 and 9.—The provisions contained in Section 6, as it stands at present are of a very novel kind, and almost, if not altogether, unprecedented. The section should be bodily expunged out of the bill, for it is not the business of any person to volunteer to pay a tax when the assessor whose business it is to see that all persons who are liable

under the Act are included in the lists prepared, omits his name therefrom. The existing License Tax Acts even, which are notorious for their extremely invidious character, do not contain such an unheard-of provision. The provisions contained in the first part of section 9 shall have of course to be expunged in the same way.

The Committee of the Sabha deem it their duty to emphatically protest against the provision contained in the first section regarding the publication of lists and invite all manner of false information to the assistance of the assessing officers. Such a measure can not but fail to have a very disastrous and demoralizing effect. All occasion to seek such help will be obviated by the adoption of the proposal we have made in paragraph—of our general remarks.

General Remarks on chapter II.—When it is settled that the minimum limit of taxable income in the case of those who fall under the provisions of chapter II should be raised to Rs. 900, and that after a person has been served with a notice by the District Collector or any other officer authorized in that behalf calling upon him to make a statement of his income, he should be taxed at a uniform rate of Rs. 1-8-0 per cent on the amount he mentions, most of the sections of this chapter shall have to be amended in the new spirit, while some of them shall have to be altogether expunged.

Section 13.—No justification has been shown for the exemption of those military officers whose annual income is less than Rs. 6000. The Committee of the Sabha think it just that they should be subjected to the same minimum limit of taxable income as their brothers in the Civil Services.

Section 14.—The minimum limit of taxable income mentioned in this section should, for the reasons stated in the body of the general remarks, be raised to Rs. 150 per mensem or Rs. 1800 per annum.

Section 17.—A new clause by way of a proviso should be added to this section somewhat to the following effect :—“Provided that such private employer has not already deducted such amount from the pay of his servant and provided also that such servant has received the pay for the period for which the tax is claimed by the District Collector.

Section 31.—This section should be bodily expunged, for in the first place it is not desirable to delegate to the Executive a power which belongs to the Legislature alone, and secondly it is calculated to raise all manner of suspicions regarding the intentions of the Executive.

7. We have thus briefly stated the amendments required in particular sections of the bill, and the Committee of the Sabha trust that the Supreme Legislature will not over-ride in this instance the fixed principles of taxation enunciated by the most eminent Political Economists of the present and past times, and that nothing will be done to sap the foundations of that faith which the people of India have learnt to repose in the plighted word of government.

SHIVARAM HARI SATHE,

Secretary of the Poona Sarvajanic Sabha

S. H. CHIPLONKAR,

Honorary Secretary of the

Poona Sarvajanic Sabha.

Number.	Name of the Trader.	Tax paid for 1878.	Tax assessed for 1879.	Amount declined after appeal.	Amount actually paid for 1878.
SHANWAR PEEL					
1	Baboorao Gopal Parajpe...	30	200	160	40
2	Chinto Wasudeo Joshi...	0	100	85	15
3	Balwantrao Baghunath Vaidya...	25	60	25	35
4	Sadasiv Raghunath Shevde...	30	40	10	30
5	Ragho Hari Rajewadikar...	15	40	15	25
6	Abaji Nilkant Thate...	20	40	15	25
7	Shankarrao Vinayak Hasabnia...	20	40	15	25
8	Vishnu Krishna Jogalekar...	20	40	10	30
9	Ramchandra Vinayak Thate...	15	40	20	20
10	Bhau Shet Bin Ktdaji Shet...	20	40	15	25
11	Vishnoo Kashav Sathe...	15	30	5	25
12	Appa Saheb bin Krishnarao...	20	30	15	15
13	Naro Ganesh Sahasrabude...	10	30	20	10
14	Ravchanda Vanichanda*...	15	25	15	10
15	Wamanrao Mahadeo Rayerikar...	10	20	10	10
16	Balwantrao Ramchandra Vartak...	7	15	5	10
17	Uttamchanda Hirachanda...	10	15	5	10
18	Bhayechanda Shitapchanda...	10	15	5	10
19	Raoji bin Bahirji Potghare...	5	10	5	5
20	Ghanasham Birdeechanda...	60	200	100	100
21	Sivlal Dayachanda*...	100	150	100	50
22	Khupchanda Ballaram...	60	100	40	60
23	Sivlal Khupchanda...	40	100	60	40
24	Shrikrishna Gajaram...	40	100	60	40
25	Narsidas Raghunathdas...	40	100	60	40
26	Khupchanda Sheoram...	30	100	60	40
27	Sivbakas and Romlal...	25	100	75	25
28	Hati Motichanda...	30	100	70	30
29	Chhotlal Surajlal...	15	60	20	40
30	Koeshaba bin Shankar Adamane...	20	60	40	20
31	Pratap Manram*...	10	40	25	15
32	Hookoomchanda Gangaram...	10	40	20	20
33	Gangaram bin Vittoba...	10	40	20	20
34	Sivram Mahadeo Joshi...	10	40	10	30
35	Mahadu bin Gannu*...	5	30	27	3
36	Sadasive Vishwanath Patwardhan...	3	25	18	7
37	Raghu bin Pilajee...	2	20	15	5
38	Narayan bin Gopalji Kale...	15	20	10	10
39	Ramkaishna Mahadeo Bhagvat...	5	20	10	10
40	Govinda bin Gopalla...	5	20	13	7
41	Laxumi Kom Anajee*...	7	15	12	3
42	Shaligram bin Sheoram...	5	10	5	5
43	Mahada bin Anajee...	5	10	3	7
44	Appaji bin Babaji...	5	10	3	7
35	Bhimaji bin Tavji...	5	10	5	5
46	Venu Kom Kesheo Martkar...	5	10	5	5
47	Bhau bin Balaji Bidvaye*...	5	10	7	3
48	Rama bin Vittoba Dallimbkar...	5	10	5	5

Number.	Name of the Trader.	Tax paid for 1878.	Tax assess- ed for 1879.	Amount Deducted after ap- port.	Amount actually paid for 1879.
KASBA PEIT.					
49	Vittal Ramchandra Mawal.	80	200	100	100
50	Zotalal Thakar... ..	7	100	20	80
51	Nahalchand Moolchand... ..	60	80	20	60
52	Kaikoochand Raysachand... ..	30	60	20	40
BOODHAWUR PEIT.					
53	Poorushotam Disaram.	30	200	170	30
54	Chintoba bin Vittoba Shet Malvankar.	150	200	50	150
55	Shankar Goolabrao... ..	20	100	40	60
56	Govinda bin Sakharam Rajmane... ..	25	60	35	25
57	Gopaldas Hemchand Goojar... ..	30	60	30	30
58	Govindrao bin Babooji Sinda... ..	40	60	30	30
59	Vishnoo Lakuman Dawara.	20	60	40	20
BHAWAN PEIT.					
60	Ramshet Bapooshet Oorawana.	150	200	50	150
61	Kaniram bin Kasiram.	80	200	120	80
62	Pitambarchand Marwadi... ..	80	150	70	80
63	Datoo Bhawani Marwadi.*	40	60	30	30
64	Ramji bin Hanmantrao Sinda.	30	40	10	30
65	Koobha Panaji Marawadi.	20	40	20	20
66	Yeshwara bin Narayan.	15	20	2	15
67	Bhagvanta bin Kooshaba Mali.	15	20	5	15

ADDRESS OF WELCOME TO THE NEW VICEROY
WITH HIS EXCELLENCY'S REPLY.

To,

THE MOST NOBLE THE RIGHT HONOURABLE
THE MARQUIS OF RIPON K. G. G. M. S. I.
VICEROY AND GOVERNOR GENERAL OF INDIA.
SIMLA.

MAY IT PLEASE YOUR LORDSHIP,

We have been directed by the Managing Committee of the Poona Sarvajanik Sabha (an Association consisting of Sirdars, Land-holders Sowcars and other representatives of the people of the Deccan) to heartily embrace this opportunity of offering your Lordship our sincere congratulations on your appointment as Viceroy and Governor General of India, and of testifying our loyalty to you, the august and worthy representative of Her Most Gracious Majesty the Queen of Great Britain and Ireland and the Empress of India.

The Sabha feel confident that your Lordship's experience of the wants and wishes of the people of this country, gained in the India Office in your capacity of Her Majesty's Principal Secretary of State for India, will prove of the highest service to you in the discharge of the responsible and onerous duties of the high and important post which you have consented to fill at the command of our august Sovereign.

The frank and unreserved assurances, given by your Lordship in your reply to the Memorial from the General Council on Education in India, regarding your determination of doing nothing calculated to interfere, directly or indirectly, with the religions of the various populations of India, or to arouse the slightest suspicion in their minds of such interference, and the modest but none the less frank assurance contained in your first public utterance in India that that you will earnestly and constantly devote your great powers and opportunities in faithfully discharging your duty to your Sovereign and to the people of India have given general satisfaction throughout the country, have led the people committed to your care to regard your appointment as Viceroy and Governor-General with great satisfaction, and filled us all with early hopes that your Lordship's rule will be singularly sympathetic towards, and attended with great advantages to, the people of this country.

The Afghan war which has been in progress almost without interruption for the last two years, and the determination to defray the cost of that war avowedly undertaken for Imperial purposes out of the revenues of India, prevented the Government of your Lordship's predecessor from devoting their energies to the internal development of the country. We trust that it will be your Lordship's proud privilege first to bring that protracted war to an early close, and secondly after being freed from the anxieties attendant upon such an undertaking, to devote your energies to the internal development of the country, and to the progressive well-being, moral and material, of the people thereof. The Vernacular Press Act and the Arms Act, passed under apprehensions which subsequent events have proved to have been groundless; the License Tax Act which violates the universally acknowledged principles of political economy; the new Civil Service rules

for the admission of Natives into its ranks, which have disappointed all the natural and just expectations of the educated natives of the country; the finances of the country which are now in a grave disorder owing to the discovery of a heavy deficit in the budget estimates for the current year; the respectful but none the less firm representation of the justice and necessity of an equitable adjustment of the expenses of the Afghan war; these are some of the most urgent subjects of Imperial importance which must soon engage your Lordship's earnest attention, and we confidently trust that on all of them your Lordship's decision will be such as may give universal satisfaction to all right-minded men. Among the subjects of local importance which affect this Presidency generally, the condition of the agricultural classes in the Deccan districts will engross your attention. The Government of your Lordship's predecessor has already taken an initiative in the matter and introduced legislative reforms in the said districts, but these by themselves, unless supplemented by reforms in the Land Revenue Administration, are admittedly powerless to give the needful relief. The official members of the Supreme Legislative Council have openly admitted the urgent necessity of this important reform, and we confidently trust that your Lordship will give the subject your most serious consideration, and will, in concert with the Local Government, solve it in a manner satisfactory to the conflicting interests of the parties concerned.

In conclusion we pray that God may grant you health and strength, peace and prosperity, and enable your Lordship to govern India with firmness and beneficence.

We beg to subscribe ourselves,

Your Lordship's most obedient and humble servants.

KRISHNAJI LAKSHMAN NULKAR.

Chairman of the Managing Committee.

S. H. CHIPLONKAR,

Honorary Secretary Poona Sarvajanik Sabha.

Poona, }
19th June 1880. }

Simla, June 27th 1880.

DEAR SIR,

His Excellency the Viceroy and Governor-General desires me to acknowledge the receipt of your letter of the 19th June and its enclosures which have been laid before him. I am to request that you will be good enough to convey to the Managing Committee of the Poona Sarvajanik Sabha His Excellency's thanks for the congratulations on his appointment.

I remain, Dear Sir,

Yours faithfully.

H. M. DURAND,

Offg. Private Secretary.

To,

The Honorary Secretary
Poona Sarvajanik Sabha.

THE LAW OF LAND SALE IN BRITISH INDIA.

1. *Selections from the Records of the Government of India, Home Department No. CLV.*
2. *Deccan Riots Commission Report Appendices A. B.*
3. *The Honorable Raymond West's Land and the Law in India.*
4. *Proceedings of the Legislative Council in regard to the Deccan Agriculturists Relief Act No. XVII. of 1879.*

THE question of the law of land sale in British India has been the subject of a standing controversy for the last twenty five years and more, and the new Act for the relief of the Deccan Agriculturists has raised the subject from one of speculation into a matter-of-fact reality in its relation to this Presidency. Prior to this period, the tendency of British Indian legislation and administration had been generally to assimilate the laws and institutions of India with the latest innovations in Europe. Usury laws were abolished in 1855, because Mr. Bentham and others had denounced them in England, and the English legislature had removed those restrictions on the universal freedom of contracts. Local cesses and octroi duties were abolished not only in British India, but also throughout the Native States, because they interfered with the freedom of trade. Inam Commissions were set up, and so-called settlement operations were carried on with a view to disfranchise the privileged classes and tenures. It was a part of this same system that led Government to abolish the old Mirasi tenure, to break up the principle of joint liability and inalienable rights, and substitute in its place the Survey occupant's tenure, and when the first settlements were introduced, much credit was taken for conferring on the Ryots the most unrestricted power of transferring their interests in land. This tendency to innovation and

the levelling up of oriental institutions to the requirements of the most radical theorists in Europe was in its full swing before the Mutinies, and the annexation policy and the denial of adoptions were only the political phases of this same spirit. The fearful blaze of that period of troubles opened the eyes of the ruling authorities to the great mistake that had been committed when the conservative traditions of the first conquests, the policy associated with the memories of Elphinstone, Munro, Malcolm, Metcalfe, was given up for new fangled ways of thought and revolutionary action, recommended by men like Bird and Thomason in the N. W. Provinces, and in our Presidency by Goldsmid, and Hart, and Cowper and Willoughby.

With the reversal of the political maxims which had till then obtained sway in regard to Native States, a similar reaction was for the first time seen to influence what may be called the home administration of the Empire. In consequence of the law which made land, both ancestral and acquired, freely alienable for the debts of its owner, a great change was slowly but steadily taking place in the status and position of the proprietary classes. All over India, lands were sold for arrears of revenue by the revenue officers, and for decreed debts, both secured and unsecured, by the Civil Courts through the coercive process of sales, and this change was visibly tending to the impoverishment of the old proprietors, and transferring the lands into the hands of strangers and non-residents, who generally belonged to the mercantile and trading classes, and bought up the land for no other attraction than its character as a paying investment. This change of possession had excited some attention even before the Mutinies began, especially in the N. W. Provinces, but at that time the Government of that Province expressed its inability to do anything more than to watch the natural and unrestricted course of the free transfer of property. During the height of the Mu-

tinies, it was, however, noticed that in many cases the ousted proprietors had re-entered upon possession, and that the old tenantry had sympathized with them, and sided with them against the new purchasers. In August 1858, this matter attracted the notice of the Court of Directors. They observed that the rapid transfer of lands from the hands of the old proprietors to those of persons with no local influence was a source of weakness to the Government, and without suggesting immediate measures of relief, they recommended the subject to the attention of the Government of India. The Government of India, in forwarding the Home Despatch to the Government of the N. W. Provinces, suggested the advisability of restricting coercive sales of land to mortgage decrees, and the Sadar Court of the N. W. Provinces was also in favour of a similar restriction. No further steps, however, appear to have been taken at the time with reference to this suggestion. Early in the next year, Lord Stanley, (now Lord Derby), sent out a Despatch which may be said to be the starting point of this controversy regarding the policy of permitting land to be freely sold for all secured and unsecured debts of the owner by coercive process of the Civil Courts, or of his own will and choice. After noticing that the freedom of transfer had been a source of weakness to the Government, in as much as the new purchasers had no hold on the tenantry who sided with the ousted proprietors, the Despatch suggested that in respect of past transactions, efforts should, if possible, be made to bring about compromises, and in regard to the future, it was recommended that the powers of the Judges of the lowest Courts should be restricted to suits for money and moveable property, that no execution against land should be permitted for decrees below a certain amount, and that lands should not be sold without the sanction of the District Judge, as had in fact been the practice in the case in those Provinces before 1834.

This Despatch was forwarded by the Government of India to the local authorities, who in due course elicited the views of their chief Revenue Officers, and, through the Sadar Court, of the District Judges, with reference to the questions raised in it. As might be expected, the Revenue Officers gave their opinions in favour, more or less, of restrictive legislation, while the Judicial Officers for the most part maintained the wisdom of masterly inactivity in this matter. The minutes recorded by Mr. Reade, Mr. Muir, and Mr. Strachey, (since Sir W. Muir and Sir J. Strachey), on one side of the question, and by Sir G. Edmondstone, the then Lieutenant Governor, and Mr. Pearson, (since the Hon'ble Justice Pearson), on the other, may be said to exhaust all that can be said for and against the measure of allowing land to be freely sold in execution of decrees. The most noticeable feature of this correspondence is that while the chief Judicial authority of the Province, the Local Sadar Court, sided with the views of the Revenue Officers to a great extent, the chief Executive Officer, the Lieutenant Governor of the Province, minuted strongly against all the proposals made by the Revenue Board, and suggested only slight improvements in procedure as a sufficient palliative for the disease. We can only present a short summary of the views held by the several officers who took part in this discussion.

Mr. Muir suggested that there should be no restriction on voluntary mortgage or sale, or on the action of the Courts in enforcing such contracts. In the case of simple debts, he was of opinion that the person and moveable property of the debtor, and his houses and town gardens, might be attached and sold, but not his lands. In the execution of decrees on mortgage bonds, it was suggested that the Collector should try to secure satisfaction by transferring the property for a term of years on the payment by the transferee of a sum equal to the decree, or by making over the land to the mortgage creditor for a term of years to pay himself

out of its usufruct, and have his claims discharged. If neither of these alternatives were possible, the land should be sold, or the debtor and his estate should pass through the Insolvency Court, which should be allowed to count the usufruct of the land for 15 years among the assets of the estate. Mr. Reade, who was then senior member of the Revenue Board, suggested that sales might take place in execution of even money decrees after all attempts had failed to secure payment by selling the moveable property of the debtor, and by letting his lands on farm for a period of years, but that such sales should not be ordered without the sanction of the District Judge. The creditor should be required to pay 10 per cent upon the value of the decrees to reimburse Government for the trouble of realizing his debts. Mr. Thornhill, Commissioner of Allahabad, disapproved of the sale process, and suggested that the best way to ensure a check was to tax extravagance in marriage expenditure. Mr. Cocks, Commissioner of Jabalpoor, suggested in addition to the prohibition of sales by Civil process of the lower Courts, that no alienation by a proprietor should be held valid which had not the consent of his next two generation of heirs. Mr. Pinkney, Commissioner of Jhansi, thought that the transfer of land from the old proprietors to the mercantile classes was not capable of being remedied. Mr. Williams, Commissioner 1st Division, approved of the proposed prohibition of transfers of land by decrees of Courts on the ground that it would check extravagance, and in the meanwhile suggested that the Civil Courts should be directed to try first the effects of temporary attachment of the profits of land by way of satisfying the decree. Mr. Harvey, Commissioner of Agra, suggested that in strict Hindu Law it was only the usufruct that was liable to be sold in payment of the debts of each hereditary holder in possession, and that no larger interest should be sold. Mr. Batten, Commissioner of Rohilkhand, was of opinion that the political

evil of such transfers was much exaggerated, and that any restrictive legislation would be a confession of error and weakness, and opposed to the teachings of political economy. If a change were to be made, he would only restrict the exemption to decrees below 300 Rs., and in suits above that amount the execution against land should be in the hands of the European Judge, who should refer the adjustment to the Collector. Mr. Gubbins, Commissioner of Benares, proposed to extend the exemption to sales for arrears of revenue along with those under decrees of Court. In the first case the sales should hold good for 20 years at the most, after which the property should return to the owner. In the case of sales under decrees, including simple and mortgage debts, only the life interest of the debtor should be transferable. If he and his heirs join, the alienation might hold good for two lives, but beyond that period, it should not be binding. Even private alienations should be void beyond the period of two generations. Mr. Currie, Collector of Boolandshar, suggested the necessity of the introduction of a law of entail to take up the place of the obsolete provisions of the Hindu Mitakshara law of joint property as the only effective remedy. Mr. Mayne, Collector of Banda, disapproved of the proposal regarding entail as being opposed to native feeling, and maintained that the necessity of borrowing was forced upon the Ryots by the pressure of the Revenue assessment. He accordingly suggested that the assessment should be lightened. He was of opinion that the political consequences of free transfer were exaggerated, and that there were benefits arising from the infusion of stranger blood. At the same time he considered that the change as far as it had gone had been sufficient, and that, if possible, the further destruction of the old proprietors should be prevented, and, while upholding private contracts, he suggested that decrees for simple debts should be satisfied by a tempo-

rary transfer or farm, and not by the sale of land. The Collector of Cawnpore, Mr. Sherer, was of opinion that the evil complained of was due to the direct engagement of government with proprietors of small estates, and that no prohibition of sale could remedy it. Mr. Strachey, Collector of Moradabad, in a very suggestive minute urged that the evils complained of were owing to the novel and rigid revenue system that had been introduced, substituting individual rights and liability in place of the old joint responsibility and the absence of the power of alienation. The change was not in all cases from bad to worse, for stagnation would mean impoverished proprietors, and the curse of landlords impotent for good would be doubly heavy in a country which was almost entirely an agricultural one. The evil, in Mr. Strachey's opinion, could not be remedied by merely legislative changes, or the reform of the procedure of Courts. The Government must take upon itself all the functions of a wealthy landlord. He accordingly advocated the plan of Government agricultural Banks on the principle of the French *Credit Fonciers*. As far as legislative relief could legitimately be extended, he thought that the government had done enough by enacting Sections 194, 243 and 244 in the new Code of Civil Procedure.

The N. W. Provinces Government, after eliciting the views of its Revenue officers, referred the question to the Sadar Court, who consulted the District Judges upon the matter. Mr. Pearson, Judge of the Sagar and Narbada territories, in an exhaustive minute discussed both sides of the question, and gave his opinion against the proposed restrictions upon sale, and the proposed substitute for sale, namely—temporary transfer or farm of the profits. Mr. Wynyard, Judge of Shahjehanpore, suggested that sales in execution of decrees could not well be abolished, as long as government retained that process to recover its arrears of revenue and that all that

could be done by way of remedy was to take steps to secure the attendance of both parties when the suit was tried, and to make the District Judge's sanction necessary in cases of sale for decrees exceeding Rs. 300. Mr. Lean, Judge of Mirzapore, expressed his doubts about the validity of the political argument urged for a change of the law, and he concurred in all essential points with Mr. Pearson. Mr. Vansittart, Judge of Bareilly, maintained that although the mischief was chiefly owing to the Revenue system with which the Civil Courts had no concern, yet, as political expediency required it, he would vote for the change, and exempt all revenue paying lands from liability to any process of the Courts. Mr. Plowden, Judge of Ghazepore, also suggested that the remedy for the evil complained of was to be sought in a reform of the revenue system. The revenue system broke up the Talookdaries, and violated the principle of the joint liability of village communities, and substituted individual ownership in its place under the pattedari and Halkabandi systems. Mr. Ross, Judge of Farrakabad, urged that under a settled and strong government, the evil complained of was unavoidable with the law of equal succession. While, therefore, a complete check was impossible, he suggested, as palliative measures, the necessity of registering all bonds affecting land, of increasing the powers of preemption, and exempting lands from sale for debts below 100 Rs, and lastly he advised that a preliminary inquiry should precede the sale with a view to ascertain and define the interest sold.

The Sadar Court of the N. W. Provinces expressed themselves in favour of compelling the creditor first to exhaust the personal property of the debtor, and then of limiting sales of land to decrees in which the property to be sold had been distinctly hypothecated, and to cases of fraud on creditors. They were also in favour declaring the exemption of

land from liability to sale in respect of decrees for small amounts, and requiring the Munsiffs to secure the sanction of the District Judge before proceeding to sale. The Lieutenant Governor of the N. W. Provinces, in reporting his views upon the whole correspondence, expressed himself strongly against all the heroic remedies, and thought that the provisions of sections 194, 243, and 244 of Act 8 of 1859 were sufficient for the present, with a slight amendment of section 244 so as to dispense with the necessity of finding sufficient security, and he suggested that it was desirable to watch their effects for some years, and to be content till then with a direction to require that, in all executions of decrees for money, process shall in the first instance issue against the moveable property, and that the interests to be sold should be carefully ascertained by the Collector so as to secure to the purchaser a carefully defined title.

This summary of the views of the Revenue and Judicial Officers in the N. W. Provinces will show the wide diversity of opinion that prevails on the subject among persons every way competent to judge about the issues involved in the dispute. All varieties and shades of opinion are represented in it from the extreme conservatism which would abolish entirely the powers of even voluntary transfer, and make the Ryot a serf of Government lands, or revive the system of entail, to the extremely radical principles of a *laissez faire* policy of doing nothing by way of interference between man and man. A strong consensus of views appears, however, to be in favour of a middle course, which, while restricting the enforced sale of land to decrees which by their express terms affected it, would uphold the power of private transfer by way of sale or mortgage, but would, even in cases where sales might be necessary and proper, first try the effects of a temporary attachment and farm of the profits. This view, it will be seen, was

first suggested by Sir W. Muir, and coincides in all essential details with that which has received the sanction of the Legislature in the Deccan Agriculturists Relief Act.

To proceed, however, with the history of the land sale controversy, the Government of India appear to have taken no further action in the matter, on the conflicting views of the N. W. Provinces officers, and to have contented itself with watching the effects of the new Code of Civil Procedure for some years as recommended by the Lieutenant Governor. It must be remembered, however, that the revulsion of feeling caused by the Mutinies suggested the introduction of Sections 194, 243, and 244 in the Code, and these sections may well be reckoned as the first acknowledgment of a change of policy on the part of Government in this connection, and a recognition of its obligation to respect the national sentiment regarding ancestral land, and its duty to preserve the old hereditary proprietors of the same in their possession. It was hoped at the time that by making the decreed amount payable by instalments, and by permitting temporary attachments of the lands either through a receiver appointed by the Courts or through the Collector of the District, sufficient time and consideration would be secured to help the involved proprietor to redeem his lands and retain his status.

In its newly acquired provinces, the Government of India proceeded a step further in the declaration of this new policy. In the Panjab, a circular order, having the effect of law, was issued as early as October 1858, directing that no hereditary or joint acquired property in land should be sold in liquidation of a sum decreed in the Civil Courts without the sanction of the Judicial Commissioner. In 1866, when the Code of Civil Procedure was extended to the Panjab Provinces, a proviso was ordered to Section 208 (which declares all rights in lands as liable to attach-

ment and sale)—to the effect “that no immoveable property should be attached or sold without the sanction of the Commissioner of the Division, and no hereditary or joint acquired property in land should be attached or sold without the sanction of the Chief Court.” Similar provisions were introduced by the Government of India in its proclamations extending the Civil Code of Procedure to the other non-Regulation Districts. In the Central Provinces and in Oude it was added that no ancestral property in land should be sold in satisfaction of a decree without the sanction of the Judicial Commissioner, and no acquired property in land should be sold without the previous permission of the Divisional Commissioner. In the Chota Nagpore District of the Bengal Provinces, under orders of the Government of India issued as far back as 1833, immoveable property was not sold in liquidation of debts, but under the order of the Political Agent of the S. W. Frontier the estate of the debtor was sequestrated, and the assets were appropriated to the payment of the creditor after allowing a small maintenance to the indebted proprietor. When the Code of Civil Procedure was extended to this Province, these powers of the Commissioner or Political Agent were expressly reserved, and without his sanction no sale could take place. In the Berar Districts, the sanction of the Divisional Commissioner and of the Resident respectively was required before ancestral or acquired land could be sold. It was only in the so-called Regulation Provinces of Bengal, Bombay, Madras and the North West, that no legal restriction was placed upon the freedom of sale. In all the other Provinces, the power of allowing sale was left to the discretion of the Chief Revenue and Judicial authorities. The necessity of such sanction acts as a deterrent upon money lenders, who seldom, if ever, succeed in making out a case sufficiently

strong to satisfy the higher authorities. As the introduction of Sections 194, 243, and 244 was the first step in the way of securing the restriction of complete freedom of transfer in land, this requisition of superior sanction might well be regarded as the second decisive step taken by the Government with a view to protect the old proprietary classes from being deprived of their lands by the superior enterprise and intelligence of the money lenders.

In course of time, it was, however, discovered that the checks sought to be imposed in both the ways above mentioned proved comparatively ineffective in operation, and this led to what may well be called the third phase of this land sale controversy. The subject was first broached by the Judges of the Chief Court in Panjab, who complained that the discretion vested in them by law required some definite rules to guide it in a spirit of uniformity throughout the territories, and they asked for a legislative measure which would define more particularly the circumstances in which the sanction should be given or refused, independently of the question whether the other assets of the land-owning classes were sufficient or not, which was the only point inquired into in practice. This reference re-opened the larger question of the desirability of such restrictions upon the freedom of sale. Mr. Justice Boulouis expressed himself strongly in favour of absolutely refusing permission for the sale of land in a Zemindar or Bhayachari village in respect of money debts, unless the land was mortgaged to the decree holder. Mr. Justice Simpson went further, and desired that there should be no exception even in cases of mortgage bonds. The Divisional officers who were consulted on the point reported their views with the same diversity which has been already noticed in respect of the N. W. Provinces. The Commissioner of Delhi was of opinion that the sale of land should be prohibited in all cases except under decrees for arrears of revenue, in which cases, as the Go-

vernment claimed the right to oust owners for such arrears, there could be no hardship in selling the land at the instance of the private suitor. The Commissioner was not inclined to make any exception in favour of mortgage. The Deputy Commissioner of the same division expressed himself in favour of reserving the mortgagee's right, and would only extend the prohibition to sales for money decrees. The Deputy Commissioner of Goorgaon was inclined to object to the restriction proposed but would allow one year of grace to the involved debtor to stave off the sale. The Deputy Commissioner of Karnal would dispense with all restrictions as also with the necessity of sanction, and was of opinion that the provisions of Sections 243 and 244 were quite sufficient restrictions in all cases. The Commissioner of Hissar was also inclined to take an equally favourable view of the Zemindar's position, and was content to watch the effect of the provisions of sections 243, 244. He was, however, opposed to the policy of allowing forced sales in cases of decrees for arrears of revenue, and for money borrowed for improvements. The Commissioner of Jallandar, on the other hand, would prohibit all sales of hereditary and jointly acquired land under all circumstances. The Commissioner of Amritsar thought that Mr. Boulouis's proposal to forbid sales in respect of money decrees, and to allow them in case of mortgage debts, would simply prove futile, and lead only to an increase of mortgage transactions. The Commissioner of Lahore was in favour of the total prohibition of sale under all circumstances. Mr. Griffin, Deputy Commissioner of Lahore, would restrict the prohibition to ancestral property only, leaving jointly acquired property to take care of itself. The Commissioner of Rawal Pindi was in favour of Mr. Boulouis's proposal. The Commissioner of Derajat was opposed to prohibitory legislation, and thought that the restrictions under sections 243, 244 were sufficient. Mr. Brandreth, Commissioner of Multan, thought that our re-

venue arrangements were chiefly responsible for the indebtedness of the Zemindar classes, and that as long as these arrangements continued, ancestral lands should not be liable to coercive sale on account of simple debts and mortgage transactions. Mr. Barnes, officiating Commissioner of Multan, thought that there was no need of amending the law, and that the present restrictions were sufficient.

The Financial Commissioner of Panjab, Mr. P. S. Melvill, reporting his own views upon the reference, urged that Panjab had passed through its stage of pupilage, and had entered upon vigorous manhood, and that the people were growing in intelligence and wealth; he was of opinion, therefore, that it was not necessary to have recourse to retrograde legislation, and that the security of land should continue to exist for all debts for which no special security was provided, but that it should not be sold in execution till all other arrangements to pay the decree within a reasonable period of about 15 years had failed. He accordingly suggested that the existing law should remain unchanged except that the requisition about adequate security in section 244 should be done away with. The Lieutenant Governor of Panjab, however, in reporting upon the whole correspondence his own views expressed himself strongly in favour, of an absolute prohibition of the sale of all hereditary and jointly acquired lands in execution of decrees, and suggested that the term for temporary alienation under section 244 should never exceed twenty years. The Judges of the Civil Court were requested, accordingly to submit a draft of the proposed amending law. These Judges, however, differed among themselves. While Mr. Justice Bouluois and Mr. Justice Simpson were in favour of further express prohibitory legislation, Mr. Justice Lindsay was strongly disinclined to move in the matter, and took his stand upon the Financial Commissioner's dissent, and the report made by the High Court of the N. W. Provinces in regard

to the satisfactory working of Sections 243-244 in those Provinces as palliative measures. In consequence of this conflict, no further action was taken in this connection. This closed what may be called the third stage of this land controversy.

The fourth stage of this controversy began in 1870 with a reference from the Government of India to all the subordinate governments, requesting an expression of their views in regard to the success which had attended the working of Sections 243, 244, since the new Code became law. These sections, it will be easily seen, were in the first instance suggested by the land systems of the Northern and Eastern portions of India, where individual Zemindars as in Bengal, Behar, and Benares, or Zemindaris held by village communities as in the North West Provinces and Panjab, were sufficiently large in extent to allow a prospect of their being profitably managed by means of receivers and Collector's agents under attachment. This state of things did not exist in the Ryotwari districts of Bombay and Madras where the system is of small holdings and individual responsibility, and in their case it was to be expected that the Sections would prove inoperative and obsolete. The reports of the two Governments and of the Judicial officers subordinate to them confirmed this anticipation. The Madras authorities reported that section 244 had never been extended to their Provinces, and that section 243 also was not much resorted to. The Bombay authorities also made a similar report. In the non-regulation Districts of Panjab, Oude, Central Provinces and Berars, the sections were inoperative on another account. These provisions presupposed a division of authority between the Judicial and Revenue services. In these Provinces, however, both these functions were combined in one and the same official, and while the check of superior sanction was in operation, section 244 was found to be unworkable in its practical ap-

plication. In the N. W. Provinces and Bengal also, section 244 was proved not to have been either worked at all, or to have been abused. As regards section 243, however, the authorities in both provinces reported that it had secured on the whole beneficial results by way of mitigating in a considerable percentage of cases the extreme severity of the law implied in the final resort to the sale process; yet even in these districts it was observed that the sections worked less satisfactorily in small than in large estates.

It was in the course of this inquiry into the working of sections 243-244 that the authorities of the Central Provinces ventured on their own account to reopen the land sale controversy, and the views of Colonel Keatinge, Chief Commissioner, Mr. P. S. Melvill, Judicial Commissioner, Mr. Bernard, Commissioner of Nagpore, and Mr. Brooks and Mr. Nicholls, Deputy Commissioners, were elicited upon the general merits of the policy of restricting the freedom of sales in execution of decrees. In view of the fact that the settlement had been recently introduced in these Provinces, and that property in land had been a new creation of the settlement, Mr. Melvill saw reason to change the views he had expressed as Financial Commissioner of Panjab, and urged the necessity of a restrictive measure by which lands would be exempted from sale for debts contracted prior to the settlement. He further proposed that after due notification during which all debts, contracted since the settlement, might be cleared off, all sales of land in execution of decrees should be prohibited without any distinction of ancestral or acquired lands. Colonel Keatinge, the Chief Commissioner, was not prepared to go so far as Mr. Melvill. He would confine the exemption to estates yielding more than 300 Rs. as annual rental. All smaller estates should be left to be dealt with under the existing law which

requires sanction before sale. The two systems of freedom and restriction of sale would, he thought, be thus working side by side, and serve to educate the people out of their tutelage. The Chief Commissioner also differed from the Judicial Commissioner in another point. He proposed to make a distinction between ancestral and acquired lands, and to regard all lands howsoever acquired as ancestral after 50 years' possession or two successions of heirs, and to exempt only the ancestral lands so defined from sale. In the case of large ancestral properties preserved from sale, the Chief Commissioner proposed that the debts of the owners should be paid off by an attachment of their profits, or by handing them over to the creditors for a term of 25 years at the most, to be in the end restored back to the owner free of all claims. In these several ways the inevitable change would, he thought, be sufficiently retarded to avoid all political inconvenience and any sudden social revolution. Of the minor authorities consulted, the Deputy Commissioners of Jabalpure, Chindwara, Nimar, and Narbada Divisions, were of opinion that no change in the existing law was called for. Mr. Bernard, Commissioner of Nagpore, however, proposed to exempt all lands, whether ancestral or acquired, from compulsory sale by process of Civil Courts. Mr. Brooks, the Commissioner, and Mr. Nicholls, Assistant Commissioner, Senoi, were inclined to make a distinction between ancestral and acquired property, and while exempting the one from sale when there were heirs living, and subjecting it instead to temporary alienations, they did not think any protection should be extended to the other, whether it was joint or undivided, and they would extend the same law to Mahomedans as well as Hindus.

Here this fourth stage of the controversy ended for the present without leading to any practical result so far as the Central Provinces were concerned.

In 1872, Sir W. Muir became Lieutenant Governor of the N. W. Provinces, and in connection with the new Rent and Revenue Bills, re-opened the whole discussion. The Honorable J. D. Inglis, Mr. C. A. Elliott, Mr. Reade wrote strongly in favour of restrictive legislation. Mr. Inglis suggested that, after a certain time, personal property alone should be held liable for unsecured debts as also for arrears of revenue, that ancestral property should be exempted from sale on account of unregistered mortgage debts; and that decrees founded on registered mortgage bonds should be satisfied as far as possible by a temporary transfer of the property, which should be only sold when such an arrangement was impossible. Mr. Reade was of opinion that mortgage transactions should be respected, and that in regard to the past, simple debts also had a claim to be satisfied out of land. He, therefore, proposed that a term of two years should be fixed for the realization of all previous unsecured debts, and that, after that term, simple debts should be only realized from the person and out of the moveable property of the debtor. In regard to mortgage debts, he proposed that there should be no interference when the property mortgaged was self-acquired. Where it was ancestral, the claim should be paid off by a farm or attachment of profits for a term not exceeding thirty years. Mr. Elliott urged that the Zemindar should be regarded as a person holding land burdened with a public duty, and that while all claims on old debts should be respected, it should be declared for the future that the civil courts would not lend their help to realize new debts by the sale of the land, or by any process severer than a thirty year's farm, the Zemindar holding during the farm as a privileged tenant.

In the meanwhile, Sir W. Muir had learned to moderate his old extreme views, and he contented himself with the proposal that lands should be

exempted from sale for unsecured debts, that there should be in every district a court for the relief of encumbered estates like the Court of Wards, and that Sir lands should be inalienable beyond the life time of the holder. These views were referred to the Judges of the High Court, Allahabad, two of whom, Mr. Justice Turner and Mr. Justice Pearson strongly condemned retrograde measures, while the third Judge, Mr. Justice Spankie, gave a very doubtful support. Sir William Muir afterwards toned down his proposals still further, and contented himself with recommending that the execution work in the case of land sales should be transferred to the Collectors, who, if they found the lands hopelessly involved, should proceed with the sale. If there was a hope of rescuing the estate by good management within 25 years, the Collector should assume such management. Eventually, Sir W. Muir withdrew all his chief proposals so far as the N. W. Provinces were concerned on the ground that it was now too late to think of prohibiting the sales of land for unsecured debts, and expressed himself satisfied that a better execution of the powers conferred under Sections 243, 244, or an enlargement of these powers, was all that was required under the circumstances. The effect of this unconditional surrender on the part of the Lieutenant Governor was that in the N. W. Provinces Rent and Revenue Acts of 1873, the only new provision that was inserted was in section seven relating to expropriatory tenants, by which proprietors who lost or parted with their lands were recognized to have the status of privileged tenants in Sir land, holding at a rent of 4 annas in the rupee less than that paid by tenants-at-will, and this rent could not be enhanced except for specific reasons laid down in the law. This was the only outcome at the time, so far as the N. W. Provinces were concerned, of all this lengthy controversy. Subsequently as suggested by Sir W. Muir, in amending the Code of Civil Proce-

ture, the Legislature took care to enlarge the Collector's powers, and to lay down specific rules of procedure for his guidance in the matter of the execution of decrees against land, the absence of which rules was so much complained of by the various subordinate governments who were consulted about the working of the sections 243, 244 of Act 8 of 1859. In Oude, however, a relief Act in favour of the Talookdars was passed in 1870, by which special provision was made as to the way in which Revenue officers were to assume the management of encumbered estates, and to arrange for the liquidation of the estates. The Broach Talookdars Act, passed in the next year, was modelled on the same principles, and later on we have had several Acts in the same spirit for the benefit of particular classes, notably the Zemindars of Sind and Chota Nagpore. Before the Deccan Agriculturists Relief Act was passed, the Acts named above were the only outcome of this long discussion.

The land sale controversy, however, did not end with the enactment of these measures. It was reopened in the Central Provinces in 1874 under the Chief Commissioner, Mr. Morris, when the subject was started in connection with a new Revenue and Tenancy Bill for that Province. The minutes recorded by Mr. Morris, Mr. Grant and Mr. Carpenter, Commissioners of Jabalpure, Mr. Jones, Commissioner of Nagpore, and Mr. Low, Commissioner of the Narbada Division, go over the whole ground of this most controversial subject, and might be said in some degree to complete the literature of the restrictive school of thinkers and statesmen. As the Government of India was not prepared to prohibit all involuntary transfer of landed properties, the discussion at this time was confined chiefly to the devising of means by which the evils of a too rapid transfer might be obviated. Mr. Grant, for instance, proposed that the best way to protect the Ryot's interests, and deter Bania purchasers from investing their spare cash in land, was to hold that no abso-

lute proprietary title to land could be recognized in India, and to enforce upon the purchasers the full responsibilities of the holders of land by placing a check upon the choice of managers, and in the last resort by cancelling the settlement, if necessary, and pensioning off the dispossessed holder by a part payment of the Jamma. These drastic remedies alone could in his opinion check the evil, all the other measures only touched the surface symptoms of the disease in the body politic. The necessity of sanction, for instance, enforced in the non-regulation Provinces had become in the course of time impotent of effect. Mr. Jones also proceeded on the same track when he laid down as one of his postulates that the mere exemption of lands from sale for money debts would be an insufficient remedy. He, however, thought that Mr. Grant's scheme would effect too sweeping a change and it would be impossible to work it. The land might be protected, but the produce of it from year to year would be sequestrated. He accordingly proposed his own scheme which would allow private transactions of sale, but put a stop to involuntary transfer by civil process except in the case of debts expressly secured on the land, and with a view to secure a check upon extravagant loans, he would require that all loans, for which ancestral property was to be mortgaged, should be contracted only under the Collector's supervision, and should be held to be void and of no obligatory force without such consent. Further, he would leave parties to exercise their rights freely in respect of acquired land except that he would encourage family entails and settlements. In respect of past transactions, he would constitute each Deputy Commissioner's Court into an encumbered estates Court, and help the speedy release of estates by loans from government. Mr. Grant thought that Mr. Jones's scheme about investing Collectors with the power of certifying good and legitimate loans would be found impossible to work, though he thought better of the

encumbered estates scheme. Mr. Low thought that the old proprietors were ruined not by the Banias so much as by the excessive temptations to borrowing placed in their way by the settlement. He agreed with Mr. Grant in thinking that the best way to reduce these temptations was to enforce the responsibilities of proprietary possession. After this was done, the next step was to limit the power of alienating ancestral land to $\frac{1}{4}$ th of the estate at the owner's pleasure, and to declare the remaining three fourths inalienable. The only form of alienation that Mr. Low would permit under his scheme was a lease for ten years only. Involuntary alienation of ancestral estate by civil process would only be allowed in cases when the original bond had been certified by the Collector as having been passed for sufficient consideration, and the property charged did not exceed one fourth of the owner's possessions. Mr. Carpenter, Commissioner of the Jabalpore Division, contented himself with a more modest and certainly less involved scheme of reform. He thought that the evil would be best checked by insisting upon the creditor the necessity of filing a written statement of his account with his debtors in the Registrar's office and he would also have a register of all properties showing how far they were encumbered or free. He disapproved of all strong remedies, but if further legislation was desired, he expressed a strong opinion in favour of exempting lands from sale, but leaving them liable to the attachment of their profits for 8 or 10 years. Finally Mr. Morris, the Chief Commissioner, discussed all the views of his subordinates, and found more or less fault with them all as being either unworkable, or undesirable, but at the same time he refused to take upon himself the responsibility of suggesting any particular measures for adoption. He, however, made alternative suggestions to the effect that all property in land should be declared exempt from sale in execution of civil decrees, and that the only alienation which should be al-

lowed to the owner was a lease for a term of less than ten years, which lease might be transferred to the creditor in satisfaction of his claim. If the latter measure seemed to be too radical, he suggested the establishment of encumbered estates Courts and was of opinion that the civil courts should refuse to recognize all alienations save those certified by the said Courts. This concludes the sixth phase of these land sale controversies.

None of these discussions of 1859 and 1873 in the N. W. Provinces, of 1869 in the Panjab, of 1871 and 1874 in the Central Provinces, seem to have produced much effect upon the Legislature except in measures of partial operation for the relief of particular classes, which were never recognized to be anything but temporary expedients. The general law for the Presidencies of Bengal, Bombay and Madras continued to be one of unfettered freedom. Sir A. Hobhouse very justly characterized the extreme proposals of the officers of the N. West and Central Provinces as violating the spirit of all sound legislation and advised more cautious proceedings. The subject was, however, not to be laid at rest by the dictum of the Law Member, and the Government of India was soon after forced to take action in the last stage of this controversy which had its rise this time in the Bombay Presidency. The immediate occasion which attracted public attention to the subject in this Presidency was the outbreak of the riots in the Deccan Districts in 1875. The inquiries undertaken by the Commission included this among other topics, and they raked up the whole of the past literature on the subject as far as this Presidency was concerned. It appeared from this research into past records that as early as 1844, Captain Anderson of the Revenue Survey had complained of the mechanical action of the Courts, and urged the necessity of getting a valuation of landed property made by independent assessors prior to the issue of the order of sale and compelling

judgment-creditors to accept it at that price. Mr. Frere and Mr. Rose recommended the establishment of usury laws, and the opening of licensed Government pawn-broker's shops. Mr. Rose further urged the justice of exempting houses and Mirasi rights from being sold in execution of money decrees. Usury laws had obtained in the Madras and Bengal Presidencies and in the N. W. Provinces, but they had found no place in the Bombay Code of 1827. Accordingly the enactment of a usury law limiting interest to a maximum rate of 12 per cent, also the introduction of some provision requiring all bonds to be registered, and transferring houses and lands into the creditor's possession to pay himself out of the usufruct thereof in a term of years, these measures were suggested as palliative remedies in 1844 in the interests of the Ryots. The Government of Bombay, however, negatived all the proposals. In 1852, Captain Wingate took up the subject of the compulsory sale of the Ryot's lands in execution of decrees and urged a change of the law on the ground that such sales were unknown in the times of the old rulers, were further opposed to native feeling, and were but rarely resorted to till the land settlements were made. He advocated the policy of declaring that lands should not be sold on account of unsecured debts though they might be freely mortgaged and sold voluntarily and in such cases, decrees might be specifically enforced in regard to them. Captain Wingate also recommended a usury law, and proposed to invest the Courts with a discretionary power to allow proper interest. He suggested the advisability of reviving the institution of Panchayats to try summarily suits valued at less than 30 Rs., and the extension of a general insolvency law. These recommendations remained unnoticed for nearly thirty years, but it is strange that almost every one of the proposals then made by Captain Wingate has of late received the sanction of the Legislature. The usury law, the exemption of lands from Civil pro-

cess for unsecured debts, the Panchayat Courts, a liberal insolvency law, these are the leading features of the new Deccan Agriculturists Relief Act. To proceed, however, with the history of the subject. In 1859, Mr. Tytler recommended the establishment of a registry of the Ryot's debts in the Mamlatdar's office, with a view to check fraud, and show all payments made by the Ryots. In 1860 Mr. Jacomb submitted a plan of Government savings and town Banks to help needy Ryots with easy interest. The Government of Bombay did not support either of these proposals. For the next twelve years, Bombay officers seemed not to have thought much of this subject, as the prosperity brought on the country by high prices secured a sensible advance of the comfort of the people. In 1872-73, however, hard times returned, and Mr. West published his pamphlet "the Land and the Law of India," which gave birth to a long discussion, both in and out of the Presidency. Mr. West proposed that the power of alienating land should be limited. He urged upon the Government that it should declare all assessed land to be expressly inalienable except with its assent, or reassessable to a rack rent on such alienation for the benefit of the public. If this might be deemed to be too strong a measure, he proposed to confine the power of alienation with the Collector's consent to the surplus land, i. e. land exceeding a certain fixed necessary minimum for comfortable subsistence, and it was this excess land alone which was to be liable to attachment and sale. The dwellings, and the crops, and the cattle of the agriculturists should also be exempt. His next proposal was that mortgages and leases for more than one year be subjected to the same rules as sales. Mr. West further proposed to limit the right of enforcing a specific partition of property. The necessary minimum requisite for the support of a family should not be partitioned, but the separating sharers should be paid off in money. A system of family settlements

for large estates, and a liberal law of insolvency crowned the edifice of these proposed sweeping reforms. Mr. Pedder also contributed his mite to the literature on this subject. He argued for a reformed procedure, a law of bankruptcy and finally the exemption of land from sale in execution of decrees. This exemption, however was not to apply to the crops or profits of land. We next have the inquiries conducted by the Deccan Riots Commission of which the immediate outcome has been the Deccan Agriculturists Relief Act of 1879. As far as the subject of land sale is concerned, it is to be noted that the Commission reported in favour of abolishing sales of land in execution of money decrees. They further suggested the necessity of a liberal insolvency law, of the abolition of civil imprisonment, and the establishment of public notaries and registration of all payments in pass books. The Bombay Government under Sir P. Wodehouse, however, negatived the recommendation in regard to the exemption of land from sale as also the proposal to abolish imprisonment for debt. When Sir Richard Temple, however, became Governor, he took up the subject again with his usual energy and urged the necessity of giving effect to the recommendations of the Commission in the matter of a law exempting lands from sale in execution of money decrees except when they had been specifically pledged. He also pressed for a more liberal insolvency law, and a law for limiting the rate of interest. These suggestions were approved by the Government of India, and the Deccan Agriculturists Relief Act was passed into law.

We have thus reviewed the whole history of this lengthy discussion for the past 25 years in the N. W Provinces, in the Panjab, in the Central Provinces, and finally in the Bombay Presidency. There can be no question that the relief so tardily given is in accordance with the conservative instincts and traditions of the people. A thorough re-

view of the whole discussion like the one we have now summarized can alone bring out all the bearings of this most important question. We have left ourselves no space to set forth the *pros* and *cons* of the arguments urged on both sides, though we hope to find an early occasion to take up the subject again. The Government of India has shown great practical wisdom in refusing to lend its support to the more extreme proposals of its Revenue Officers. Mr. Justice West, Mr. Elliott, Mr. Grant, Mr. Jones and the other authorities appear to us to have ignored the main conditions of the problem. The country is in a transition stage, passing from semi-feudal and patriarchal conditions of existence into a more settled and commercial order of things, from a period of disturbance and wars into one of peace and tranquility, from payments in kind to cash payments, from the laws of custom to the rule of competition, from a simple to a more complicated social organization. No economical legislation can succeed under such circumstances which seeks to run against the current, or stem the torrent. In all countries property, whether in land or other goods, must gravitate towards that class which has more intelligence, and greater foresight, and practices abstinence, and must slip from the hands of those who are ignorant, improvident, and helpless to stand on their own resources. This is a law of Providence, and can never be wisely or safely ignored by practical statesmen for any fancied political or sentimental considerations. As long as the difference in the habits and education of the saving few represented by the Bania and Brahmin classes, and the spending many who count by millions among the military and the cultivating classes remain good, property will gravitate from the one class to the other, notwithstanding all prohibitory legislation. The utmost that government can safely venture to do is to regulate this inevitable transfer, to temper the change so as to avoid all immediate

hardships. An insolvency law cannot benefit any body where none but the castaways and waifs of society wish to degrade themselves to seek its advantage. A law of forced entails cannot be expected to work when the notion of equal inheritance by birth right is so thoroughly engrained in the national mind. A minimum sufficient for subsistence cannot be fixed when the natural conditions of soil and climate permit of the lowering of the standard of necessary comfort to any conceivable limit. The force of resistance must well forth from within, and cannot well be super-imposed. The forcible prohibition of all transfer of real property, voluntary and involuntary, can never mend matters—they can only stereotype existing poverty and aggravate existing helplessness. The government of such a large empire cannot afford means to be the banker of its millions of insolvent tenants, and cannot equalize the changing conditions of bad harvests and scanty or irregular rainfall. As we have said above it can only adopt temporary expedients, watch anxiously the effects of its experiments. It must accept as inevitable the tendency to concentration of the landed capital of the country, and only limit its agency to the minor work of smoothing the gradual change. The only settlement of the problem that is possible is not to its taste. It should withdraw from its position as landlord, and look upon the land tax as a tax like any other monopoly taxes. A permanent Ryotwari settlement fixed in grain which the land produces, and commuted into money values every twenty or thirty years can alone furnish a solution of this agricultural problem. If differences subsequently spring up between class and class, as they have on occasions sprung up in Bengal, the Government can interfere as mediator, and right matters by protecting the weak against the strong. It will not, however, for fancied political considerations accept this position or allow middlemen to come between itself and its pauper tenants, and its attempts to

undo the legitimate influence of the saving classes and only end in a great disaster. The Deccan Agriculturists Relief Act will bring no real relief while the standing cause of all the embarrassments of the Ryots revives year after year with untempered rigidity. It is hoped that the new regime from which all hope so much, will turn its attention to this aspect of the question, and devise a remedy which will establish an accord between the economical and social and intellectual conditions of the population, and secure the real advancement of the country on a permanent foundation.

SIR SALAR JANG'S ADMINISTRATION.

His Highness the Nizam's Dominions, though their frontiers are conterminous with those of our own and the Madras Presidencies and the Central Provinces, and their capital town is connected with the principal line of Railway communications, are to a great extent *Terra incognita* in regard to their social, political, and administrative arrangements, and the condition and prospects of the people subject to His Highness's Government. At the best of times, in past history, the Hyderabad Government was noted for its disorderly system of rule. Its debauched but proud nobles; its Arab Jamadars, dunning the state ever in arrears for the pay of their nominal roll of soldiers; its motley throng of Arabs, Siddis, Sikhs, Rohilas, and ragamuffins of all nations and climes armed to the teeth with all manner of weapons, and shedding blood in open street fights with perfect non-chalance; its rural population helplessly cowering under the sway of the land-tax farmers and their agents, supported by armed retainers; the country unsafe for travellers, and most of it lying uncultivated, and harassed by the mutual rivalries of the strong-fisted Mansubdars, Deshmukhs, and other partizan leaders; an empty treasury, with future revenue pledged in anticipation to meet pressing wants; no recognized courts for the administration of justice, the Nizam its nominal ruler confining himself to a solitary seclusion in his vast palace, with no other company than his eunuchs and his seraglio, rarely appearing in Durbar; Moslem fanaticism holding in check the Hindu population, and at times bursting into lawless acts of desecration; such was the picture which has been always associated in the popular mind

ADDRESS TO GOVERNMENT EXPRESSIVE OF
THE SYMPATHY OF THE PEOPLE WITH
GOVERNMENT IN REGARD TO THE COM-
PLICATIONS IN AFGHANISTAN,
WITH REPLY.

To,

HIS EXCELLENCY THE RIGHT HONORABLE
SIR JAMES FERGUSSON BART K. C. M. G.

GOVERNOR OF BOMBAY.

MAY IT PLEASE YOUR EXCELLENCY.

Agreeably to the Resolutions unanimously passed at a public meeting of the inhabitants of Poona held on the 8th Instant, we, the undersigned Members of the Poona Sarvajanik Sabha, crave Your Excellency's permission to express on behalf of the inhabitants of Poona the heart-felt and sincere sympathy, which we as loyal subjects of Her Most Gracious Majesty the Queen Empress of India feel with Her Majesty's Government in their recent difficulties in Afghanistan. The people of the Deccan yield to none in the deep grief with which was received the sad intelligence of the disaster which befel the Brigade under the command of General Burrows on the other side of Kandahar. During the last two years that the present Afghan War has lasted our army has been uniformly successful in Afghanistan, as in fact it has been everywhere else; and the Khushk-i-Nakhud disaster is the only instance in the present war of a serious reverse to our uniformly invincible arms. It is gratifying, however, that the valiant men at whose loss the national heart bleeds, did not fall on the field of battle, overcome though they were by over-whelming numbers, without having at the same time given a good account of the enemy that was opposed to them.

The unfortunate disaster has moreover occurred at a time when Her Majesty's Government was most anxious in the interests of all parties concerned to bring the war to an early close. It has necessitated a fresh recourse to arms with redoubled energy, and the vast preparations that are being made throughout the country, have been forced upon the hands of Her Majesty's Government against their will. Notwithstanding this reverse, however, Her Majesty's Government have carried their laudable intentions into effect so far as the Northern Afghanistan is concerned by retiring from that part of the country, and we are extremely grateful to Her Majesty's Government for thus having carried out, though necessarily in part, their peaceful intentions.

It is our earnest prayer to the All-merciful Providence that our avenging columns may soon be enabled to inflict a signal punishment on the enemy and thus to retrieve the unfortunate disaster, and that Her Majesty's Government may thus be enabled to carry our fully their peaceful intentions by bringing the military operations in Afghanistan to an early close.

In conclusion we have only to beg Your Excellency to convey to Her Most Gracious Majesty the Queen Empress of India and to His Excellency the Viceroy our loyal and heart-felt sympathy with Her

Majesty's Government in their recent difficulties in Afghanistan, and our due appreciation of their beneficent and peaceful intentions.

We beg to subscribe ourselves Your Excellency's most obedient and humble servants.

On behalf of the Sabha.

KRISHNAJI LAKSHMAN NULKAR,

Chairman of the Managing Committee,

S. H. CHIPLONKAR,

Honorary Secretary, Poona Sarvajanik Sabha.

Poona 25th August 1880.

No. 20 P. Of 1880.

POLITICAL DEPARTMENT.

BOMBAY CASTLE 1st SEPTEMBER 1880.

FROM,

C. GONNE ESQUIRE.

CHIEF SECRETARY TO GOVERNMENT.

TO,

THE CHAIRMAN OF THE MANAGING COMMITTEE

OF THE SARVAJANIK SABHA POONA.

Sir,

I am directed to acknowledge the receipt of your letter of the 26th ultimo expressing the sympathy of the Sarvajanik Sabha and of the inhabitants of Poona, with the British Government, in regard to the complications which have arisen in Afghanistan.

2. In reply I am to inform you that His Excellency the Governor in Council has received this address with gratification, as evincing the loyal sentiments of the Members of the Sabha and of those who joined in the meeting in question towards Her Majesty's Government.

3. I am to add that the address will be communicated to His Excellency the Viceroy and Governor-General in Council, and to Her Majesty's Secretary of State.

I have the honour to be

Sir,

Your Most Obedient Servant,

C. GONNE.

Chief Secretary to Government.

of the *Moglai* rule at Hyderabad, as it came to be called since the downfall of the Delhi empire. To a great extent this description was neither overdrawn nor exaggerated in so far as it referred to the condition of affairs at Hyderabad a generation ago, before His Excellency Sir Salar Jang first came to power in 1853. The change that has since taken place has been so great, and has been so silently achieved without fuss or disturbance, and under such circumstances of domestic opposition and foreign jealousy as might well have excused a failure, that the renovation of Hyderabad from its condition of hopeless disorder and normal bankruptcy into a first class Native State, remarkable for its contented rule and prosperous finances, may safely be pronounced to be the one great notable event of the last 30 years of native rule.

The recently published Report on the history of the famine in His Highness's dominions, as also the Replies to the questions by the Famine Commission,—for copies of which interesting books we are indebted to the kindness and friendly courtesy of Mr. Moulvi Mahdi Ali, the able Revenue Secretary to the Government of His Highness the Nizam, contain, if we mistake not, the first official account furnished by the Hyderabad Government of the history of this remarkable revolution, and it throws a flood of light upon many questions of great importance to those who feel an interest in the success of Native Administrations. We are at times tempted to think that the Turkish Government, which has been so hard pressed by European benevolence to reform its administration, might well borrow a leaf from the pages of this Hyderabad story. In Turkey, as in Hyderabad, a small Mahomedan population has to bear rule over many times their numbers of the followers of another religion, and there, as here, their action is closely watched by a powerful Government. There is no reason why the experiment which has so well succeeded at Hyderabad should not equally succeed else-

where, if only the same class of superior minds which have guided the fortunes of Hyderabad for so many years were secured at the helm of Turkish affairs. We propose to touch briefly upon the leading features of this revolution in the Hyderabad Administration, and contrast its present condition with the state of things which obtained nearly 30 years ago.

Including the Assigned Districts of the Berars, of which His Highness is still recognized as the legitimate ruler, the Hyderabad Dominions cover the whole extent of what is the Deccan table land proper, from the Satpura range to the Krishna river, leaving two narrow strips of territory on the side of the Eastern and Western Ghats, which belong to the Madras and Bombay Presidencies respectively. The total area covers in round numbers one hundred thousand square miles. Excluding the Berars, the area is 82,709 square miles, which is larger than the area of the whole Bombay Presidency excluding Sind, and nearly equal to that of the North Western Provinces, or to the area of Great Britain. The country is drained by the river Godavery on the North, and Kristna on the South, and their many tributaries. There are no great mountains, but the table land is intersected by small hill ranges branching eastward and conducing to the formation of small lakes especially on its southern and eastern slopes in the Tailangan Country. Distinct geological, ethnical, lingual, and political features unite in separating these dominions into two divisions, nearly equal in size, corresponding with the trap rocks of the Northern and Western regions inhabited by the Maratha race, and the granite of the South and East inhabited by the Canarese and the Tailangu people, the land of wheat, jwari, and cotton, from the land of rice and palm trees, the Aryan from the Dravidian settlements. Of the total area of 82,709 sqr.-miles, nearly one-third or 30,000 sqr. miles appear to belong to the military or personal Jahagirs, Sarfikhas and Paga lands. The rest about

52,000 sqr. miles belong to what is called *Diwani Azla*, which is under the direct administration of the Diwan. One third of this area consists of hilly and jungle lands. The settled country about 34,163 sqr. miles is made up of the Maratha division consisting of ten Districts including the Canareese territory, and the Tailangan division, consisting of seven Districts. Of these divisions, nearly one third of the area is described as unculturable or Inam land, the remaining two thirds being culturable Khalsa lands. Out of this last area, about one eighth in the Maratha districts, and one fourth in the Tailangan districts, are described as waste but arable land.

The total area of Government assessed land under cultivation comes to about 107 lacs of acres, of which one in sixty acres in the Maratha districts, and one in 40 acres in the Tailangan districts, represent the proportion of wet to dry lands. To contrast these figures with those of our own Presidency excluding Sind, it is to be noted that our proportion of Inam to Government land is one to five, of arable to unarable land the proportion is five to two, of occupied to unoccupied land the proportion is five to one, and of wet to dry crop lands the proportion is one to 45. These details will be seen at a glance from the comparative statement given below, contrasting the figures of the Bombay Presidency and the Nizam's territories.

	Bombay Presidency excluding Sind.	The Diwani Azla ter- ritory under the Di- wan's direct admi- nistration.
1 Area in sqr. mile... ..	78000	52000
2 Number of Districts.	18	17
3 Total number of sqr. acres...	50000000	35000000
4 Inam lands.	800000	925000
5 Unculturable... ..	9500000	20000000
6 Waste land or unoccupied...	4000000	285000
7 Occupied Khalsa lands.	21600000	10700000
8 Wet or Irrigated.	527594	850000
9 Dry crop land.	21000000	1035000
10 Population.	140 Lacs.	56 Lacs.
11 Land revenue... ..	260 Lacs.	190 Lacs.

This comparative statement brings together all the more important statistics contrasting the condition of the Nizam's Provinces with those of our own Presidency. The total population in the Nizam's dominions exceeds the figure noted above by a large margin, for, as we have observed above, more than one third of the country is not under the direct administration of the Diwan, and its population is not included in the total given above. The average of population for the 17 Diwani Districts is 130 for every square mile. Adopting this rate as the basis for the whole area, the population of the entire territory approaches to the round number of ten millions. The total revenue from land, abkari, customs, and miscellaneous sources, amounted in 1874 to 256 lacs, and was estimated to reach 286 lacs in 1878-79. Of this sum the land revenue came up to nearly two crores.

To note briefly the chief heads of progress accomplished during the last 25 or 30 years, it is to be observed that when His Excellency the Diwan took up the reins of administration, the land revenue of the Diwani administered Districts in 1854 was about 65 lacs chalni, corresponding to about 59 lacs Halli sicca Rupees, the abkari revenue was $1\frac{1}{2}$ lacs, the customs about four and a quarter lacs, and the miscellaneous revenue $3\frac{1}{4}$ lacs. In twenty-two years the land revenue was increased nearly 300 per cent, the abkari was increased from $1\frac{1}{2}$ to $28\frac{1}{2}$ lacs, the customs to 25 lacs, and the miscellaneous to $18\frac{1}{2}$ lacs. The revenue has thus been increased 450 per cent all round. Of the increase in the land revenue, about 75 lacs must be set down to the credit of resumptions of Jahagirs, Inam lands and Tankha Talukas which account for 50 lacs, and about 27 lacs represent the revenue of the assigned districts restored to the Nizam after the mutiny. After making these deductions, there remains an increase of 110 lacs due the *bona fide* extension of cultivation and enhanced assessment, and thus represents a clear gain and increase of the material resources of His High-

ness's Dominions. The increase in the abkari and customs revenue also points in the same direction. The Nizam's Treasury, which was bankrupt in 1853, is now overflowing with its annual surplus balances notwithstanding the increased cost of establishments, and the Public Works expenditure, the contribution made to the Hyderabad Railway, and the 43 lacs and more spent or remitted on account of Famine relief. Even in 1869-70, the Resident at Hyderabad estimated that the annual income of the State exceeded the expenditure by about eight lacs of rupees, which amount must have greatly increased during the last 10 years. The credit of the Government now stands so high that it could easily float a loan in the London Market on the same terms as those of the Government of India, and His Excellency the Diwan feels a just confidence that he can, without straining the finances, redeem the Berars by a capitalized payment of 8 or 9 crores sufficient to defray the military charges in consideration of which the original assignment was made. Out of 1604 deserted villages in the Nizam's Dominions in 1854, as many as 384 have been repeopled. The Hyderabad city has extended on all sides, till now the entire distance between the cantonment at Secunderabad and the city walls has been built up by many thousands of houses and noblemen's residences, and the streets of the city have been widened and modernized in a way to surprize all old residents. The population of the Diwani administered Districts has been estimated to have increased during the last 20 years by about 30 per cent, and the area under cultivation from one to two hundred per cent. In five Talukas of the Aurungabad District, the number of cultivators had risen from 11,000 in 1854 to 17,000 in 1876 ; in eight Talukas of the Nuldrug District the number of cultivators had increased from 19,000 in 1864 to 27,450 in 1876 ; in four Talukas of the Lingsur District and five Talukas of the East Raichur District, the number

of cultivators had increased 20 per cent in 12 years. The increase in the cultivation of land will be seen from the following statement ;—

Names of Districts.	Cultivated area in 1850.	Cultivated area in 1874.	Increase per cent.
Talooka Jalana.	92195	212873	130
Five Talukas of Indur. ...	72063	182603	111
Two Talukas of Nalgunda.	54404	216334	291
Mydak District.	43187	137516	218
Tahashil Sharki.	149048	288130	93
Gavarai and Asbti.	231435	598910	198
Paithan, Vaizapur, and Gandapur Talookas... ..	243331	621109	155

The average holding of a rayat in the Tailangan districts is about $12\frac{1}{2}$ acres, and in the Maharashtra districts 30 acres, and the average assessment on these holdings is 41 Rs. for the Tailangan, and 33 Rs for the Maharashtra, districts. The proportion of revenue to gross produce is estimated to be 5.6 per cent in the Tailangan, and 9.5 per cent in the Maharashtra, districts. Out of the whole area of 107 lacs under cultivation, about 80 per cent of the land is devoted to food crops, and it is estimated that the annual surplus of production exceeds the local consumption by about 60 lacs of tons in good years, which is the available margin for export. Even during the famine year 1876-77, about 25000 tons were exported from the Nizam's dominions to the British territory, but a more remarkable fact is that while the number of famine immigrants from the British territory into the Nizam's Dominions was 47,400 in 1876-77 the number of those who left the Nizam's territory was 15,436.

These facts as summarized above afford the most satisfactory indications of the remarkable prosperity which has blessed the country during the last 25 years, and the question naturally arises what were the agencies set at work which have conduced to this striking

success of the administration. Upon the accession of the present Diwan to power the first great reform to the accomplishment of which he exerted himself with a singleness of purpose which has deserved success, was the abolition of the old farming or Gutedari system of collecting the Revenue. The old Talukdars who took the farm from Government were allowed to deduct two annas in the Rupee for the payment of their subordinates and the defrayal of Civil charges. The rest of the money they paid in cash into the Government Treasury by instalments. They never went themselves to the Districts farmed, but stayed at Hyderabad and appointed Nayabs on fixed pay. These Nayabs appointed Chotta Nayabs, Peshkars and other subordinates of their own choice. With every change of the Talukdar, all these subordinates were changed at one sweep. The powers of the Nayabs were absolute in all matters except where they apprehended superior force. Under the Talukdars and their big and Chota Naibs, were the local Zamindars, Desais, and Deshmukhs to whom the Talukdars sublet the farm under what was called the Sarbastdar Kaul, and when the same farm was taken by a Patel, it was called Ijara. The Talukdar, the Sarbastdar and the Ijardar had to pay Nazars to the minister and to the great court favourites to secure a renewal or confirmation of their farms, and protection from the competition of adventurers and rivals who were always ready to outbid them. The State and the minister, being both in want of funds, had strong motives to favour frequent displacements of the farmers, as they secured Nazars and Bakshis at each change. No rules were imposed by the State for the regulation of farmers and sub-farmers in their dealings with the Rayats, who were squeezed by the Naibs, Chota Naibs, Sarbastdars, and Haval-dars and the Ijardars, not only to make good the Government revenue, but also all manner of illegal cesses levied for their private benefit. The Chota

Nayab, the Shikedar, and the Mahasuldar constituted the whole of the establishment such as it was, for the administration of justice, Civil and Criminal, and the State had no charges to incur on their account. The consequence of this want of system was that the Treasury of the State was defrauded, and the revenue-paying classes, the Rayats, were looted by a host of functionaries who had little or no interest in the permanent prosperity of the country. When His Excellency Sir Salar Jung succeeded to power, he abolished this Guttedari or Talooka farming system throughout the country, and appointed salaried officers to hear complaints of the Rayats, and administer justice, and supervise the actions of the Sarbastedars and Ijardars. The abolition of the Guttedari system occupied the first ten years of the Diwan's administration. In 1866, the reform was carried a step further by the establishment of what is called the Zillabandi System, that is the division of the country into five large divisions and 16 Talukas or districts. Each Taluka was subdivided into a number of Tahsils; each Tahsil was placed under the charge of a paid Tahshildar, each Taluka under the charge of a Talukdar of 1st, 2nd, or 3rd grade, and each division under a Sunder Talukdar. When this reform was carried out, it enabled the Diwan to do away with the Sarbastedars and Ijardars to a great extent, and thus the Rayats came into direct contact with the state as represented by its District officials. The third reform which followed in the footsteps of this organization was the creation of a separate police force as distinguished from the untrained military levies to which this work had been formerly assigned. At the same time, the central administration organized itself into separate Military, Judicial, Public Works, Medical, Municipal, and Educational departments, represented in the districts by a gradation of well-paid and capable officers, responsible to their respective heads at Hyderabad. The fourth great reform which was carried out shortly after, was the

abolition of the Batai or payment-in-kind system, which was the prevailing method of collecting the land revenue in Tailangan, and the introduction of the survey settlement on the Ryotwari principle in the Maratha Districts. These settlement operations are now going on throughout large Districts of the Nizam's Dominions to the great benefit of the Treasury, the revenue having increased from 100 to 200 per cent without any reported increase of pressure upon the Rayats. These successive steps, guided by a firm and wise hand, at once liberal and just, have changed the whole aspect of the country, and ensured its material prosperity to an extent fully commensurate with the best results of successful administration in the British Districts.

The strength of any administration, whether Native or European, is, however, never really tested except under the pressure of a great calamity. In times when the seasons are favourable, ordinary prudence can keep the machinery of Government at work in a fairly successful manner, but the weakness of the administration manifests itself most strikingly when the country passes through a succession of bad seasons. The bonds of interest and fear which keep men together under ordinary circumstances, and make them amenable to easy rule, are suddenly torn asunder, when a great calamity like the famine of 1876-78 visits the land with its heavy scourge. If at such a time, the men at the helm lose head or heart, if the District officials prove unfaithful to their trust, if the people feel no confidence in the sagacity and benevolence of their rulers, a panic despair seizes all classes, the fear of law vanishes, the charities of religion are ignored, and the careful work of decades falls to pieces in a few months. The reformed administration set up at Hyderabad has passed through this trial with a success which proves that it has taken deep root in the soil, and having stood such a test, we may safely expect that it will outlive all present

opposition, and never relapse into the old loose methods of public disorder and private speculation.

In this connection, the narrative of the campaign against famine carried on by the Nizam's Government possesses a special and permanent interest. Towards the close of 1876, those districts of the Nizam's territories which border on the famine districts of the Madras and Bombay Presidencies suffered from a deficient rainfall, though not to the same extent as the provinces in British territory. These districts were Birh, Naldurga, Gulbarga, Shorapore, Raichoor, Nagarkarnal, and Nalgunda, covering an area of about 27,000 sqr miles. The first sign of danger which was noticed by the Nizam's Government was the great immigration of famine refugees from British territory in October and November 1876. The Nizam's Government, although it disapproved the distant test which drove so many people from their homes to die on the roadside, yet with a rare large-heartedness refused to prohibit the immigrants from coming into their territory. It was resolved that no distinction was to be made between subjects and foreign immigrants; these last were to be welcomed and allowed to remain or return as they pleased, and if they applied for waste lands, they were to be allowed to take them up on liberal terms. The state forests were also let free for grazing purposes, and the fees usually levied, as also customs duties, were exempted in the case of these immigrants and their cattle. When the pressure increased at home, the Nizam's Government following the example set in British territory, refused to interfere with the rise of prices by laying down Nirak rates, and left private trade entirely free. In order to find employment for the able-bodied labourers, public works were started in the shape of new roads and new wells in all the affected districts, and with a view to economize funds, the ordinary public works, which were carried on in the more prosperous districts, were suspended. The works suitable for famine relief were

first selected, chiefly earth work, in connection with the restoring of old tanks and channels, the digging of wells, and the construction of roads. The Public Works Officers were vested with the control of the works selected, but the duty of making the choice of such works, and of the admission of persons requiring relief, were entrusted to the Revenue Officers. The wage laid down for able-bodied labourers was fixed on the principle that they should have adequate food to maintain their health. A committee of fourteen official and seven non-official members was appointed at Hyderabad to supervise the administration of famine relief. They met once a week for the disposal of business, when the Secretaries in the Revenue and Public Works departments laid all information before them. Six special commissioners were appointed by this Committee as its agents for the different districts, who were required to proceed to their divisions, and inquire into the condition of the Rayats, and inspect relief works, and suggest remedies. Their reports enabled the Committee to test the correctness of the accounts sent by the District Officers. This central famine committee of officials and non-officials proved of great help to the Nizam's Government. The plan followed in British territory of having a single Famine Commissioner for two entire presidencies broke down, because the task was too great for one man. In British territory, the official element carefully shut out the non-officials from all control of funds which were not raised by private subscription. The great help of intelligent private sympathy and cooperation which the Nizam's Government secured so easily and efficiently was thus entirely wanting in British territory. The Hyderabad committee with its President and Secretary consisted of 9 Mahomedans, 2 Parsees, 4 Europeans, and 8 Hindus, thus representing all classes of the population. The control over the District Officials, which the committee was able to exercise from the information supplied by the commis-

sioners, created a new sense of responsibility and confidence, and while it checked lavish waste, it also prevented panic. The Hyderabad Government found at an early stage that a pound of grain was not sufficient for an able-bodied man, and as prices rose, they adopted a sliding scale of wages, exceeding the first sanctioned rates of 2, $1\frac{1}{2}$ and 1 anna to every man, woman, and child, sufficiently to allow $1\frac{1}{2}$ pound of food per day for able-bodied men. To meet the wants of those famine-distressed people who were unable to go to the large but distant works, small local works were started such as wells, village roads and drains, to provide relief to the poor people in their own villages. All these arrangements were fairly in hand before the close of 1876, and by the beginning of 1877, the central famine committee had the entire management in working order. Sir Richard Temple, on his visit to Hyderabad having examined into the working of the committee, reported that the arrangements made to meet the distress, and the diagnosis of the coming trouble, were creditable to the prudence and foresight of the Nizam's Government. Sir Richard Meade also wrote officially that the measures adopted by the Nizam's Government were well adapted to the object in view, and would prove fairly efficacious, and that the views and measures of the Nizam's Government were based on sound and liberal principles, and were directed with energy and judgment. Up to April 1877, it does not appear that any poor-houses were started in the Nizam's territory. When the want of such houses for the sick and disabled, and for those who were too old and too young, was felt, a special officer was appointed to supervise relief in this form. Nine such relief houses were started accomodating an average daily attendance of 15,173 persons. In the middle of the year, the local stocks having been exhausted, and the grain brought by the Railway coming in too slowly for the wants of the people, the Nizam's Government found it necessary to request

the Bombay Government to take steps to have the Railway traffic expedited, and the Bombay Government acceded to this request, and arranged for the daily despatch of 300 tons to Shahabad for the Nizam's Districts. The monsoon rain in 1877, though it was late in coming, fell at last in such quantities that the numbers on famine relief works began to diminish in September, and in November 1877, the Central Committee formally closed all relief works. The highest numbers on the works were found to be 3,34,174 on the 12th of August 1877, and the numbers receiving charitable relief was highest in September, viz, 2,01,766, and in January 1878, the poor houses were closed, and the famine was officially declared to be over. The grant placed at the disposal of the Central Committee by the Nizam's Government was 10 lacs of Rs. for famine relief works in addition to the ordinary public works. The total sum spent on relief works and the ordinary Public Works for famine relief purposes was about 10½ lacs of Rupees, of which eight and a half lacs were spent by the Committee, and two lacs by the Public Works Department. The charge represented by the poor houses was two and a half lacs nearly, and in addition a sum of about 90,000 Rs was disbursed in discretionary and special forms of relief by District Officers and others. The amount of remissions and postponed revenue was about 32½ lacs of Rupees. The aggregate loss to Government under all heads on account of famine was thus 46,34,676 Rs. The number of cattle which perished is stated to have been 4,33,000, and the number of persons who died from starvation and distress was 71,658, on a population of 12 and a half lacs. There was no instance of a dacoity or forcible robbery directly traceable to famine distress throughout these two years in the Nizam's territories.

This summary of the way in which the Nizam's Government carried on its famine campaign will show that the whole plan of operation, was well

conceived, and energetically carried out with a success which compares very favourably with the administration of famine in British territory. It must, however, be allowed that the distress was never so great in the Hyderabad territory as in Mysore, Madras or Bombay, where the loss of life has been admittedly much greater. The Hyderabad Government, in following the example set to them by the British authorities, greatly improved upon the model, and avoided all those mistakes which want of sympathy and a too careful regard for economizing the expenditure on famine produced in the British provinces. While the Hyderabad Government treated foreign immigrants and their subjects with equal favour, the Madras Government officially complained of the large number of famine refugees who entered their districts from the Nizam's territories. The distance test was not employed by the Nizam's Government with a view to reduce the numbers on relief works with the rigour shown in British territory. The one pound ration test was also abandoned at an early stage. Remissions were freely allowed, and the sympathies of non-official classes were secured by the formation of a central committee and local boards of charity. The wisdom of the action of the Nizam's Government in all these particulars has been justified by the results, and it may be noted in this place that the report of the Famine Commission appointed by the Government of India confirms the correctness of the distinctive principles pursued throughout by the Nizam's Government in-as-much as it strongly condemns the distance and subsistence wage tests, as also the hard-hearted policy of collecting the whole revenue from the famine-affected districts.

We have in the forgoing remarks noticed briefly all the leading features of the reforms carried out at Hyderabad during the last 25 years, and the success which has attended the efforts of the Diwan as tested by the over-powering strain of the last great famine.

It must not be understood, however, that there are no defects in the system, and that the defects are not of a sort to justify much hostile criticism. As far as we can see, the first great weakness which greatly detracts from the permanent success of the new method of administration at Hyderabad is the fact that the whole machinery seems to be entirely dependent upon the personal and individual influence of the Diwan at the head of affairs. There is, no doubt, an opposition co-regent, who enjoys the support of the Resident, but there is no Council of State, no recognized body of official and non-official notabilities consulted on great occasions. By a piece of rare good fortune His Excellency Sir Salar Jang has enjoyed an undisturbed lease of power for nearly 30 years, with the advantage of a long spell of minority. Such good fortune never lasts so long, and its continuance for another period of 30 years cannot be safely counted upon. When His Highness the present Nizam comes of age, he ought to be in a position to secure at the helm of affairs a minister of equal sagacity and power from among the new generation, if His Excellency the Diwan's reforms are to be maintained and improved upon. Only the education of a responsible State Council and its practical conflicts can train up such men. A hitch may occur, mediocre men may succeed to power, and the state edifice, which has taken years to build, may tumble down in as many months with a Chandulal in power. This contingency ought always to be present before the mind of the members of the Regency. All arrangements now made ought to be as far as possible self-supporting, and the checks devised should be self-acting. This is very difficult to achieve in a State without a recognized constitution, and where the Huzur is all in all, the nobles are courtiers, and the people without voice or power. The great aim of an interim administration must, therefore, be to minimize the sphere of personal Government, and leave as few loop-

holes as possible for the return tide of the wave of misrule and disorder.

It is hardly necessary to point out that misrule in Native States generally assumes the form of an unprincipled disturbance of the system of collecting the land revenue. A permanent settlement of the land revenue, made once for all, and not liable to periodical interference and enhancement, if established on a firm footing, will remove the chief temptation in the way of native rulers to return to the old flesh pots of the Nazarana and short-lived farms. In this view we regard it as a great misfortune that the Nizam's Government seems to have made up its mind in favour of periodical settlements on the Bombay plan. The reports before us show that at one time His Excellency the Diwan felt some hesitation on this point, and intended to establish a Zamindary system of settlement. We think that the Nizam's Government acted wisely in recognizing the prevailing Ryotwari system as the basis of its settlement, but the real question for far-sighted statesmanship is not represented by the choice between the Ryotwari and Zamindary systems, so much as between the permanent and periodical settlements. Of course a settlement for a term is better than no settlement at all, but a periodical settlement leaves the door open for personal misrule, and this temptation should not be left in the way of absolute power. When the present settlements expire, His Excellency the Diwan may cease to be in power, and the new ruler may easily yield to the counsels of his courtier nobles, and upset all existing arrangements. The loss of revenue implied in a permanent settlement is not an argument against its adoption any-where, and especially in Native States, for if a State is properly administered, additional revenues can be easily raised by more legitimate means if they are really needed, which they seldom are except for lavish personal expenditure. It is more difficult even for the

most absolute ruler to raise additional money by direct taxation than by screwing up the land revenue, and the temptation to annul land settlements, or enhance the assessments at the revision, proves overpowering. Even at present, we find that talented officers like Mr. Ferdunji Jamsetji and Maulvi Mahdi Ali have so far imbibed the spirit of the Bombay settlement officers as to regard cent per cent enhancements as quite fair, and to justify the levy of six Rupees per acre upon the poor Tailangan soils, and to denounce all popular complaints on this head as unreasonable. It is against this spirit that we protest; for it saps at the root of all possibility of permanent improvement. Under a new ruler, with his temptations, there will be a host of similar advisers eager to fill the Treasury at any cost, and cry down moderate assessments as leading to indolence. As a check, therefore, to this double source of evil and temptation, timely steps should be taken once for all to have the land revenue settled permanently.

Another evil which besets the ways of native administrations is the centralization of power in the same hands. The creation of the different departments at Hyderabad is undoubtedly a step in the right direction, but it is only a rudimentary step. The Tahsildar and the Talukdars are still the chief representatives of the civil power in their districts, and have the entire and sole charge of the Police, of civil and criminal justice, and of revenue administration. These powers should be split up, and there should be distinct officers in charge of distinct duties. Every little functionary should be thus placed beyond the temptation of regarding himself as the monarch of all he surveys. This has proved the bane of all Native States, and no reform of administration can be permanent which does not provide this natural check of co-ordinate and distinct functionaries. The wiser instinct of the early British conquerors of India fully realized this evil, and though the recently acquired

non-regulation provinces are administered on another system, the native rulers will do well to avoid the mistake, as it is especially dangerous with the traditions of our past history.

Another point in which a change for the better would be most welcome to our mind refers to the *personnel* of the administration at the head quarters and in the districts. At a time when the British Government is opening its Engineering, Medical, Educational, Account, Judicial, Executive, and even Military services to its Native subjects, it strikes us as somewhat strange that the Nizam's Government should fill its Public Works, Medical, Educational, and Account departments with such a large element of European officers. We have no objection to their employment provisionally if they are subjects of the Nizam, or, even if they are strangers, in works which require scientific attainments. But the time has surely come when the resources of native talent in and out of Hyderabad should more largely be drawn upon. Officers like Mr. Furdunjee Jamsetjee, Maulvi Mahdi Ali, and Mr. Abdulhuk, possess abilities of which any Government may be proud, and it certainly requires an explanation, why when men like these can be had for the asking, so many Europeans should be employed on civil duties at Hyderabad. In this same connection, we may be permitted to express our surprise at the anomalous fact that the Hindu subjects of His Highness the Nizam, forming as they do eighty per cent of the population, should be so poorly represented in its service. We are informed that there is only one Hindu Sadar Talukdar, and a couple or so are Talukdars throughout the 17 districts. This proportion certainly must be raised. The Hyderabad kingdom has inherited the dominions of the old Bahmani kings, and the Bijapur rulers. The Hindu element in the civil and military service of these historic dynasties was always respectable in numbers and position, and there is no reason why

these noble traditions should now be so outraged in their breach.

The policy of the large resumptions of personal Jahagirs and Inams and Sir lands, which seems to be in favour at Hyderabad, may also be called into question on more grounds than one. We do not here speak of the military assignments and Tankha Talukas, and of districts pledged with the Arab Jamadars for the pay of their soldiers. These assignments were irregular, and as the purposes for which they were originally made have ceased to exist, their resumption may be justified to some extent, but there is no such defence for the resumption of personal Jahagirs and Inams and Varshasan allowances. The holders of these break the uniformly dead level of poverty in a Rayatwari settled district, and their maintenance as a class is necessary for Imperial purposes as they constitute the natural leaders of the rural population, and by their leisure and intelligence are most fitted to help the cause of good rule. The views on this point of British officers can not furnish a safe guide to native states. In these states, the absolute power of the chief has to be kept under control by very weak agencies, so as to protect the ruler himself from being tempted into abuse and consequent ruin. There should be, therefore, a large class of people scattered all over the country, in a position to be comparatively independent of the good wishes of the court. The Jahagirdars and Inamdars are the only existing indigenous agencies fitted for this check, and they should be carefully conserved even at the sacrifice of a small revenue.

We think we have said enough on all these points to suggest with sufficient plainness to the men at the helm of affairs in Hyderabad, the dangerous rocks ahead which, in their guidance of the state vessel, they should carefully avoid. The considerations we have suggested can not be absent from the minds of His Excellency the Diwan and his able advisers. We

have, however, thought it to be our duty, in commending so much that is good, to submit our views on those points where in our opinion the policy is mistaken or doubtful. The most distinguishing mark of a successful administration is that its statesmanship and foresight should become a part of the system, and not hang by the thread of an individual life. We cheerfully recognize in His Excellency the Diwan the foremost native statesman in India, and it is our consciousness that such rare talents as his can not be perpetuated that makes us anxious that the noble work he has inaugurated should thrive and flourish, and wax stronger every day, and be cherished as a realized inheritance of wisdom and power for generations to come.

A CRITIQUE "ON A CONSTITUTION FOR NATIVE STATES."

WE gladly make room for the following communication from an esteemed friend whose experience of native rule and rulers fully entitles him to a respectful hearing on the subject of his communication. We agree in the main with the suggestions contained in the communication of our able critic. We fear that in our first article, the minister's tenure of power was placed on a footing of greater permanency than is desirable under existing circumstances. The plan followed in Travancore in three recent instances of selecting ministers for a term of five years subject to reappointment will, we trust, answer all present needs. As regards the division of the work between the Chief and his minister, we still hold decided views that in all executive business between party and party, the Chief's interference should be limited to a power of revision or appeal from the decisions of subordinate officers. The Native Princes will of course have the initiation in legislation and new taxation, in all the great questions of administration, as also in the correspondence with the Paramount Power. This would leave scope enough for the most benevolent exercise of their great powers. With regard to our correspondent's strictures upon the political service, we must observe that it was from no fear of giving offence that we omitted all reference to the devise of checks upon these authorities. Our own opinion is that if the scheme of a constitution finds favour with the Government of India, the occasions of friction will be minimized, and as a matter of fact the political service will be relieved of most of their onerous duties, and especially of the odium of the secret-reporting system. The scheme, if it is to work at all, will have to be supplemented by the establishment of a court of ap-

peal upon the principle advocated by Lord Stanley of Alderley in his essay read before the East India Association to which we have referred in another portion of the present number.

The *Quarterly Journal* of the Poona Sarvajanic Sabha for January 1880 contains a thoughtful article on the subject of "A Constitution for Native States" which deserves greater notice than it has hitherto received.

The writer in the *Quarterly Journal* at the outset very wisely remarks that the draft constitution he has proposed should not be viewed so much in the light of a final solution of the intricate problem, as in that of a feeler to provoke a fuller discussion of it.

Though a great difference of opinion is observable in the remedies proposed, yet, we presume, there is but one opinion as to the importance and desirability of securing some suitable constitution for the Native States. There are also certain points on which there is not, and we fancy, there cannot be, any difference of opinion as to the principles involved, whatever difference of opinion there may be in the details connected with them, and the writer in the *Quarterly* deserves well of the country for having drawn attention to, and brought out together, such points bearing on the subject as cannot be dissented from in the main. He also deserves well for the manner in which he has cleared the subject of some "preliminary" prejudices with which it is associated in the popular mind. Yet it must be observed that the article would have been all the better for a further clearance of such prejudices and further observations to prove the practicability and the very great necessity that exists of a constitution for the Native States. Had the writer in the *Quarterly* done so, there would have been little or no occasion to notice some of the objections that have been advanced against the practicability of adopting the draft constitution. For instance, there prevails an erroneous opinion that the government of a Native State is a pure despotism, unrelieved by a single constitutional check, and that it has been so from times immemorial. This opinion ought to have been refuted as that would have served the purpose of shewing that in seeking to enforce a constitutional government in Native States, we are not innovating but rather insisting on the observance of long recognized rights and cherished usages. Shivaji, the founder of the Maratha Empire, has left a written constitution for the Maratha States, which, if rigidly followed, ought to make all of them "model States." In this way the founders of the other dynasties of India have left rules for the guidance of their people, mostly formed upon the basis of "Niti Shastra" or polity, but so modified as to suit admirably the exigencies of the societies for whom they were intended. These rules or constitutional checks go by the name of "Shirasta," and what strength this word has in

Native States, those only know who are conversant with them. The most self-willed and most despotically-inclined prince or minister is not unfrequently stopped in his course of spoliation and mischief, as if spell bound, by the mere utterance of this word. Let us now then see what the "Shirasta" for transacting official business in the Marāthā States is.

In every state there are eight principal officers with the Prime Minister at their head. These collectively are (curiously enough) called the "Asta Pradhans," eight ministers or councillors, or the "Panch Bhayas," the five brothers—just as the Queen styles her high dignitaries "Cousins." There are besides 12 minor officers for what is known as the "Dwādasha Kosh," and some more for the "Atharā Karkhanas" or the 18 miscellaneous departments. These minor officers are not included in what is known as the Darbar proper, which only includes the principal nine officers of the state, each of whom generally takes up the portfolio of some distinct department, and is responsible for its efficiency and good management. The Karbhāri, or the prime minister, is at the head of affairs, and exercises a general control over his colleagues, and advises the king on all important matters of state. According to the ordinances of our Niti Shāstra and the provisions of the constitution laid down by the great Shivaji, (at once a great conqueror and legislator), no king can govern without a responsible minister and a council. A king without these is likened to a body without hands, or a head without eyes. Not only is the king not to govern without these advisers, but no order can pass or become legal without the signatures of two or three members of the council or Darbar. Not only is the king's sign-manual in all cases necessary for the legal issue of every order, but the signatures of two, and in the cases of some states, of three and four other members of the council are required before any order can be obeyed. The Diwān, the Fadnis or financial minister, the Chitnis or the Secretary, are entitled to have their signatures affixed to any document before it can legally issue, and be obeyed. In most of the states, the hereditary principle prevails in the offices of Diwān, Fadnis and Chitnis, and the king is obliged to appoint a man as Karbhari who, being selected, is a more capable man than any of the rest, and where this is the case, his signature is also necessary to validate any paper relating to state affairs. After these officers have put their signatures to a paper, the king puts his seal over it. This is the "Shirastā" and "Dastura" of the management of affairs in a Native State, and this is as near an approach to the Darbār or Council proposed in the article under notice as any thing can be. The article only seeks to increase the number of persons to be consulted, which as a matter of fact is generally the case. Here then at all events no very great innovation is sought to be enforced.

Now the question arises, if with this arrangement already in vogue, the management of Native States is a failure, what guarantee is there that a little extension of the very same measure shall

prove an efficient check? The reason of failure in the existing system is its inability to secure a succession of efficient and honest ministers and is the same as that which prevents a succession of good kings. These important offices have become hereditary in certain families, and as in all such cases, the incumbents, except now and then in the case of a selected minister or Kārbbhāri, are often the very reverse of efficient and honest. Themselves helplessly involved in debt and pecuniary difficulties, these gentlemen with big jahagirs and equally big debts are at the mercy of every royal favourite and will put their signatures to any wild and reckless scheme of expenditure or extortion as easily and readily as any hireling in the world. Their only care is to secure their large Jahāgirs from injury and to escape the payment of their debts. Under these circumstances, it is no wonder that the hereditary ministers have totally lost sight of the original scope and intent of the offices they are entrusted with and they have completely forgotten that subscribing to any document signifies approval of the measure thereby sanctioned. In this sense of irresponsibility, they have been encouraged by the impunity they experience at the hands of Government. For instance, when the mismanagement of a state has reached a stage which suggests and justifies the deposition of the reigning prince, those who subscribed so readily to his follies, those who could have raised their warning voice with effect from their position in the state, if they had only done their duty, are just as well off as before. Their big Jahagirs and big debts are as safe as ever. It is with a view to meet this difficulty, and to remove this evil of hereditary ministers, that the draft constitution provides that a Darbār or council be established of the really *working* heads of the different departments, (with here and there a merchant statesman to advise in commercial matters) without whose sanction, (obtained by a majority of votes, the king counting two votes) no extraordinary expense should be incurred, no new law passed, no great innovation enforced in the state, and no new tax levied, or old ones increased. Such a change involves no material departure from the existing principles of government in Native States, and no imposition of a new and unknown check is here attempted (as is imagined by some of the English papers) on the kingly prerogative. What we contend for is that the old checks should be more properly enforced than they are at present, and that the ministers ought really to be made to understand and feel their responsibility, and to be in a position to enforce attention to their views. In this way only can the minister be responsible in the true sense of the word and the hereditary and conservative elements in the states harmoniously blended with the intellectual and progressive ones.

We have now reached a point in our discussion which very naturally brings us to the consideration of the appointment of the minister or Kārbbhāri, the leading spirit of the Darbār, as distinguished from the hereditary Diwān, and as we differ from the writer

in the *Quarterly* on some important matters of detail, we beg the reader's special attention to what follows.

The writer of the draft constitution for Native States proposes the nomination of a responsible minister or Kârbhâri "with the exercise of whose delegated power there is to be no interference till his order is passed, and any one of the parties affected by it appeals to the Chief." The minister according to the *Quarterly Journal* is to be nominated by the Chief, subject to the approval and confirmation of the representative of the British power, and once nominated he is not to be removed except for *clearly proved incapacity, disloyalty, crime or misdemeanour proved to the satisfaction of both the Chief and the British Agent*. His term of power should not be dependent upon the changing caprices of the Chief, or on the equally shifting temper of the British Agent. The nomination of a responsible minister, upon the conditions above specified, the writer in the Sabha's Journal considers the *sine qua non* of all possibility of future improvement.

Few will deny the necessity of this measure, and the Shâstra is quite distinct and authoritative on the point. In fact the Shâstra knows of no king without a responsible minister. But unhappily, it seems, there is quite a rage now a days with the present race of Indian chiefs, generally imbecile and incapable though they are, to rule without a minister and council, in other words, to be their own ministers. Now the majority of these princes being at best imbeciles, the result of this is that in trying to manage affairs themselves, they themselves come to be managed by a set of low, designing scoundrels, men of straw and no position, who are not inappropriately styled by the writer of the paper under notice "the unacknowledged ministers in the back ground." However we are of opinion that the confirmation of the minister nominated by the Chief, should rest, at all events, in the case of first and second class states, with the Government of India, and not with the Agent at the Chief's Court. The Indian Government may take counsel of their Agents, but what we contend for is that the power of public confirmation of the minister must be exercised by the Viceroy in Council, or by the Local Governor in Council, the Political Agent or officer being too much of an interested party to ensure a proper selection. This is not the only reason for our proposal. A man to be appointed by the Government of India must be a man of Indian fame, and not only a local celebrity. That such men can be had for these places is now evident. Our proposal is likely at times to bring to the front men from outside the local limits of the respective principalities. But we must confess, we see no wrong in this. It is important that the field of choice should not be wantonly circumscribed. Some of the English papers have opposed such nominations as likely to bring in outsiders or "foreigners," by which expression they are pleased to call people of different parts of India. A Marâthâ Brâmhân or Shudra from the Bombay or the

Madras presidency cannot be, properly speaking, a "foreigner" in any of the Maráthá States, whether they be situate in Hindustán, Málwá, Guzarát, the Southern Maráthá Country or the Carnátic. Such can not also be the case of a Hindustani gentleman in any of the Courts of India in which the Urdu may be the language of the court. Surely Indians cannot be foreigners in any part of their own country, at least not more so than the British Officers, who according to these writers are at home in every part of India. Fitness to hold the post ought to be the only consideration in the bestowal of such places.

Then again, we do not think that the measures proposed for the permanency of the minister's tenure of office are altogether necessary. As they stand, they would have the undesirable effect of confirming the Chiefs in their unwillingness to have any minister at all. That the man proposed by the Chief for the minister's place should be approved and confirmed by the Government is a sufficient guarantee that he will not be capriciously discharged, nor any corrupt or incapable favourite appointed in his place. Besides this, it is not expected that capable men of worth will rush into Native States without securing themselves from the effects of a sudden ejection. The game, therefore, of changing capable and *honest* ministers will be too costly and dangerous for the Chiefs to try their hands frequently at. We can imagine many circumstances, besides the commission either of a capital or a major offence, which can induce a minister to resign, or the Chief and the nation to desire his resignation. All well-governed states pass safely through ministerial crises and changes, and we believe that the establishment of a constitutional government for the Native States is meant to impart to them such a measure of strength and solidity as would place their welfare beyond the influence of personal accidents. Travancore may be cited as an instance of a Native State that has recently passed through ministerial crisis of no ordinary kind. We, therefore, deprecate the restrictions proposed to impart permanency to the minister's tenure of power as disturbing the balance of the constitution. When a minister knows that he cannot be changed, he becomes to all intents a king, and what guarantee is there that he will not use his power to the detriment of the state? We can, with our experience, easily imagine many combinations of circumstances in which the minister, if his place were made permanent or secure, would be able to beard the king, insult him in his own palace, and render his existence unbearable, and outrage the feelings of the whole Court and nation. The ministers in fact would become so many "Mayors of Palaces." Were it not invidious to do so, we can even now point our finger at many states as instances to prove our assertions. "To speak the truth, we know of many more states that have been ruined by what we shall, to use a gentle term, call a strong and well backed minister than of those which have been improved by him."

One word more with reference to the minister's appointment. When once the minister is duly elected, he must be considered as the exponent of the interests of the state, and his confirmation by the Indian Government must not be held to justify any further interference in the internal affairs of the state by the Government or its Agents. The Government interference in the confirmation of the minister is suggested with a view to secure the good administration of the state with the least possible interference and collision from without, as a man of known ability and integrity may be safely left to manage things well. The one object which the Government should keep in view in the appointment of the minister must be to lessen as much as possible the chances of frequent interference within the internal affairs of the state. This principle must be always kept in sight; for there is a sort of interference likely to come into vogue with such appointments, and that is a mischief the British officers must be ever on their guard against. They will be naturally prone to look upon the man confirmed as *their* creature, who in duty bound must yield to their views without a protest, and be ready to sacrifice to their whims the true interests of the state. It is in order to lessen this danger as much as possible that we have urged above that the power of confirmation of the minister should be, not with the local Agent, but with the Government of India, which will regard this exercise of power by itself as a sacred duty undertaken with the laudable object of getting rid of the necessity of vexatious interference.

While we are on the subject of the minister's appointment and the proper distribution of authority between him and the King, we may *en passant* remark that in providing that the king shall only pass orders in appeal cases, the writer had in view only the judicial business of the state. In other matters there are, and can be, no appeals and the draft constitution has, failed to suggest any procedure in such cases which form by far the greater portion of the public business of a state.

One more fault we have yet to find with the "Constitution for Native States" as laid down in the Journal, and that is its one-sidedness. According to the writer himself, the Chief, the minister, and the Political Agent, are the corner stones of the proposed edifice. It is proper, therefore, each of them should have his functions well defined, his power circumscribed within well considered limits and his actions subjected to proper constitutional checks. All parties concerned must be prepared to circumscribe their discretionary powers, and place themselves under well considered and well recognised constitutional checks. It would be unreasonable to hope or to propose that any one single party concerned should be content to subject itself to be constitutionally controlled, while the "despotism of the other parties was left unbridled and unchecked." Besides the show of justice which such a measure should be able to command, it will have the advantage of the very essentials of a good constitution, checks over checks and checks for

all. Such an arrangement, indeed, is the very soul of a constitution. The draft constitution has attempted to define the powers of the king, and perhaps those of the minister; but it has left almost untouched the large and delicate question of the relations between the Native Princes and the Agents of Government accredited to their Courts. It is evident these gentlemen want to be looked after as much as the Native Chiefs themselves. It is the nature of despotic power that it turns the head of its wielders, and makes them liable at times to act the tyrant to an astonishing degree. No amount of education and intelligence will make a man proof against the temptations that come in the path of one entrusted with unlimited discretion and irresponsible power, and it is not therefore, surprising that some of the Political Agents cut a sorry figure under the circumstances, and exhibit frailties of human nature which the world would be all the better without. But it is not the individuals of whom we have so much to complain, as of the system that affords opportunities for such exhibitions. It is impossible to be favourably impressed with the rank and file of the British Indian Political Service as at present constituted. It is an anomaly with which it is difficult to get reconciled; it is as behind the spirit of the present times as anything can well be. It allows the British Agents at Native Courts to cry up or cry down any state or individuals in the dark by means of confidential or secret reports without allowing the parties so cried down any hearing or opportunity of self-vindication. The Government entertains an erroneous opinion about the prestige of these officers and acts upon these secret reports even when it is pretty sure of their falsehood and misrepresentations. Nay more; the Government allows its pet Political Agents to blow hot and cold in the same breath, without ever thinking of taking them to task for the discreditable performance. No wonder then, this privilege is availed of and abused to the utmost. Under these circumstances, even experienced and old politicals are liable to forget themselves so far as to bring, by their conduct, the political system under which they work into discredit, lower the whole service in the popular estimation and involve the native princes and their administrations in ruin and unmerited disgrace.

The want of system in the management of the Political Department has a very great demoralizing effect on the conduct of the Native Chiefs and their administrations. There is absolutely no principle to guide them. They are not sure that any one way of administration or adherence to any one fixed rule of conduct, however just or beneficent, can save them from uncalled-for interference and unmerited annoyance. Every Political Agent has his own code of the fitness of things, and he is in a position to force his ideas on the states under his political charge with the whole strength of the British Empire at his back. With every coming man, therefore, there is a change in the management of the affairs of the state. The Chief and his ministers

must mould their rule to suit the whims, likings, and dislikings, of the man for the time being in power and his favourites. Else the Darbâr must be prepared to brave the worst consequences of the wrath of the man in power; it must be prepared to be unfavorably reported to Government as a corrupt and incapable state. When it becomes known that the Rajah and the Agent do not pull on well, a number of petitions, mostly puerile and false, are presented at the Residency by interested parties, and these being magnified into exhibitions of discontent that may threaten the peace of Her Majesty's Empire, exemplary punishment is inflicted on the unfortunate Chief. Owing to these arbitrary changes, it is difficult to induce the princes to think that an enlightened or beneficent mode of Government is always good for them. The princes look upon the good name of their administration as a thing entirely under the influence of chance and their "Kismet," and do not attribute their failures to their own shortcomings, but very plausibly lay them at the door of the shifting whims of the Agent with whom they were not able to accommodate themselves.

We have, we think, said quite enough to shew that rules for the guidance of the British Political Agents and constitutional checks for them ought to be devised. Indeed, it is now high time that the whole service should be placed upon a satisfactory basis. As at present constituted, the system is not sound, and fails to keep up with the demands of the times. Young men from the Military Department are, owing to an abuse of patronage, drafted into the political service of the Empire. Generally ignorant of the very principles of jurisprudence, ignorant of the Hindu or Mahomedan law and of the procedures prevailing in the Native State, they avoid all self improvement in the matter by declaring all law and procedure to be not the "condensed common sense" that they are, but "condemned common sense" which mostly they are not. Not content with this, they declare themselves above all law. Ignorant of the language of the people they hate those who, by their education, are able to use the Queen's language. It is no wonder then that these Munshi-ridden lords of the "golden Chapprasi", as Sir Ali Baba of the "*Vanity Fair*" has wittily styled them and whom we may style "the lords of the princely creation in India", come to be credited by the common people with all the sins of omission and commission of the Amlah whose unhappy victims they not unfrequently are.

To some our strictures on the political service may seem harsh or unjust; but we appeal to the experience and judgment of all who have had anything to do with these gentlemen, from people of Sir Salar Jang and Sir T. Madhawa Raw's calibre to the petty manager of a small Native Principality yielding not more than 25,000 Rs of annual revenue to its master, for the justification of our description. We must, however, again remark that there are many honourable exceptions to the general run of these

officers, and that we complain more of the system than of the individuals brought up under it. It is important to avoid all personalities in discussions of this sort where public reform is sought after for the public good. As the Baroda drama has been played out, we shall, therefore, only refer our readers to the Baroda Blue Books of 1875 and to a "statement" in reply to it by Mr. Dadabhoj Nawroji, ex-Diwan of Malhar Raw Gaikwad. The obstructiveness towards reforms therein shewn by the then Resident, the choice expressions used towards the Diwan and his colleagues, and the manner in which he was treated and mis-represented, are typical of their kind, and repeat themselves whenever any reform is attempted by a repentant prince that is not mooted, in the first instance, by the Agent, or carried through one of his favourite creatures. But how many mute and inglorious Dada Bhaïs are there in the Native States? Their name, we fear, is a legion. If an official opinion about the worth of the system complained of were wanted, we can refer to the opinion of so high an authority as our late lamented Vicoroy Lord Mayo. But we refrain.

We have been thus obliged to undertake the ungracious task of writing thus disparagngly, because the writer in the *Quarterly Journal* (perhaps under the sense of the prejudice with which it is received by a portion of the official public) has refrained from dwelling on this subject. If, therefore, we have proved our point as to the necessity for the creation of constitutional checks for the guidance of the Political Agents, along with the Native Princes and their Ministers, we ought to indicate now the line of reform that we may have to suggest. We are of opinion that the Agents of the British Government ought only to be allowed to interfere in the affairs of the Native States to which they are accredited in the following three cases:—

(i) When the mismanagement of a Native State threatens the peace of the surrounding British territory, or of any Prince in alliance with it at that Prince's request.

(ii) When the mismanagement is complained of officially by the council of state and the responsible ministers previously described.

(iii) When any policy of a general nature is to be carried out in the Native States at the instance of the Government of India. In these cases the Agent may be looked upon as the proper channel of communication between the Darbar and the British Government.

As the Native States now form a part of the British Empire, and several Chiefs hold titles and honours conferred by the gracious Empress of India and are devotedly attached to the Empire, their welfare deserves to be looked after even by the highest officers, and, therefore, any schemes for the improvement of the Native States are to be welcomed as much as those that may be designed for the improvement of the British Territories them-

selves. In this view the above remarks are humbly offered for the consideration of the public and the Government. If the welfare of a third of the entire population of this vast country be a noble object to be striven after, if securing the loyalty and gratitude of such a number of vassal princes be a very considerable political advantage, if enlisting the sympathies of the populations of this country, who take an interest in the prosperity and good government of the Native States be an object worthy of the attention of the gifted statesmen who rule over the destinies of England and India, here is a fit subject for them to exercise their energies upon,—the establishment of a constitutional Government for the Native States,—the vassal Empire of her most august Majesty the Empress of India. The present time is the most suitable for the introduction of this reform. We have shewn above that no new principles are involved in its acceptance or enforcement, and that it would be for the benefit of all the parties concerned. The reform would cost the British Government nothing,—a consideration of great moment in these times of financial stringency. Nay more, it would be the means of effecting a considerable saving in the over-grown political department. The princes would readily agree to this reform, and the people long for it.

As we have overstepped the bounds we originally proposed to ourselves, we will conclude our communication by enumerating the other items of reform proposed in the Poona Sarvajanic Sabha's Journal, and which have our unqualified approval. Besides the clauses of the constitution for Native States commented upon already, the article proposes (a) the settlement of the land revenue on some permanent or fixed principle; (b) the separation between the Khasgi and Dawalat receipts and expenditure; (c) the division of Executive and Judicial, of Civil and Military duties; (d) the securing of written laws; and (e) an annual statement of accounts in the way of budgets and regular estimates. The three heads of reforms already commented upon are (i) the nomination of a responsible minister; (ii) a proper distribution of authority between the minister and the Chief; and (iii) the establishment of a council of superior officers for making laws, levying taxes and settling questions pending between the state and the Paramount Power.

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(iii) When any policy of a general nature is to be carried out in the Native States at the instance of the Government of India. In these cases the Agent may be looked upon as the proper channel of communication between the Darbar and the British Government.

As the Native States now form a part of the British Empire, and several Chiefs hold titles and honours conferred by the gracious Empress of India and are devotedly attached to the Empire, their welfare deserves to be looked after even by the highest officers, and, therefore, any schemes for the improvement of the Native States are to be welcomed as much as those that may be designed for the improvement of the British Territories them-

selves. In this view the above remarks are humbly offered for the consideration of the public and the Government. If the welfare of a third of the entire population of this vast country be a noble object to be striven after, if securing the loyalty and gratitude of such a number of vassal princes be a very considerable political advantage, if enlisting the sympathies of the populations of this country, who take an interest in the prosperity and good government of the Native States be an object worthy of the attention of the gifted statesmen who rule over the destinies of England and India, here is a fit subject for them to exercise their energies upon,—the establishment of a constitutional Government for the Native States,—the vassal Empire of her most august Majesty the Empress of India. The present time is the most suitable for the introduction of this reform. We have shewn above that no new principles are involved in its acceptance or enforcement, and that it would be for the benefit of all the parties concerned. The reform would cost the British Government nothing,—a consideration of great moment in these times of financial stringency. Nay more, it would be the means of effecting a considerable saving in the over-grown political department. The princes would readily agree to this reform, and the people long for it.

As we have overstepped the bounds we originally proposed to ourselves, we will conclude our communication by enumerating the other items of reform proposed in the Poona Sarvajanic Sabha's Journal, and which have our unqualified approval. Besides the clauses of the constitution for Native States commented upon already, the article proposes (a) the settlement of the land revenue on some permanent or fixed principle; (b) the separation between the Khasgi and Dawalat receipts and expenditure; (c) the division of Executive and Judicial, of Civil and Military duties; (d) the securing of written laws; and (e) an annual statement of accounts in the way of budgets and regular estimates. The three heads of reforms already commented upon are (i) the nomination of a responsible minister; (ii) a proper distribution of authority between the minister and the Chief; and (iii) the establishment of a council of superior officers for making laws, levying taxes and settling questions pending between the state and the Paramount Power.

CURRENT LITERATURE.



THE Administration Report of Travancore for 1878-79, being as we believe the first report of the present Dewan's work in that State, is as usual a most satisfactory record of peace and progress maintained all round in a way to justify the proud position which Travancore has occupied for the last ten or twelve years as the model province in India. Travancore has indeed enjoyed a rare advantage in having been administered successively by Raja Sir T. Madhavrao, the Honourable Sheshaya Shastri and the present Dewan Nanu Pille, all being men of great mark and recognized as the foremost native statesmen in Southern India. The change of ministers after every four or five years has, owing to the singular felicity of his late Highness's choice, been attended with no danger to the success of the administration, and has evidently conduced to its improvement in every respect. The revenue has been steadily increasing, being $2\frac{1}{2}$ Lacs more in 1878-79 than the revenue of the preceeding year, which was itself the highest figure realized in the history of the state. The total collections were about $62\frac{1}{2}$ Lacs of Rs., and the expenditure was about $59\frac{1}{2}$ Lacs of Rs., leaving an accumulated balance of half a crore of Rupees. There are several important features in the financial statement of the State which distinguish it favourably from the rest of India, both under British and native administrations. In the first instance less than 30 per cent of the revenue is realized from the land tax. In the Native State of Baroda the land revenue is 71 per cent, in Indore the land revenue is 60 per cent, in the Bombay Presidency, it is 50 per cent of the total revenue collected, excluding the opium receipts. This smaller proportion of the land revenue to the entire

collections is a very satisfactory feature in the finances of Travancore. The indirect taxes represented by the customs, excise, tobacco, and salt revenues, and cardamum and timber sales represent a total of 33 Lacs. The sale of corn from the State granaries yielded seven lacs, and the interest on savings brought in a lac and a half, and the stamp revenue was $2\frac{1}{4}$ lacs. Exception may be taken to the large amount of salt revenue ($15\frac{1}{2}$ lacs) but the example of the British Government has been too faithfully followed by the Travancore administration in this respect. The other taxes, however, being all of them taxes on luxuries, or the yield of state monopolies, do not press upon the people, and the tobacco tax especially, yielding as it did more than 8 lacs of Rs. upon a total of 19 lacs worth of tobacco imported partly from British India, but more largely from Ceylon, points to a resource which in its present difficulties the British Indian Government may advantageously turn its attention to. On the expenditure side, it is to be noted that the Devasthan, the Charitable payments, and the palace expenditure in Travancore, amounted to less than 12 lacs, or about 20 per cent of the total revenue. The Military expenditure and the cost of the Police establishment was less than 4 lacs ($6\frac{1}{2}$ percent), which strikingly contrasts with the 15 lacs (30 percent) spent at Indore, and 42 lacs (30 per cent) spent at Baroda, on these same establishments. On the other hand Travancore spent nearly 14 lacs (22 per cent) on its Public Works, while Indore could only afford 4 lacs, and Baroda about $5\frac{1}{3}$ lacs for their public works expenditure. The Educational and Medical services in Travancore represented an expenditure of $2\frac{3}{4}$ lacs ($4\frac{1}{2}$ percent) against half a lac spent at Indore, and about 2 lacs spent at Baroda on the same departments. The cost of the Judicial establishment in Travancore was nearly 2 lacs, in Indore about 61,000 Rs., and in Baroda about two and a half lacs. These contrasts are very suggestive, and although we fully admit the difference between

Travancore and the great Maratha States in respect of the larger claims upon the latter of their military establishments, yet they point out the directions in which the statesmen at Indore and Baroda must work in order to realize to their people the full benefits of a settled rule. As one consequence of these differences noticed above, Travancore shows a total of nearly 16,000 children, attending its one college and high school, its 22 English and 285 vernacular schools, besides 341 private schools, chiefly missionary institutions attended by 11,700 pupils and supported by state grants-in-aid. And nearly 90,000 out-door and in-door patients were treated in its 28 hospitals and charitable dispensaries. Of the population of the state about 20 percent are Christians, 6 percent Mahomedan, $1\frac{1}{2}$ percent Brahmins, about 20 percent Shudras, and about 50 percent form the lower castes. In the higher service of the state, a large number of Christians and Europeans find employment, and work under native officers without friction; while a large number of European planters have settled on the hills, and hold estates there. The Christian and European influences are thus in greater force in Travancore than in any other part of India. Good Government is thus guaranteed by the hard fact that disorderly rule would not be put up with for a day by the missionary and planted organizations. The total value of the export trade was $73\frac{1}{2}$ lacs of Rupees worth of dutiable and $6\frac{2}{3}$ lacs of free goods, and the value of the imports was 40 lacs of Rupees of free and about 20 lacs of dutiable goods. The chief exports were Coconut, Coir, and Oil, making a total of 42 lacs, Coffee $3\frac{3}{4}$ lacs, ginger $4\frac{1}{2}$ lacs, Fish 2 lacs, Tamarind $1\frac{1}{2}$ lac, timber 2 lacs, pepper 4 lacs and Cardamum about 3 lacs. The chief imports were cotton piece goods yarn and cotton 14 lacs, Rice and Paddy $13\frac{1}{2}$ lacs, chillies 1 lac, gold and silver coins $4\frac{1}{2}$ lacs, and tobacco 19 lacs. Travancore has 3 large and 15 small ports and the number of vessels which visited

the three large ports was 151 steamers, 126 square rigged vessels, and 296 small crafts, making a tonnage of $2\frac{1}{2}$ lacs of tons, and the customs revenue was nearly 12 lacs, $8\frac{3}{8}$ lacs upon imports, and $3\frac{1}{2}$ lacs upon exports. We think we have said enough to bring out into full view the more prominent characteristics of the administration of this Native State, and the most hopeful feature of its history is that this progress has been well sustained during the last 12 years. The present ruler of that state is well known throughout India as a most intellectually gifted and earnest Prince, and the assurances he has given at the time of his accession to the throne to all classes of his subjects, together with the rumours of a change of ministry promise the safe continuance of the present administration on its improved footing. The greatest care is taken about the education of the young princes of this house, of whom we are glad to see there are five in number, all studying the rudiments of English and Sanscrit under the careful teaching of Professor Ross. With such guarantees for its future prosperity, this Hindu principality, which is perhaps the oldest in Southern India, will we hope long continue to be what it has been for many years past, the first Native State which has adapted itself to the conditions and requirements of the present age.

We have to thank Rao Saheb Mandalik for a copy of the reprint of his speeches in the Town Council and the Municipal Corporation of Bombay in connection with the vote regarding the grant of Municipal money for the working of the Contagious Diseases Act in Bombay. Those who watched the progress of that debate will not fail to recognize the great services which Rao Saheb Mandalik has rendered by his exhaustive speeches in denunciation of the Act. It is one of the misfortunes which attends the connection of India with England, that experiments upon social virtue, which are rejected by the strong common

sense of England, find advocates out here in India, and too often, owing to the absence of organized public opinion, the official machinery lends its countenance to measures which force upon Hindu Society the cast-away clothes of English, or rather of the continental communistic experiments. It was fortunate that the local Government for financial reasons found it necessary to apply to the Municipality of Bombay for a grant-in-aid, to the working of the Act; for public opinion, such as it is, found a vent through its advocates to express its views fully upon this question. It has always been a matter of surprise to us how English society, with its recognition of the rights and privileges of the female sex, can tolerate such an open outrage upon female virtue, as the recognition of social vice and prostitution and brothel-keeping must on all hands be allowed to be. As a matter of fact, the medical authorities are equally divided upon the question of the utility of such a measure, except when confined to special classes, and the experiments on a larger scale that have been made in India as well as in England have seldom, if ever, been successful. Even if it were otherwise, we hold with Rao Saheb Mandalik that the highest duties of Government are violated by its regulation of vice, not with a view to its suppression, but with a view to remove the risks and penalties of sin to the viciously inclined. Every one knows that the disease has its origin in promiscuous intercourse; in other words, that the women contract the disease from the male sex, and yet men, because they have the honour of making laws over women take upon themselves to expose the weaker sex to indecent examination and compulsory attendance in hospitals that they may be better conditioned to pander to their vices. If justice were to be meted out between the two sexes, or if the women had power to legislate for men, there can be but little doubt that the scales would be turned against

men, who by their looseness tempt women into sin, and then punish them by exposure with a view to their own selfish convenience. Anything more outrageous to the decencies of Hindu, and we believe true English, society as well can not be conceived. The Act carries its own condemnation on the face of it, and now that the kept women are to be excluded, and the hospital accomodation is insufficient for the large number of poor diseased women, we hope that the Government will retrace its steps, and acknowledge for once its mistake.

THE paper read before the East India Association by Lord Stanley of Alderley, advocating the establishment of a Court of Appeal for the grievances of the Native Princes and Chiefs of India, sets forth within its small compass the leading outlines of a reform which we have for a long time pressed upon the attention of Government. The relations of Native States with the Paramount Power can never be satisfactorily adjusted, as long as the Foreign Department of the Government of India is at once the accuser and the judge in its own casue. For once, and for once only, was this tradition departed from in the case of His Highness Malharrao, but the liberal views which suggested the departure to Lord Northbrook were not adhered to to the end in the same spirit, and the noble experiment thus proved a disastrous failure. Now that Lord Stanley's earnest advocacy has made an impression upon some of the foremost Indian statesmen in England, we trust the suggestion made in this paper will bear fruit. Our own impression of the matter, however, is that no Court constituted in India will be tolerated by the instincts of the Foreign Department, or will prove strong enough to resist the influences brought to bear upon it in the name of prestige. The only practicable solution of the problem consists in our view in constituting a Political Committee of the Privy Coun-

cil in England, to work side by side with the Judicial Committee, and to supplement its functions. The Judicial Committee, it is well-known, decline to interfere in state matters. The so-called state matters, in too many instances, have really no political significance, and are too often disputes between feudatory states, or the rival rulers of such states, or are mere executive measures, suggested by the wants of the finance department, and the connection of the Paramount Power is represented by its taking up one of the sides upon imperfect information, or by pushing its claims in sheer contempt of guaranteed treaty and customary rights. The salt and opium negotiations now going on with several of these states afford an instance where, in its own interest, the British Government in India will be benefitted if the aggrieved states were allowed recourse to an independent tribunal. Its motives will be better understood, and its policy more widely appreciated by a free discussion of its dealings with the feudatory states. We can not pursue this subject further in this place and hope to recur to it more at length in another issue.

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A desire has been expressed by several European and Native well-wishers of the Poona Sarvajanic Sabha, that its proceedings should be published regularly in the form of a quarterly publication so as to be easily available for purposes of reference. The Managing Committee of the Sabha have accordingly resolved to try the experiment of such a periodical publication of the proceedings of the Sabha. Besides publishing the proceedings, it is proposed to take advantage of such a publication to insert independent communications, reviewing and discussing the more important political questions of the day. There are many topics upon which public opinion has to be created and formed before any formal action can be taken in respect of them by the Sabha. Such topics will find a fitting place in the independent section of the proposed quarterly journal.

The services of a competent Editor have been secured and contributions have been promised by many writers of established reputation.

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As the Sabha has undertaken this work at considerable risk and expense and as the publication will supply a long-felt want, the Managing Committee of the Sabha trusts that the public and the Princes and Chiefs in India will give their most cordial support to the scheme.

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All communications should be addressed to Mr. Sitaram Hari Chip- lonkar, Editor and Manager of this Journal.

SIVARAM HARI SATHE,

Secretary Poona Sarvajanic Sabha.

THE
QUARTERLY JOURNAL

OF THE

Poona Sarvajanic Sabha.

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PROCEEDINGS OF THE SABHA.

REPRESENTATION ON THE FOREST REGULATIONS.

No. 213 of 1880.

SARVAJANIK SABHA ROOMS,
NAGARKAR'S WADA, NEAR VISHRAMBAG.

Poona 9th September 1880.

To,

J. NUGENT ESQUIRE.

SECRETARY TO GOVERNMENT REVENUE DEPARTMENT

POONA.

Sir,

We have been directed by the Managing Committee of the Poona Sarvajanic Sabha to submit for the consideration of His Excellency the Governor in Council the following representation upon the rules framed under Section 41 of the Indian Forest Act No. 7 of 1878 published in the Government Gazette of the 12th August 1880 with the view that in consideration of the hardships and obstruction which some of those rules are likely to inflict upon the people on the occasion of the transit of timber and other forest produce within the districts of this Presidency, His Excellency the Governor in Council may be pleased to reconsider and modify these rules to such an extent as may be deemed necessary in the general interests of the public.

The Sabha is fully sensible of the necessity of enforcing a strict system of Forest conservancy in this Presidency, and although it has on several occasions represented the extreme hardship of sudden and large extensions of the areas of reserved village and protected forests, without due provision being made for the customary rights of grazing and common enjoyed by the villagers as also for the necessities of manure of dry leaves and brush-wood, required on poor soils for rice and other cultivation, it has been at the same time prepared to appreciate fully the measures recently taken by the Government to protect the country from the injurious effects of over cultivation and denudation of forests stimulated by the Revenue Settlement Department. The rules under consideration, however, appear prima facie not to have been framed so much in the interest of conservancy as with a view to secure a larger revenue to the Forest Department. The published accounts of the Department for the eight years ending

	Receipts.	Expenditure.	Profits.
1871-72	1169048	583238	585808
1872-73	1146405	713649	432 56
1873-74	1188635	706456	482229
1874-75	1237243	823524	413719
1875-76	1248448	783609	464839
1876-77	1226026	831694	394332
1877-73	1261528	858301	403227
1878-79	1181574	999158	182416

with 1878-79 (as per the tabular statement given in the margin) show an average surplus of income over expenditure to the extent of four lacks per annum. The year 1878-79 was an exceptional one from several causes such as decreased de-

mand for timber owing to hard times, and increased or extraordinary expenditure in the direction of protection and conservancy, which combined to diminish the profits from the administration of the Department. These causes are, however, temporary in their nature. Under these circumstances the Sabha hopes that the interests of revenue, which as the tabular statement shows have been already fairly secured, will not be allowed to override all considerations of the convenience and necessities of those classes of people who are likely to be prejudicially affected by these rules.

2. Rule 2 lays down the routes by which alone timber and other forest produce shall be moved into or from any of the districts in this Presidency. With regard to this rule the Sabha submits that timber as defined by Section 2 of Act 7 of 1878 includes all kinds of trees, bamboos, stumps brush-wood and all other wood, and forest produce includes mineral surface soil, grass, peat, canes, creepers, reeds, leaves, moss, flowers, fruit-roots, juice, barks, gum, bones, horns, silkworms, Cocoons, wax, honey, lac, catechuc, wood oil, grass oil, and other produce. The enumeration here made will show at once the hardship which this rule is likely to cause in its strict enforcement to many hundreds of people living in the vicinity of forests. The rule does not apply to the removal of these articles from Government Forests alone but refers to all forests, whether reserved or protected or not, and belonging to Government or private owners. Government has of course full right to impose any restrictions it deems necessary upon the produce of its own forests, before it is removed from the limits of the same, but the rule goes further and authorizes Forest Officers to interfere with the people far from the forest limits and to require them to go by particular roads which might not be the shortest or most convenient. Every villager bringing for his cattle or sheep leaves or grass by any but the prescribed roads will be arrested by the Forest Officers under these rules, and the inconvenience and the abuse of power which will follow in consequence can easily be imagined. Even in 1878 when there were no such rules, as many as 2,541 persons were prosecuted for forest offences and 13,056 rupees were levied as fines by the Department. The number of such prosecutions and the amount

of such fines will be increased out of all proportion under the new rules, and for every single person actually prosecuted there will be ten persons unjustly interfered with, harassed and delayed by the subordinates of the Department. There can be no objection for imposing prescribed routes for the removal of timber proper from Government forests but in regard to the minor forest produce the Sabha submits that no such restriction need be placed as the revenue likely to be secured will be slight and out of all proportion to the oppressive character of the rule.

3. That these rules have been framed in the interests of revenue becomes clear from rules 3 and 9 which require, that for the removal of timber and forest produce as defined above a fee shall be paid and pass taken by all persons. The only exemptions allowed under rule 3 are (a) where the timber or forest produce belongs to Government and when it is removed within the limits of the village where it is produced, (b) when being private property it is removed in quantities not exceeding one head load once in 24 hours. It will be at once seen that the exemptions are utterly insufficient to provide for the daily wants of the village and town population in the Mofussil. A head load once in 24 hours of leaves grass, or firewood and such other things cannot suffice for the daily wants of a single person owning one sheep or cow or bullock, much less for a family having to feed a number of cattle, and in too many cases the restriction of the village limits will be found highly inconvenient especially in those parts of the country where the villages are scattered hamlets with limits ill-defined. The imposition of a fee and a pass in addition to a prescribed route cannot fail, if rigorously worked under Rule 14, to stop all traffic or to add considerably to the existing burdens of imperial, local and Municipal charges. In too many cases the fee will be a daily poll tax upon many thousands of persons. The interests of conservancy do not require any such imposition and the new burden will be felt most grievously by those classes who require the greatest protection and who are unable from ignorance and poverty to resist oppression. The Sabha accordingly submits that like rule 2, rules 3 and 9 may be so modified as to apply to the removal of Government timber alone.

4. Rules 5 to 8 refer to the import of timber and other forest produce by land from beyond the frontier of British India. In framing these rules it does not appear to have been sufficiently considered that the limits of British India in all parts of the Presidency are intermingled with Native States such as the Gaikwar, the Nizam, and the Southern Maratha States. No arrangement appears to have been made with the Chiefs of these States for the issue of foreign passes and marks, and it will not be easy to make or carry out such arrange-

ments in all points where the frontiers of British India meet or are broken into by those of Native States. The system of fees contemplated by these arrangements will revive all the evils of old transit (*Thal Mode* and *Thal Bharit*) duties which 40 years ago the British Government took such pains to abolish in its own territory and in those of the Native States.

5. It may be observed in this place that rule 6 empowers the conservator of forests to levy a fee upon storing timber and other forest produce in depots and allowing laden carts or loads or cattle to stand or be deposited in such depots. Section 41 does not appear to contemplate the levy of any such fees in its clause E. The levy of any such fee would, therefore, appear to be illegal as the law stands and the rule will have to be modified accordingly.

6. Rules 15, 16 and 17 contemplate the establishment of depots for certain purposes to which timber and "*forest produce*" will have to be taken for examination. These depots will be as a matter of course established in only a few places as the charge of establishment will necessarily impose a limit upon their number. No great hardship will follow in requiring timber and such other valuable produce to be taken to such depots for examination, but the imposition of this restriction will be highly inconvenient in the case of inferior articles such as brush wood, leaves, grass, roots, flowers, gum, &c. and the Sabha accordingly submits that the operation of this rule may be restricted to the more valuable Government timber on the same principle which has influenced the Government in limiting the operation of Sections 21, 22, 23 and 24 to timber of large scantling.

We have the honour to be,

Sir,

Your most obedient servants,

SHIVRAM HARI SATHE,

Secretary of the Poona Sarvajanic Sabha,

S. H. CHIPLONKAR,

Honorary Secretary of the

Poona Sarvajanic Sabha.

REPRESENTATION ON THE GAME PRESERVATION
BILL.

SARVAJANIK SABHA ROOMS,
POONA, 11th DECEMBER 1880.

To,

THE UNDER SECRETARY TO GOVERNMENT
LEGISLATIVE DEPARTMENT.
BOMBAY.

Sir,

We have been directed by the Managing Committee of the Poona Sarvajanic Sabha to submit for the consideration of His Excellency the President and the Members of the Honorable Legislative Council the following observations upon Bill No. 4 of 1880 which passed through its second reading on the 20th September last and is now awaiting the final consideration of the Council.

The Sabha, though fully alive to the importance of the many considerations which suggested the introduction of such a measure, nevertheless expected that the deliberations regarding the same would allow a sufficient time for securing detailed information from all quarters, official and non-official, as regards the alleged necessity and practical possibility of efficient protection in the direction proposed, consistent with the due conservation of other interests. They regret, however, to state that the public were disappointed in this reasonable expectation. To the rapidity of procedure were added long delays and irregularity in the publication of the proceedings. The Bill was read for the first time on the 31st August last, but the proceedings of that day were not published till the 27th September or four weeks after. The second reading took place on the 20th September or a week before the public were informed of what had passed at the first meeting, while the proceedings of the second reading were not published till six weeks after that date. The second reading of the Bill came on within three weeks after its first reading and within a week from the submission of the Select Committee's report to the Council, although many important additions and changes had been made by the Select Committee in the original draft Bill.

The Select Committee do not appear to have sufficiently considered the details of the Bill, the Hon'ble Mr. Ashburner who is in charge of the Bill having admitted in the course of the second reading that the schedule of the animals, birds, and fishes to be protected as well as of their various breeding seasons had yet to be prepared and placed before the Council. The Sabha submit that in the absence of this

essential information, the Hon'ble Council were not placed in a proper position to deliberate upon the merits of the Bill as a practical measure of legislation; and that the Select Committee would have in this instance usefully followed the example of the English legislature had they collected evidence from experts upon these and other points before submitting their report which was to guide the Hon'ble Council in the consideration of the measure at the second reading. One effect of this rapid progress and want of information was that the Bill, during its second reading, encountered more opposition from official and non-official members than what it was reasonable to expect after its principle had been in a manner admitted by the great official majority at the first reading. His Excellency the Commander-in-Chief, the Honorable the Advocate General, and the three native and one European non-official members, and to some extent the Honorable Mr. Ravenscroft, appear to disapprove various clauses of the Bill, the opposition of some of them going to the very root of the measure under consideration. The result of this opposition was that the Honorable member in charge of the Bill had to yield his ground on many important positions and consent to compromises which among other objections (as will be shown in the sequel) will seriously affect the success of the Bill as a practical measure. This might have been avoided if the Select Committee had secured the necessary information by examining reports and prepared the Schedules before submitting its report to the Council. This work will now have to be done over again before the third reading could be moved for. In other words, the Bill, after its several renewals and compromises which the Honorable Member in charge of it was compelled to admit to be necessary, will become so fresh and new, that it will be only fit to be read and considered *de novo*, instead of one which had in all important details met with that mature consideration to which all legislative measures should be subjected before they are allowed to pass to the final reading.

Examining the Bill on its merits as it stands at the close of the second reading, however, it appears to the Sabha that any law intended to restrict or interfere in any way or to any extent with the treatment of game or other animals, or fish, on the part of the owners and occupiers of private lands, rent-free or otherwise, assumes a right never before possessed or claimed by any Government of India, and seriously interferes with the free and full enjoyment of landed property by the people. Notwithstanding the honorable intentions of Government, both art and nature have during the past forty years tended to retard the progressive increase of the value of property in land through unequal and heavy taxation in various shapes, the rigidity exercised in the collecting of the revenue, scanty rain-falls and famines followed by refusals and delays in granting remissions. The forest rules depriving the land holders, for the first time in the his-

tory of the country, of property in trees grown by themselves on their lands, have further deprived land holders of the fruits of their investments. And the introduction of the novel law that a man is not at liberty to kill wild animals found on his lands, but he is to be punished if he does so, would be tantamount to a further deprivation of rights and privileges which form some of the essential elements of private property in land. This complaint of the Sabha is not imaginary and is not met by section 5 of the Bill which apparently allows land holders to adopt measures "necessary or expedient for protectig their crops against injury or destruction by game." The District Officer, one of whose qualifications, according to the high authority of the Hon'able Member incharge of the measure, is a special fondness of the chase, is to be the judge of what is "necessary or expedient" and to decide between the rival claims of the land-holders to kill and of the game animals to live on private lands. The decision of the conflicting claims is to be left in the hands of interested parties. Indeed the expectations of the Executive Government as to how a zealous District Officer is to acquit himself in the performance of this new branch of his duty is pretty fairly indicated in the explantation of the Hon"able mover of the measure who has stated in Council that "section 5 has been purposely rather, loosely worded" so as to enable District Officers to decide what measures are "necessary and expedient" for the protection of landholders' crops against the ravages of wild animals. In this novel duty the District Officers are to be aided by the activity of the Police and the forest officers and of his own subordinates, helped by a host of private informers, who are all to be further stimulated by special rewards (vide last section.) for the detection of any interference with the legally protected wild animals. If a cultivator wishes to rid his field of the pests which will, under the proposed protection, multiply and devour his crops in or out of the close season, he will have to face all these checks against self-protection and prove his innocence before the multitude of censors and informers who will be let loose on him from the half starved village mahar upwards; or to cut the Gordian knot by a buksheesh or black mail to escape being constantly harassed by threats, or from being actually dragged before the magistrates, not always to answer for an actual offence against the game law but often to prove his innocence with respect to the dead body or remains of a game animal discovered by the reward-seeking informers on his lands. That these fears or predictions are not imaginary will be admitted by those who know the helpless condition of the masses and the way in which they suffer under the forest and other similar laws already in force. The Sabha beg that whatever may be the ultimate decision on this representation, the Council will decline to pass any

game or close season law giving power to the executive to impose further restrictions on profitable investment in land and on the free enjoyment of all the rights and privileges inseparable from landed property according to the immemorial customs and usages of this country by prohibiting at any time of the year the destruction of wild animals by land holders on their own lands.

That the exemption of the private and occupied lands from the proposed law may render that law inefficient, is no fault of the landed proprietors, but it is the inevitable consequence of the over-legislative character of the measure. That there is no legitimate necessity of any law on the subject will be shown in the course of the Sabha's observations on the objects and reasons given by the Hon'ble Member in charge of the Bill as gleaned from his speeches before the two meetings of the Council. These objects and reasons are:—

I That fish, game-birds, and other animals used for food are being gradually exterminated throughout this Presidency, thereby diminishing the supply of animal food required especially for the increasing European population.

II That the plague of rats which destroyed the crops in some districts last year was the result of the extermination of some of the animals which were in the habit of preying upon them.

III That if the extermination of game is to be allowed "what is to become of the District Officers who are dependent on the game of the country for their daily food and for relaxation from the arduous duties of office?"

IV. "That a Shikar test is one of the most important qualifications of District Officers, as it teaches them to ride without which it is impossible for them to carry on their important duties efficiently."

V. "That without the opportunities offered by Shikar or shooting, it is impossible for District Officers to meet the Natives of the country on terms of equality and intimacy and to arrive at any real knowledge of the manner and customs of the people and their habits of thought."

VI That the native gentry of the country complain of want of occupation in consequence of the gradual disappearance of game.

VII That the Madras Government has anticipated us as regards legislation on this subject.

As regards the first reason, the diminution of food derived from game or wild animals is the necessary consequence of the increase of population, the extension of cultivation, and progressive civilization. The occupations of hunting wild animals and of cultivation of the soil are antagonistic to each other. The hunter and the husbandman have always necessarily trenchd on the avocations and interests of each other, until at last the extended operations of the latter under the protection

and indeed the necessities of a settled form of society, have had the result of the loss of occupation of the former. A successful attempt to revert or to check this law of nature by specially protecting and preserving game that it may be more generally available for hunting and eating, must inevitably prove detrimental to the produce of the soil, as the animals usually hunted for food live on the fruits of the labors of the neighbouring husbandman. In considering the desirability of the flesh of wild animals as an adjunct to the supply of man's food, it is well to take into account the quantitative gain and loss involved. The additional supply of food that can be reasonably expected from the most stringent application of the proposed law must prove extremely small as compared with the loss of that derived from the soil. Moreover, it will be a gain sought on behalf of the very few at the loss of the many. The real motive which underlies this novel legislation is not denied. A welcome variety and addition of the animal food specially prized by the increasing European population has to be secured, and in endeavouring to gain that object, the inevitable sacrifice of the food prospects of the rest of the population has apparently been lost sight of. The result is that the luxury of one in a thousand is sought to be supplied to the detriment of the actual necessities of life of the remainder. The Sabha respectfully submit that the unsupplied luxury of even the increasing European population which does not amount to more than one thousandth part of the entire population of India, is an evil,—if indeed it is an evil—infinitesimally small compared with the one which will be brought into existence by the protection of game animals necessarily living or thriving on the produce of the soil or food of the great bulk of the people. The Sabha humbly disclaim any special qualifications to propound the first principles of legislation in the presence of the learned and able body of legislators of the Presidency, but it may be submitted with due deference to these high authorities, that the supposed needs of the very few do not deserve to be supplied by special legislation, at the sacrifice of the immemorial rights and necessities of the bulk of the population. Indeed the Sabha take liberty to contend that what is called in the Council the carnivorous or the European portion of the people require in reality no additional supply of animal food. It has been proved both practically and scientifically that in this tropical country Europeans consume more animal food than is either necessary or good for them. What is necessary in a given quantity in colder climates is shown to be prolific of evil in the hotter countries. It is true that even acquired habits do not admit of a sudden change, but if the supply of what is redundantly consumed is found to become gradually less, is it not wiser rather to try and accommodate ourselves to this gradual substitution of good for what was evil, than to invoke help from the legislature of the country to make up the diminution and thereby perpetuate the evil? However,

if there be room for a difference of opinion on this point, an endeavour to increase the production of butcher's meat would seem to be a more natural remedy, and one fraught with less evil than that now before the Council. The increased extent of land devoted to forests and the asserted increased demand for meat would appear to suggest such a less objectionable means of supplying the want. Sheep farms and other meat-producing establishments on more extensive scales than have been hitherto undertaken by capitalists ought to prove profitable if there be any truth in the alleged increase of demand for animal food, and it is already in the power of Government to encourage such enterprises by throwing open their extensive forests as free grazing lands for the domestic animals of the people.

With reference to the second reason that the plague of rats was the result of the desertion or extermination of animals which were in the habit of preying on the rats, it is a reason which it is not easy to meet, because the giver of it has not been pleased to specify the game animals which he proposes to protect and which are known to prey upon and exterminate the rats. If he can name these, they deserve to be absolutely protected all the year round and not only during their breeding season. In that case the importance of the subject demands the introduction of a separate Bill all to itself like the Madras Bill or Act regarding the elephant, which is protected by law in Madras and other parts of India not as a food supplying animal or one useful for being hunted but as a draft or pack animal so very useful for commissariat and other purposes.

The third reason given is that the paucity or absence of game deprives the District officers of "their daily food and relaxation from arduous duties of office". The Sabha submit that the administrative reforms or changes of the past twenty years have had the result of taking the European executive officer into the remote parts of the country much less frequently than before, and the charge of the Talukas so situated is usually held by Native deputies. It is, however, a well known fact that the people of villages which are frequently visited by European officers find it profitable to rear a stock of poultry and also sheep and goats, wherever these can be reared, and they are to be found in the country in sufficient quantities to supply their wants, and that at cheaper rates than at head quarters. If there be any isolated spot entirely bereft of such supplies, a stock of preserved provisions can always be made available. Indeed the comparative costliness of such European supplies, said to be necessary for the Europeans serving in this country, forms one of the reasons assigned for their comparatively high salaries and allowances. The Sabha, therefore, hope that the Council will not consent to pass a novel law detrimental to the interests of the great bulk of the people in order that the Euro-

poor officers of Government may freely victual themselves from game to be bred for them on lands held by the people. As for relaxation or recreation, the extensive Government forests afford ample grounds which could be utilized for that purpose if necessary, and it is hoped that this object, eminently desirable, as it may be on its own great merits, will not be seriously insisted upon as one which should be attained at the sacrifice of the greater interests at stake.

The fourth object sought to be secured by means of this legislation is the inducement or encouragement which a country, well stocked with game is sure to offer to the District officers to learn to ride well, an art which it is necessary they should cultivate in order to carry on their duties efficiently. The Sabha begs to state that it yields to none in its appreciation of the greatly enhanced value of an executive officer who can ride well and hunt well. But it is respectfully and earnestly submitted that if the high sense of duty of European officers fails to induce them to acquire these valuable and indeed indispensable qualifications, the same can be secured perhaps more efficiently by the adoption of less objectionable means. It can be made compulsory on candidates for executive offices to pass a prescribed test in one of the army riding schools, and in order to ascertain that they keep up a certain amount of proficiency in the useful art, small prizes may be offered to be periodically competed for during a certain number of years of probation by a successful "pigsticking" or boar hunting. This will, moreover, be a very useful test of good physique and personal courage of the District officer, just as the departmental examinations are of his progressive knowledge of office business. It will also incidentally tend to the diminution of the number of the wild hog at present so destructive to the crops of the people, and thereby confer a positive boon on them in the place of the injury to their crops which must inevitably result if game animals be allowed to breed and thrive on the land even for a season unmolested.

Fifthly it is urged by the promoter of the Bill that "without the opportunities afforded by Shikar or sporting, it is impossible for District officers to meet the Natives of the country on terms of equality or intimacy, and to arrive at any real knowledge of the manners and customs of the people and their habits of thought." The Sabha admit most respectfully that it is somewhat puzzling and astonishing to read this assertion made in all the seriousness of a legislative debate in Council, because while their own knowledge and experience convinces the members of the Sabha that the facts are quite the reverse, they feel some delicacy and even misgivings in attempting to state the case candidly from the Native point of view. A native of India must generally run the risk of being misunderstood if he tries to express his views and opinions on the causes of ignorance of what is called

" his manners and customs and his habits of thought," on the part of the rulers of the country. The Sabha, therefore, content themselves by briefly assuring the Council that one of the fruitful sources of misconception of the Native character is the proneness on the part of the European District officer to generalize from his knowledge derived from some of the lowest class of natives he meets with in his excursions through the country. Unfortunately the natives of India have for centuries ceased to be sportsmen by habit or custom, and the disarmament which is enforced against them as a class, will always throw fresh obstacles in the way of their acquiring to any appreciable extent the tastes of the huntsman. It is, therefore, simply impossible for the District officer to meet with and cultivate the acquaintance and friendship of men likely to improve his knowledge of the character of the people of the country during Shikar. If any large number of such officers believe that they have come into possession of such knowledge from their intercourse with the class of natives who usually come in contact with them during their Shikar excursions, one fruitful cause of erroneous impressions on their part is explained. The Sabha beg, therefore, to point out that so far from possessing the merit of bridging the gulf of ignorance between the two races, the Bill, if passed for this among other reasons, will have the mischievous effect of an authoritative sanction to a prolific source of wrong conception regarding the character of the natives on the part of a most important body of European public officers.

The sixth reason given is the alleged complaint of the native gentry that with the gradual disappearance of game animals they have lost the one congenial occupation they had. There is no doubt that some visitor to a District officer may have tried to flatter the sporting proclivities of his host by declaiming on the absence of opportunities for showing his own prowess in that line. The argument, however, is only plausible. If the gentry of the country had really felt the paucity of game animals and wished their stock to be increased by such means as are now proposed in the Council, the Native Princes, Jagagirdars, and extensive landholders, who still survive, would have proved the genuineness of their wishes by spontaneously setting apart game preserves on their estates like the Ameers of Sind, but none of them have yet done so. The Sabha can state from a knowledge of the wants and wishes of their own countrymen that no important section of the Native population have any wish whatever that the game animals should be protected by law absolutely or at any time of the year, as they have reason to know that it is impossible to do so without detriment to the landed interests and food prospects of the people generally.

The seventh reason that the Madras Government has anticipated us in this matter by means of a special act protecting wild ele-

phants, is equally inapplicable. There and elsewhere the elephant is protected by law not for food or pleasure of the huntsman, but to meet the increasing demand for that useful species of draft and pack animals for the public service. The Sabha would here beg to point out that in no part of India has any attempt been made to preserve by law the game animals in the manner now proposed in this presidency; and rather than allow the Madras Government or any other administration to anticipate this Government, the Council is asked to pass a novel statute on a subject which all the other Governments have hitherto feared or at least have not been bold enough to approach. To pursue the line of argument adopted by the mover of the Bill, the Sabha beg to submit that it is safer and wiser to doubt the practicability and usefulness of a measure which has not yet been thought of by the administrators of so many sister provinces very similarly situated, and to leave the Supreme Government to take the initiative in the matter.

The Sabha beg in conclusion to submit a few observations on the impracticability of the proposed law. It appears to the Sabha, for the considerations set forth below, that the Bill as now amended can never possibly be worked with practical efficiency. The information which the Sabha have been able to secure in regard to the breeding seasons warrants this conclusion and the expression of a hope that under the circumstances it will be found necessary to abandon the Bill. We have endeavoured to collect information in regard to the breeding seasons and other facts relating to about 57 birds and about 28 wild animals to be found in this part of the country and which are used for food by various classes of the people.

This information shows that taking either the animals or birds there is not one season during which a great majority of them can be said to conceive or breed, and that no close season can be fixed for the preservation of animals and birds valued either as Shikar or as food. If the Bill is really to attain its objects it will be found necessary in the case of the more valuable animals to prohibit killing at all seasons which is as far from the original intention of the mover of the Bill as it well can be; and it is hoped that no measures proposing their preservation in all seasons will ever meet with the approval of the Council. For instance the antelope deer which is valuable both as Shikar and as food conceives at two different seasons in the year, once in May and again in November, and the young ones are born about four or five months after conception; that is to say the female antelope will have to be protected all the year round which period is covered by its two breeding seasons. The hares and rabbits which are also valuable for Shikar and food purposes have no particular breeding season. They conceive twice, generally first in September and October and again in January and February, and the period of pregnancy is about 2½

months which would thus represent nearly the whole year if their close season is to be fixed so as to cover the whole interval of their half yearly conception. Among the birds also it will be noted that the partridge species valuable as small Shikar and food conceive twice, first in June and again in November, and lay their eggs in about a month after their conception, and a month or two more is necessary before the young ones leave the nest or shift for themselves. The duck species again also conceive twice; first in April and again in August. Of the 57 species of birds about twenty breed between March and May, about 15 in June and July, about 15 more breed in September and October, and about half a dozen in December so that some species or other of birds breed at nearly every season of the year except perhaps January and February. The protection will, therefore, have to be extended to at least ten months in the year, if it is to be efficient for the purposes intended, and as the Shikaring season is in the winter, when the European officers are out in the districts, the conservation and enjoyment of Shikar and the protection of birds during the breeding season cannot both be attained. The consideration of these facts will, it is hoped, convince the Hon'ble Council that the measure to be effective for either one or other purpose must be made more general and applicable to all seasons, which object cannot be obtained by the present close season Bill.

Another circumstance which seems to have been not sufficiently attended to in the discussions that have hitherto taken place, is the fact that many species of birds which are killed by Shikarees for sport and food do not breed in these parts but are annual visitors from Northern India and places beyond the sea. They have thus no breeding season proper during their stay in these parts, and yet if the principle of protection be sound, they are as much entitled to it as any of the home breeding birds. The bird called (बोहे) of the same species as the domestic साऊकी (gramla Religiosa), a species of crane called करकोच्य, a yellow sparrow called पिचक, a bird called तास (Roller), another named Papaya (पापया) and several others such as सरस and चक्रवा, all belong to this description of migratory birds which come during the harvest season and retire when the fields are bare. The Gazetteer volumes for Gujerath, which have been published by the Revd. Mr. Fairbank, notice this circumstance regarding the migratory birds, some of which it is stated breed far in the North beneath the snows of the Himalayas. The difficulty of distinguishing these from home birds which breed in the country is almost insuperable, and to require the Shikari or the Snarer to shoot one with impunity and be punished for hunting another, will introduce confusion and lead to abuses which will defeat the main end of the proposed legislation.

This difficulty of distinguishing the different species of birds and the determination of their different breeding seasons is, however, by no means confined to these migratory birds. The subordinate Magisterial, Police and Forest authorities, who must be entrusted with the working of the law, cannot be expected to study ornithology, and without such study it will be impossible for them to mete out justice in individual cases of poaching or other breaches of the provisions of the Act. A mere statement in a schedule of the names of birds and animals and their various breeding seasons will not suffice to secure a general acquaintance with the necessary details, and as a consequence of ignorance the Act will be either not worked at all or worked indiscriminately so as to prevent all sport or professional snaring and Shikar except to the District Officers.

The next question which will also create considerable confusion relates to the principle on which the exclusion or inclusion of birds and animals from the schedules can be based. The principle avowed in the Bill makes the test to be that the game bird or animal should be one which is hunted by Shikarees and used as food. Different classes of people have their prejudices or likes and dislikes for different kinds of animal and bird food. Europeans have no prejudice to the flesh of the pig or hog, while with the Musulmans the flesh of these animals is a great abomination. The wild tribes in this country, Bhils, Vadarees &c. have no prejudice against many living and dead animals such as wild rats, fox &c, for which Europeans and the better class of Natives who eat flesh feel great abhorrence. Any distinction on this head cannot fail to be arbitrary and one-sided and therefore, unjust. This circumstance will introduce another element of confusion which will be found very embarrassing in the practical settlement of the schedule of protected birds and animals.

Another difficulty which will in the opinion of the Sabha be found insuperable in the practical working of the Act arises from the amendment suggested by His Excellency the President at the second reading and accepted by the Hon'ble Colonel Anderson and the Hon'ble the mover of the Bill, in restricting the localities to which the Act is to be made applicable to Government forests and Government waste lands. If these areas were easily distinguishable from the cultivated lands and were sufficiently separated from them, the amendment adopted would have been found serviceable. As a matter of fact, however, the forest areas under the recent extensions and much more the waste lands belonging to Government are everywhere intermingled with and not easily distinguishable from the cultivated lands except in hilly and sparsely settled districts. It will be found impossible to prove in each case whether the animal or bird hunted or shot down was killed within the limits of the reserved areas or the cultivated lands in their vicinity. So far as the largest areas of

forests are concerned they are sufficiently protected by section 24 clause 9 and section 31 clause 9 of the Forest Act, which prohibit hunting, shooting, fishing, poisoning, setting traps or snares in forests areas under a heavy penalty. To extend these provisions to the smaller forest areas reserved under the recent notifications and to waste lands generally would greatly circumscribe the rights of the cultivating ryots in their neighbourhood. It would offer Police and Forest subordinates opportunities to abuse their powers and drag innocent people before magistrates, who on their part would find it difficult to determine whether the alleged offence was committed within the protected or nonprotected localities. Even as it is, there were loud complaints from Indapoor and other places last year that hogs and jackals made havoc in the Ryot's sugarcane and other plantations. This evil would greatly be aggravated if every small piece of waste land was to be turned into a game preserve and protected by law. The area of waste lands in this Presidency has been estimated to exceed 2 lacs of acres being about 1/10 of the occupied arable land; and the total area of forest lands reserved and protected was, even before the recent extensions, 13,618 square miles, or nearly 1/10 of the area of the whole Presidency. It will be thus seen that it will be impossible to work the Act properly with the new limitations adopted at the second reading, and to seek to work it out without them would involve still greater hardships to avoid which these limitations were introduced at the second reading.

The Committee of the Sabha accordingly submit that for the several reasons stated above, namely (1) that any game law restricting for the purposes stated the land-holders' right to deal with wild animals found on their lands at any time and in any way they may judge expedient or necessary, is an unwarrantable invasion of the immemorial rights of property in land, as recognized and enjoyed in India, and not one of the reasons assigned for passing such a law would stand the test of a dispassionate examination; (2) that there is not one general season applicable to all localities and all animals and birds during which the majority of them can be said to breed; (3) that in the case of antilopes, hares and rabbits and several birds the period of conception and breeding being repeated twice or more covers the whole year; (4) that many species of birds valued for sport and food do not breed in these parts but only temporarily visit this Presidency during winter or the harvest season; (5) that it will be impossible for the Police, Forest, and other subordinates and the Mofussil Magistrates entrusted with carrying out the law to distinguish between the different varieties of birds and to take due note of their various breeding seasons or of their migratory character; (6) that there is no general agreement as to the animals and birds useful for food among the flesh-eating classes and tribes and no just distinction can be made

between their likings and dislikings on which protection can be extended or refused; (7) that as the forest and waste land areas are intermixed with the cultivated lands it will be impossible to find out whether the alleged offence was committed on protected or unprotected land; and (8) so far as the forests are concerned sufficient protection is already secured by sections 24 and 31 of the Forest Act :—for these and other reasons the Sabha pray that the Hon'ble Council will be pleased to abandon the proposed legislation at the third reading of the Bill. It is already in the power of the Executive Government under the Forest law quoted above to turn the large forest areas which are at sufficient distance from cultivated lands into permanent sanctuaries for all wild animals and birds during all seasons. A careful exercise of this power will not fail in a few years to augment the stock of game animals and birds within the preserved areas or sanctuaries to such an extent as to compel the increasing surplus numbers to roam over the surrounding country offering opportunities now desiderated by sportsmen and others to hunt and to secure an increased supply of animal food without the help of a game law and without trenching on vested interests of the bulk of the population.

We have the honour to be,

Sir,

Your Most Obedient Servants,

SHIVARAM HARI SATHE,

Secretary Poona Sarvojanik Sabha,

S. H. CHIPLONKAR,

Honorary Secretary Poona Sarvojanik Sabha.

HINDU AND MAHOMEDAN RELIGIOUS ENDOWMENTS.

There are already sufficient indications that among the many questions which will soon come up for public discussion, perhaps the most important will be a measure for the better regulation of religious endowments belonging to the Hindu and Mahomedan communities in this Presidency as well as in other parts of India. It is an open secret that a bill for the better administration of these temple and mosque endowment funds has been for several years past under the consideration of the executive Government in this Presidency, preliminary to its introduction in the local Legislative Council. The connection of the British Government with the religious establishments of this country during the past sixty years presents a chequered story, full of ups and downs, of statesman-like liberality alternating with strangely inconsistent, narrow and un-Christian bigotry, or contemptuous indifference. When the Deccan territories were first acquired from the Peshwa, a proclamation was issued formally guaranteeing the permanent continuance on the part of the British Government of Dewasthana and Dharmadaya allowances and assignments and endowments as they existed under the Peshwa's rule. For many years the native officers of Government personally represented its authority in the direct management of these establishments. Even the Daxana grant was continued, though with an important modification of appropriating it so as to carry out more faithfully the original object of the charity. This state of things continued undisturbed for about twenty years, notwithstanding the agitation kept up by the Missionary organizations which denounced this faithful adherence to the promises of the proclamation as a breach of the first Commandment, and a sinful

subservience to idolatrous worship on the part of a Christian Government. With the rise of the Tractarian and Evangelical movements in England, and the institution of a regular Christian ecclesiastical establishment in India, the spirit of intolerance obtained such an ascendancy, that in 1841 the E. I. Company's Government was obliged to sever its direct connection with the management of temple and mosque endowment funds, which were about this time handed over to temple and mosque committees nominated by Government to represent the interests of the local Hindu and Mahomedan communities. The authorities washed their hands clean of the so-called idolatrous connection, and the several Committees, who were allowed to have the power of filling up their own vacancies, became in a short time almost irresponsible bodies, whose actions could only be questioned in cases of proved fraud by a tedious litigation in the Civil Courts on the part of those who were interested in the faithful disbursement of the endowment funds. The attitude of Government became thus one of complete indifference, while at the same time its absolute instincts held it back from all appearance of concession to popular institutions as a check upon the power of the committees. Another twenty years passed away in this manner, a most eventful period in Indian history, for it saw the rise and the fall of the resumption and annexation policies, and demonstrated, in the glow of the fires kindled by the conflagration of the mutinies, that there was a limit to the subservience and patience of the people of India, who were so passionately attached to their own religious systems, and that the principle of abstaining from all appearance of interference with the religious establishments of the country was a paramount duty of the British Government. In the high tide of aggressive resumptions at home and extensions of territory abroad, the sacredness of the obligation of non-interference was pook-pooed in influen-

tial quarters, and wild suggestions were made for the diversion of temple funds to other purposes, and although the Devasthan lands were continued permanently to a large extent, the Dharmādāya allowances paid to individuals in connection with religious merits or services, and even payments to the smaller religious establishments, were curtailed by the application to them of what are called the amended rules of 1842 for the adjudication of personal Inams and Saranjams. As stated above, the tide turned with the mutinies, and the abandonment of the resumption policy, once for all which was brought about by those troubles, so that when in 1863 the Government of India passed its Act No. XX. of that year with a view to divest itself of the management of certain religious endowments in the Bengal and Madras presidencies, it expressly enacted that the temple and mosque Committees, to whom this management was transferred, should be as far as possible appointed in accordance with the general wishes of those who were interested in the maintenance of the religious establishments. It was further laid down that, in order to ascertain the general wishes of the communities concerned, elections should be held, and that every person was entitled to be consulted who had a right of attendance, or was in the habit of attending at the performance of the worship or service in these religious establishments. As this Act did not apply to the Bombay Presidency, (excepting the North Canara Districts to which it was extended in 1865), the religious endowments in this part of the country have continued to be under the management of the committees appointed on the principles laid down in 1841, and the local Government has steadily refused to recognise the right of the local communities to appoint the members of the temple committees, or to allow any interference on the part of the general public.

It will be clear from this short *resume* of the

dealings of Government with the religious endowments in this Presidency, that while, continuing the grants made by the old native rulers upon a diminished scale, the authorities have deliberately divested themselves of the right of interference with their internal management, and that they have of late freely recognised the right of the local communities to control and supervise the action of the committees to whom the Government transferred its own responsibilities of direct management. This recognition has been more freely made and acted upon in the other Provinces of India than in this Presidency, but even here, the local Legislature has, by extending to North Canara the general law which obtains in the Bengal and Madras Presidencies, committed itself to the further carrying out of the same lines of policy to their legitimate issues. It will be, therefore, not a little disappointing to those who have been anxiously watching the growth of popular institutions and local self-government in this country to find that the absolute and centralising instincts of bureaucratic ambition have sufficiently prevailed with the local Government to induce it to lend its approval to a proposal for regulating these religious endowments on principles which violate all its past traditions of policy. The scheme, so far as it can be gathered from the Draft Bill which has been circulated among the district authorities for an expression of their views, contemplates the creation of a board or two boards, to be called the Hindu and Mahomedan endowment commissioners. Each board is to consist of five commissioners appointed by Government, of whom two at least are to be Barristers-at-Law or High Court pleaders of five years' standing, and three at least are to be members of the Hindu or Mahomedan communities respectively. One of the first two Barristers or Pleaders is to be called Chief Commissioner, and is to be a salaried officer, holding his office during the pleasure of Government. The other Commissioners are to be paid

fees for attendance, and to hold office for four years, but are to be re-eligible for fresh selection. Even the casual vacancies on these boards are to be filled by Government. No government servant, or trustee or manager of a religious endowment, is eligible for appointment as Commissioner. This board of Commissioners will hold their office in the presidency town, and they are empowered to appoint paid agents for the districts to superintend and report upon the action of the local Committees. The board is to prepare a register of endowments in each district specifying the name, object, nature, and value of each endowment fund, the manner of its application, and the names of trustees, managers &c. The board has the right of inquiring directly or through its agents into all particulars of management, and to require the managers to render accounts and is further empowered, to enforce the attendance of trustees and managers for personal explanation when necessary. After these inquiries are completed, the board is to prepare and approve a scheme for the administration of each separate endowment. This scheme is to be notified publicly, and two months' time will be allowed to the parties interested to put in their objections. If any objection is made, the board, after hearing the objector, is to modify its scheme if it deem such modification necessary. The scheme when finally settled is to remain good, and persons who may be dissatisfied with it can only get it altered by an appeal to the District Court. These schemes are intended to determine the manner of appointment and the number of trustees or managers, the persons who are to draw the money, and hold the land in the name of the endowment, the objects on which the money is to be spent, and the respective proportions of expenditure on various objects. Where the whole or part of the income is not required for the original object, the scheme is to determine how the surplus is to be applied to the establishment or support of schools, hospitals, or works of

local public utility. The board is further to have the power of authorising sales, purchases, mortgages, or exchanges of endowment properties, where such transactions may be for the benefit of the endowment. The board is further to have the power of filling up vacancies in the body of trustees &c, and of dismissing them for negligence in rendering accounts, or in performing the duties of their trust. The board is also charged with the duty of watching over the general administration of endowment funds, and advising the trustees and managers in regard to their duties. With a view to provide a fund for paying the salary of the Chief Commissioner and the fees of the other commissioners, as also suitable remuneration to the agents and office establishments, it is proposed to levy a tax on all endowments whose income exceeds 100 Rupees a year. This tax is not to exceed one anna in the rupee, and is to be levied as an arrear of land revenue by the Collectors on behalf of the board. The Government is to appoint auditors to examine the accounts of the board, which must be full enough to show all the details of income and expenditure of the endowments under their charge. Under the general supervision of the board, the trustees of the several endowments are constituted into corporations, with perpetual succession and, a common seal and powers to hold lands, and to sue and be sued. The trustees are to hold office for life, and they have considerable power to nominate, control and supervise the subordinate managers of endowments. They are, however, required to respect all hereditary and other rights of service or worship in the temples, and to keep accounts, and preserve the buildings in proper repair.

These are, in brief, the chief provisions of the Draft Bill which has been prepared by the legal advisers of Government, and although the district authorities who were consulted are reported not to have expressed very favourable views in regard to

the measure, it is certain that some such scheme will soon find its way into the Legislative Council, and if the executive authorities are so disposed, they can, in the existing order of things, secure the enactment of the law upon the lines laid down in the bill. It will, therefore, not be considered out of time or place for us to discuss the merits of the measure sketched above, seeing that it touches most vitally the interests of many millions of people in matters upon which they are peculiarly sensitive. Before, however, we proceed with this examination, it will be of service to have a clear idea of the nature and value of the religious endowments in this Presidency. The details given below are taken from official statements prepared by the Settlement department. They chiefly relate to cash payments made by Government to the different places of worship in the settled districts of the presidency. No similar information is available regarding the lands and villages assigned to the temples and mosques, but the value of these assignments is very considerable, and can not safely be disregarded in any general view of the question. It is further to be noted that some, in fact all the larger ones, of these cash assignments are charged upon the district treasuries, while the smaller ones are charged upon the village revenues. After these introductory remarks the statement given below will be found of great service in the observations we shall have to make further on.

Name of Districts.	Number of endowments.		Value of cash payments.		Total of cash payments.
	District.	Village.	District.	Village.	
Poona	352	1387	41607	2929	44536
Satara	339	1192	13960	2638	16598
Ahmednagar	159	1291	12639	2199	14838
Belgaum	80	350	2940	752	3692
Thana	7022

Name of Districts.	Number of endowments.		Value of cash payments.		Total of cash payments.
	District.	Village.	District.	Village.	
Ratnagiri... ..					17173
Sholapore.	107	886	9267	1613	10880
Khandesh.	319	1181	9850	2153	12203
Nasik.	143	560	25400	972	26373
Kaladgi.	87	702	3785	1283	5068
Colaba.					5480
Dharwar.	277	683	12998	1464	14462
Surat.	269	551	10129	1184	11263
Kheda.	207	1194	5616	2748	8364
Ahmedabad.	241	704	11333	1635	12968
Broach.	145	358	3233	794	4027
	2725	11039	162757	22314	214947

It will appear from this statement that, excluding North Canara and Panch Mahals about which districts no information is available, as also the three Concan districts of Ratnagiri, Thana and Colaba about which the details are incomplete, the number of the district religious establishments which receive Government help are 2725, and of village temples 11039 in thirteen districts, and that the total sum of cash assignments paid from the Government treasury in sixteen of these districts amounts to Rs. 2,14,947. Accepting the limit fixed by Government as distinguishing the larger from the smaller religious establishments, it may be of use to note that the number of temples and mosques which receive more than one hundred rupees as endowment from the Government treasuries is very inconsiderable, being less than 275 in the whole Presidency. The largest payment made to any one establishment is that of Rs. 15,367 paid to the Parvati temple; next in order is the payment made to Trimbakeshwar in the Nasik district of Rs. 11,462; the third in order is the payment made to the establishment at Narsingpore of

Rs. 5,660, and the fourth is the Dakur shrine which receives Rs. 3,407. The only Mahomedan establishments which receive any considerable help from the Government treasuries are to be found in the Nagar and Ahmedabad and Khandesh districts.

These religious establishments of the Hindu and Mahomedan communities in 16 districts of this presidency, which enjoy a cash assignment exceeding 100 Rs. a year derive an income of Rs. 175,000 from Government. Of course, the cash assignments, though they are the principal source of income to these establishments, do not constitute their only resource. The managers of the larger of these establishments hold also Sanads of Inam lands and villages granted by the former rulers for the service of the temples and mosques. The Tulsibag in Poona, as also the Trimbakeshwar temple and the Rangee's temple in the Nasik district, and that of Vithoba at Pandharpore in the Sholapore district enjoy grants of lands and villages from which their managers derive considerable revenues. The Chinchawad Sawasthan has as many as 27 villages with an income of nearly Rs. 30,000 out of which one half is shared among the subordinate members of the Deva family and the other is in the hands of the representatives of the eldest branch of the family in trust for the shrine. In a similar manner the descendents of Tukaram, Ramadas, Bodhalebawa, and many other Hindu and Mahomedan saints have large incomes which they obtain from the Inam lands and villages conferred in gift on their ancestors by the former rulers for religious and charitable purposes. The Shaukeshwar Swami, the Vallabhacharya and Swami Narayan Maharajas, as also many of the Lingait and Vaishnava and Jaina Mathadhipaties and Acharyas hold in Inam numerous villages burdened with similar trusts. Altogether the value of these lands and villages attached to the religious and charitable establishments throughout the country may be fairly estimated at a sum equal to, if

not exceeding, the cash assignments made from the Government treasuries, and the two together will represent an income of about five lacks of rupees a year for the whole Presidency. A third source of the income derived by these religious establishments consists of the votive offerings made by those who attend the daily and occasional celebrations of service in the temples and mosques. The value of this source of income, especially at the larger shrines such as Pandharpore, Trimbakeshwar, Dakur, and similar other establishments, where large fairs are held and many hundred thousands of pilgrims attend from great distances, must be very considerable, though it can not be even approximately ascertained. This source of income constitutes the chief livelihood of temple priests and servants, and many hundreds of persons of this class derive their chief support from these offerings in kind and cash, which thus are not available for the direct service of the temple establishments. About five lacks of rupees a year may safely be credited to this source of income derived by the temple and mosque establishments. Of course we include in this calculation all the temples, large and small, in the country. Nearly every village has its temple or two, and every town, large and small, has its score of temples and mosques, which derive little or no assistance from government in the shape of Inam lands or cash assignments, but depend entirely on the votive offerings of the people.

These facts and figures will furnish a sufficient basis to enable us to examine into the practicability and wisdom of the measure proposed by Government for the regulation of these establishments. The most superficial consideration of their numbers and extent will serve to show that it is almost impossible that any Central Board of Commissioners will be able to manage some nearly fifty thousand temples and mosques in the country. The mere labour

of their enumeration and classification in any official register will take years and years before it is completed. Quite independent of this difficulty, the scheme, contemplating as it does the constitution of a board consisting of five commissioners, of whom only three need belong to the Hindu or Mahomedan communities, will involve an anomaly and a departure from all past traditions to an extent with which popular sentiment both in India and England will never get reconciled. Among the Hindu community, (and to a smaller extent among the Mahomedans also), quite apart from the distinction of the principal castes and their sub-divisions without number, there are many sects mutually hostile to one another whose interests can never be safely entrusted to any set of three men whom the Government will select. There are Shaivas, Vaishnavas, Shaktas and Ganpatyas, Lingaits, Jains, Vallabhâchâryas, Swâmi Nârâyans, Manbhawas, Gosâwees of different orders, Bairagees, Sanyases, Kabirpunthees, Shaik Mahomeds, and a host of others too many to be enumerated, who all are included under the term Hindu. No board of five Commissioners sitting in Bombay or in any central place can possibly hold the balance between these conflicting sectaries, and the idea of entrusting the ultimate management of so many clashing creeds to any central body could only have been conceived by those who are utterly ignorant of the institutions of this country. This idea of centralization is a distinct step backwards, and if carried out, it cannot fail to result in a violent revulsion of popular feeling in matters with which an alien Government can never wisely intermeddle. Besides these difficulties, it is to be further remarked that the bill as drafted does not confine itself to the regulation of those establishments which derive their chief source of revenue from public lands or cash assignments, to which limited sphere alone has the interference of Government been hitherto restricted. The Govern-

ment, as representing the public, can legitimately urge no right to control the action of private establishments which do not claim any help from Government. And even in respect of those establishments which derive any help from Government, the public can only claim a right to regulate the administration of the sums paid from the Government treasuries for the service of the temples. To extend the sphere of this interference to the other sources of income would trench upon the private interests of many thousands of persons, who will have the popular sympathies on their side. These difficulties are so insuperable that we make no doubt Government will be forced to abandon this idea of centralization in any new measure they may adopt, seeing that it is so opposed to its policy of non-intervention and religious neutrality. Perhaps a compromise might be suggested in the shape of having, instead of one central board, separate boards for each division or district, but the difficulties referred to above will come in the way of every such arrangement, and the boards if multiplied, will add fresh vexation and burdens. The proposal to levy one anna in the rupee upon the income of all establishments which receive more than Rs. 100 a year appears to us to have been conceived in a similar spirit of wanton or heedless indifference or ignorance. The Government, after having divested itself formally of all concern with the management of the establishments, can not consistently claim a right to levy any tax upon them, and levy it as an arrear of land revenue without a flagrant breach of its guarantees and pledges. The more important of these establishments are held by the descendants of former saints and religious personages, upon whom such a tax will press with peculiar hardship after they have in many cases accepted the compromise of a settlement offered by Government. As the number of large establishments receiving more than Rs. 100 by way of income is about one

per cent of the whole, the tax of one anna in the rupee, yielding as it will at the utmost between ten and twenty thousand rupees, will hardly suffice to defray the salaries and other charges of the commissioners and their establishments, and their agents.

As if these innovations were not enough, the bill, proposed by Government, empowers the board of commissioners to frame schemes of administration in which the original object for which the endowments were made might be, under certain circumstances, safely set aside at the discretion of the board, and many grants originally made for the support of temple services, or annual celebrations, or the feasting of Bramhins, and the support of Annachatras, might be diverted to other uses, such as the establishment of schools, hospitals, and the construction and repair of public works. Such a power in the hands of a board sitting in Bombay with commissioners of alien faith and sympathy is sure to be abused with the best intentions. Under the stress of famine or other calamities, the temple services will be neglected in order to carry out the prevailing hobbies of unsympathising commissioners. A greater shock to public feeling in a matter on which it is so sensitive and jealous can hardly be conceived. For these and other reasons, the measure under consideration will be the most revolutionary step that Government can under present circumstances venture to take, and if such a measure receives the sanction of the Legislature, the public outcry and discontent it will create from one end of the country to the other will be of a sort the like of which this generation has not witnessed since the days of the religious panic which preceded the mutinies. We have sufficient faith in the wisdom and integrity of the pledges given by Government, and steadily adhered to for so many years, to hope that the authorities will not commit themselves to any such reactionary legislation, or at least that if the measure receives the support of the local

Government, it will be vetoed by the higher power. The existence of a Christian ecclesiastical establishment paid out of Indian revenues is already a standing grievance, but if any measures are adopted to regulate Hindu and Mahomedan endowments while perfect freedom is accorded to the Christian religious and charitable establishments, the invidiousness of the distinction will be an intolerable scandal.

It will be expected of us after these remarks that we should have some counter-scheme of our own to supply the place of the Government measure we have thus far exposed and denounced. We admit that the present condition of many of the larger establishments is far from satisfactory and that legislation is desirable to correct and improve the faults of their management. The reform to be desired does not, however, consist in the direction of centralizing power and increasing official control, but in localising the management, and conferring the powers of control and supervision upon local committees elected by the religious communities on the spot who are interested in the proper disposal of their funds. We have already too many boards and departments, too much of official pressure in every direction, with the fatal result that local management and self-government have ceased to exist. This is the chief blot of the present highly centralized administration. It will be nothing short of a calamity if the temple committees and religious establishments were deprived of their present qualified independence and made way for official agents. The local communities on the spot in all the large towns have surely sense and public spirit enough to take an interest in the management of their own religious concerns, and boards and commissioners armed with special powers to levy, taxes and frame schemes of administration will be resented as nuisance, and lead to no end of mischief. What is felt as a desideratum under present circumstances is simply that the

local committees in all the larger establishments should be selected by the respectable inhabitants of the city or Taluka in which the temple or mosque is situated, and that the smaller ones which receive help from Government or public funds should be joined together, and placed under the supervision of committees similarly elected by the several religious communities of the place. In pressing the urgency of this reform upon the attention of Government, we cannot be accused of asking too Great a concession at its hands. The Court of Directors in 1841 recommended the principle of election by the local communities to the Indian authorities, and both the Government of India and the local Government have definitely accepted this principle in their legislation of 1863 and 1865. There can be no difficulty in fixing the qualifications of electors, for retired Government officers, the village heads, as also persons who pay a fixed amount of land-tax or license tax can be formed into an electoral body to whom the power of choosing the committees or trustees might be safely committed. The existing Local Fund Committees and Municipalities, not being representative bodies but merely nominees of Government, are not qualified to be trusted with this charge of the religious establishments. Their heterogeneous character and their subservience to official pressure are further a positive disqualification in their way. The plan we have proposed is free from all these defects, and will succeed beyond measure if it is only allowed an honest trial. It has the merit of being in keeping with past traditions of policy, and favorable to the present aspirations of the people, and as such we commend it to the notice of those who are charged with the responsibilities of rule, and appreciate the nature of the task of regulating the religious concerns of many millions of people, with so many varieties of sects and creeds as those which obtain in this country. As long as the Government is not prepared to welcome the help of the people and enlist their sympathies in the right direction, we can not but deprecate any leap in

the dark of the sort which seems at present to find favor with the executive authorities, and we trust that the timely warning we have given will induce them to retrace their steps, and that if they have not the courage or the largeness of heart to concede self-government, they will at least have sense enough to let well alone.

MR. WEDDERBURN AND HIS CRITICS ON A PERMANENT SETTLEMENT FOR THE DECCAN.



MR. Wedderburn's scheme of a modified permanent settlement for the Deccan Provinces has, we are glad to see, attracted notice both in India and England in the highest quarters, and now that the much-abused Sowcar has been well nigh suppressed, it may be hoped that the unprecedented fall of prices, which has occurred in the course of the last few months, will suggest and secure an equally liberal modification of the rigidity and onerous character of the land settlement which has been admitted by the highest authorities to be, with the Sowcar's usurious dealings, the principal cause of the Ryot's wretchedness and misery. The compulsory resort to the conciliators, the necessity of Plaintiff's personal presence in the Civil Courts during all the protracted stages of the hearing of the case, the absence of Vakils, the provision enforcing Defendant's presence before the hearing can come on, the provision permitting the Courts to go behind the bond, and interfere with, and cut down, usurious rates of interest and set aside one-sided contracts in taking the account, the exemption of the debtor's person from arrest, and his land and house and cattle from attachment, the liberal provisions regarding insolvency, the longer period of limitation,—all these beneficial concessions have been enforced in the interest of the Ryots as against the Sowcar. It is now time, therefore, that some similar concessions were made by the State landlord to its pauper tenantry to supplement this work of relief. The spirit, however, of the measures, recently adopted by the local government, gives no indications of a conciliatory spirit, and it requires no great powers of prophecy to foresee

that, with the fall of prices, the Ryot's miseries will be multiplied a hundred-fold by the very measures intended for his relief. The proposal, or rather order, directing the forfeiture of Inam and Khalsa lands on default to pay the fixed instalments within ten days is a sad irony of fate which the Sowcar and the Ryot will find it hard to reconcile with the declared intentions of Government, and cannot fail to drive the Ryot into the hands of the Sowcar more helplessly than ever. No wonder that under such circumstances a correspondent of the *Bombay Gazette* who signs himself C. S., and is to all appearances a member of the executive service, condemns the Relief Act in no measured terms as a costly failure, "an illustration of the vanity of all legislation in restraint of the freedom of contracts. Such legislation generally fails because it does not go far enough, and it does not go far enough because it cannot." However that be, it is plain, now that the Sowcar has been disarmed, the responsibility for the Ryot's miseries, if they remain *in statu quo ante* or are aggravated, will be at the door of his sovereign landlord.

Even the Honorable Mr. Hope who is one of our ablest revenue officers acknowledged with a frankness which does him infinite credit that "to the revenue system must in candour be ascribed some share in the indebtedness of the Ryot," and that "the burden of the land revenue demand is one of the causes of the Ryot's embarrassed condition." The Lieutenant Governor of the Panjab was perhaps more out-spoken and thorough-going in his condemnation of the revenue-system when he observed, "that too little attention had been paid to this cause which must in a great degree have contributed to, if it did not entirely originate, the difficulties of the Deccan Ryot," and "thought it desirable that at the same time as measures of relief were afforded to the Ryot from his private creditor, the Government, which ap-

peared as a public creditor of the Ryot, should also take measures to lighten in some way the pressure of its own demand." Lord Lytton also, unlike Sir Richard Temple and some of the Bombay Revenue officers, was far from being a believer in the divine perfection of the Bombay revenue system. For he was "personally disposed to believe that the rigidity of our present local system might in various directions be relaxed with great benefit to the cultivator, unaccompanied by any serious inconvenience to the state." A majority of the Deccan Riots Commissioners were also of the same opinion as that expressed in the extracts already quoted above regarding the defects and imperfections of our local system, and the necessity of amending it. It also appears from one of the speeches of the late Viceroy "that the question of relieving the Ryot from the embarrassing pressure of claims on the part of the state has been urged by us on the attention of the Government of Bombay with special reference to those districts of the Deccan for which we are now legislating."

More than a year has elapsed since the attention of the Bombay Government was earnestly drawn by the Supreme Government to this pressing question and yet there are no indications on the surface of any change of policy. The hot haste with which the Relief Act was ushered into existence contrasts sadly with the immovability of Government in redeeming its own most solemn pledges. It is in this connection chiefly that we welcome the appearance and publicity of Mr. Wedderburn's pamphlet, as it cannot fail, among other purposes, to remind the authorities in India and England of their unfulfilled promises of last year. Besides this service, the scheme propounded by Mr. Wedderburn as the result of twenty year's study of the Ryot's condition deserves the most patient consideration at the hands of the authorities. He occupies, a standpoint which permits him to feel equal sympathy for the Ryot and the Sowcar, a rare advan-

tage in these days, whose value is heightened by his personal character as a pains-taking and a conscientious officer. Mr. Wedderburn commends his scheme to the notice of Government as securing for the cultivator reduced responsibility, complete security of tenure and a stimulus to improvement,—for the capitalist a lucrative and honourable employment for his money,—and for the state a secure and increasing revenue. To attain this desirable end, he proposes to revive the ancient *batai* system by which the assessment, forming a definite portion of the gross produce of each field, was levied in kind, for he says—“The old is better.” With a view to avoid the abuses of the old native system and secure its unquestioned benefits, the scheme limits the demand of the state to 1-16th (one anna in the rupee) part of the gross produce, and also gives the cultivator the option of a quit-rent, amounting to 3-16ths of an average dry crop. If the Ryot wishes to be free from the annual vexation of an appraisalment of his crops, he can choose to pay 3-16th (three annas in the rupee) share of an average produce as quit-rent in kind. For collecting the assessment in kind, the agency of middlemen like the zemindars of Bengal is to be employed. These middlemen will enter into an engagement with Government, either permanent or for a number of years, for annually paying to it its fixed share in money, which they will receive in kind from the villages committed to their charge, and they are expected to reimburse themselves for the losses of bad years with the gains of plentiful harvests. The existing landholders, pensioners, professional men, and Sowkars are to be drawn upon for forming this new class of Zemindars, who will relieve the Ryot from the unvarying and trying difficulty of paying assessment in cash, and also will ensure to the state a prompt and punctual payment of its dues in money without let or hindrance, be the harvest good or bad, and thus do away with the painful necessity of remissions and suspensions in years of

drought or famine. The Ryot, it may be added, will be further secured from the demoralizing effect of remissions and suspensions, the apprehension of which, it is said, influenced not a little the inconceivably hard and stringent policy followed in exacting the arrears of land revenue during the late famine in this Presidency. Impelled by the magic of property which a permanent settlement of tenure is affirmed to ensure, the Zemindars *in posse* are expected to apply themselves heart and soul to the improvement of the soil, "supplying the cultivators with superior seed and manures and machinery."

With a view to illustrate the elastic advantages of the *Batai* system as opposed to the existing rigid and unequal system of cash assessment, Mr. Wedderburn has framed what he calls a financial statement of *Bapu bin Rama*. It is necessary to study this statement closely, as it appears evident to us that much of the misunderstanding disclosed in the criticisms upon the scheme which have appeared in the Bombay dailies is owing to the absence of such study as much as, if not more than, to the imperfections, and even errors, which, as we shall show further on, vitiate it to some extent. We may observe *en passant* that Mr. Wedderburn's estimate of 4 maunds of produce per acre in an average year, and 2 maunds in a bad year appears to us to be rather too high, at least for the four Deccan Districts which may be fairly estimated to yield 4 maunds of corn in a good year, 2 maunds in a medium year, and only a maund or under in a bad year. We see in the excellent treatise on agriculture and horticulture in Western India, by Rao Saheb Ramchandra Sakharam Gupte, an experienced pensioned Mamledar, that only a bumper harvest is credited with yielding 4 maunds of *Jwari* or *Bajri* per acre. Mr. Fardunji Jamshetji's estimate of a favourable season at 6 maunds per acre may be true of *Aurangabad*, but it is hardly applicable to the Districts of the

Deccan which we have in view. However any correct estimate of an average produce per acre is not essential to Mr. Wedderburn's scheme, though it may have its value in practice when the average yield of an acre will have to be appraised for determining the amount and value of 1-16th share thereof.

With regard to the financial statement* of Bapu bin Rama Mr. Wedderburn observes:—"From this table it will be seen at a glance (cols. 4 and 5) that although the present demand of Government

Financial Statement of Bapu bin Rama.

Ryot's crop.				Government demand.			
Season.	Total crop.	Market rate per Rupee.	Total value of crop.	Modern system		Ancient system.	
				(a.)		(b.)	
				Cash.	Equiva- lent share of crop.	1-16 share of crop.	Equiva- lent in cash.
1	2	3	4	5	6	7	8
Good (6 maunds per acre.)	12,000 Seers.	Seers.	Rs.	Rs.	Seers.	Seers.	Rs.
		12½	960	20	250	750	60
		25	480	20	500	750	30
Medium (4 maunds per acre.)	8,000 Seers	12½	640	20	250	500	40
		25	320	20	500	500	20
		50	160	20	1,000	500	10
Bad (2 maunds per acre.)	4,000 Seers	12½	320	20	250	250	20
		25	160	20	500	250	10
		50	80	20	1,000	250	5

is nominally fixed, the pressure of this demand varies greatly according to the season and market. Rs. 20 are levied whether the crop is worth Rs. 960, Rs. 320, or Rs. 80; so that in an exceptionally good year when the Ryot can well afford to pay a handsome bonus, he only contributes 1-48th part of his crop; in an average year 1-16th is taken; while $\frac{1}{4}$ th of the total crop is taken in a bad year, when he has not even enough to feed himself and his family." The accuracy of this view has been energetically questioned by Mr. Wedderburn's critics in the public Press who seem to imagine that by demolishing the table they could also demolish the unsavoury scheme of a permanent settlement. One critic remarks.—"Mr. Wedderburn says that under the old system in good times the Ryot would pay the equivalent of Rs. 60, and in hard times he would pay only the equivalent of Rs. 5. In other words, he supposes that in the best season when the yield of the crops is the highest, prices would be at famine rates, *i. e.* $12\frac{1}{2}$ seers the rupee, and in hard times when the land yields only two maunds an acre, the price of grain will be fifty seers the rupee; in fact the very lowest supposed price that can be obtained in the market, when the supply must be abundant. This certainly appears to be fallacious." Another critic exclaims:—"It is inconceivable how an official of Mr. Wedderburn's experience could have made this mistake." It should, however, be observed that the validity of Mr. Wedderburn's conclusion, *viz.*, that under the modern system, the pressure of the land tax varies inversely with the Ryot's ability to pay, in other words, that the demand is light when the harvest is good, and is heavy when the latter is bad, is no where impeached. At first sight it certainly appears paradoxical that the prices are high and low when the crops are respectively good and bad; the reverse of this strange phenomenon is what

generally happens. It should, however, be remembered that though prices vary inversely with the harvest, the variation is far from being regulated with any mathematical exactness or precision. Were the variation to follow any such exact law, there would certainly remain very little to choose between the ancient and modern systems of land assessment. For in that case it will appear evident from the table that when prices are invariably at $12\frac{1}{2}$ and 25 seers respectively in bad and medium years, the ryot will be paying the same fixed proportion of his crops, that is, 250 and 500 seers when the crops yield 4000 and 8000 seers, whether he pays the assessment in kind or cash. And the same would happen were we to farther suppose that in good years when the harvest yields 12000 seers, prices will be at $37\frac{1}{2}$ seers the rupee, according to the mathematical calculation, instead of 50 seers. For there is no reason why prices which are supposed to follow an invariable law in bad and medium years should not observe the same regularity in good years. So that, in good years when a field of 50 acres yields 12000 sheers, and corn is at $37\frac{1}{2}$ seers the rupee, whether the ryot pays Rs. 20 or its equivalent share of crop, i. e. 750 seers, he will have to pay the same proportion of the produce of his land. But in spite of these mathematical assurances to the ryot of his happy or at least unchanged lot, the shoe nevertheless pinches under the modern system of cash payments. What is the cause of this apparent anomaly? How is it that though mathematical deductions fail to show the superiority of the ancient over the modern system, yet it is acknowledged even by the advocates of the latter "that the present system does not work well, and that the ryot would only too gladly return to the former system." An explanation of this strange anomaly will be found, we think, in the unsoundness of the theory that supposes that prices vary

exactly, with the harvest. They would no doubt do so, were it necessary for them to depend solely and wholly upon the quantity of corn grown in a particular district or province. But facilities of communication and the free, unrestricted interchange of commerce supply the deficiency of one province or country with the sufficiency or superabundance of another, so as to prevent prices from being enhanced to a degree that would otherwise be warranted, by the scanty yield of the local harvest, and present the strange and striking phenomenon of wheat being cheaper in England in a year when the crops may fail than it ever was even in a season of plenty, but foreign supplies were checked by the Corn-laws. Under a system of free-trade and easy intercourse, the Ryot finds that the importation of corn, though benefitting the general community and him too as a consumer, inconveniences him as a producer, for these large imports prevent or retard the rise of prices, and thus deprive him of the benefit which otherwise would have consoled him for the scanty produce of his field, and enabled him to easily bear the burden of assessment. This can be best illustrated by means of an example. Suppose that free importations of corn, facilitated by railways, canals and good roads, prevent the upward tendency of prices to rise to $12\frac{1}{2}$ seers per rupee in a bad year, and keep them stationery at 25 seers per rupee, (which supposition is not absurd or chimerical when we bear in mind what has recently occurred in England, and is more and more likely to be realized with every improvement in the means of communication in India), then the value of the produce (4000 seers) of 50 acres at 2 maunds per acre would only be Rupees 160, and the assessment (Rs. 20) representing 500 seers would be an eighth share of the gross produce. If we estimate the prices in a bad year at any other figure below 25, but above $12\frac{1}{2}$, say 20 or 15 seers the difficulties of the ryot would be so much the smaller

But they cannot altogether disappear unless the prices rise to $12\frac{1}{2}$ seers, which foreign supplies even under the present condition of imperfect communications tend to prevent. And even the rise of prices would be of no use to him when the crops altogether fail. We hope we shall not be understood as laying down the absurd proposition that free trade and facilities of communication are among the causes of the ryot's embarrassment. We only mean to say that, in years of drought and famine, the system of cash assessments heavily weighs upon the ryot in his present deplorable circumstances and that he would obtain a certain measure of the desired relief if the base of the system was payment in kind commuted into money before it reached the Treasury. Perhaps Mr. Wedderburn had in his view the beneficial effect of free trade in arresting the upward tendency of prices in bad years when he framed the table, though this cannot be gathered from the explanation which follows it. If this be so, it may be safely said that it is not that Homer nods, but the critics that dream. It may also be added that even if the figures of this statement be discarded the value of Mr. Wedderburn's scheme will not be impaired in the least. For it does not form a part of its essence, but is simply an illustration of what is generally acknowledged to be true, that the Ryot finds it extremely difficult to pay the assessment in cash, and would certainly prefer to pay it if fixed at a moderate proportion in kind.

Let us now turn to some other objections that have been urged against the scheme. One critic from his Khandesh Camp bursts out in the following strains :—

“ Do I sleep ? Do I dream ?
 Do I wander and doubt ?
 Are things what they seem ?
 Or is vision about ?
 Is our civilization a failure ?

Or is the Caucasian played out?" and asks Mr. Wedderburn whether he really believes "that our civilization is a failure," necessitating the abolition of "the simple settlement," planned by such great heads as Mountstuart Elphinstone, Munro, Wingate and others, and a return to "the old confusion of the batai system. Perhaps the critic would have done well to cool down his agitation, with the reflection that one's belief in the general success of Western civilization is not inconsistent with a through disbelief in the infallibility of the Bombay revenue system. Our Judicial organization and procedure are as much the offspring of Western civilization as the revenue Survey and settlement, and can be fathered upon as wise heads as the latter can boast of; so that if the former can be safely condemned without losing one's faith in modern enlightenment (for the critic characterizes it as the bane alike of the Ryot and the revenue system) it will hardly seem logical to inveigh in this exaggerated manner against those who find fault with the latter and not without reason. This critic besides while accusing (unreasonably in our opinion) Mr. Wedderburn of hankering after the old confusion, is really himself guilty of the same offence. His panacea for the Ryot's woes appears to be a revival of the old exploded combination of the revenue and judicial authorities, as may be gathered from the following wild declamation. "Instead of multiplying Munsifs, make Munsifs Mamledars—Combine the Revenue and the Judicial functions in the same hands, and the result, at any rate, will be *an increase of common sense*. Take a lesson from the Central Provinces, and O thou proposer of a permanent settlement for Bombay, forget not the wretched condition of the Ryot under the Zemindari system of Bengal." The critic has evidently forgotten that the played out Caucasian civilization inculcates the political and economical advantages of the division of power as well as

labour, and that it is any thing but common sense to confound Mr. Wedderburn's scheme of a modified permanent settlement, based on fixed, and propotioned payment in kind, with the Bengal Zemindari system of large holdings with fixed assessment. Had there been an intelligent unfettered press in the Central Provinces, we feel sure it would have told a different tale regarding the working of the heterogeneous combination of the revenue and the Judicial offices in the Central Provinces. And the so called wretched condition of the peasantry under the Zemindari system, is as much mythical as the wild narratives of our Purans. For, compared with their brethren of the Deccan, the Ryots of Bengal certainly enjoy a happier lot. Our latest authority for this statement is the present Lieutenant Governor of Bengal, whose fine picture of prosperity and plenty, smiling upon the quiet industrious peasantry entrusted to his care may be within the recollection of our readers, and Sir Ashley Eden, we believe, cannot be reproached with possessing any super-abundant friendly feelings towards the Bengal Zemindars.

It is also objected to Mr. Wedderburn's scheme that, though it may look perfect on paper, yet it will be found to be attendant with demoralizing effects in practice. It will expose the Ryot's to the irresistible temptation of clandestinely removing the grain from the threshing floor, and subject them to the further evil of oppression and corruption on the part of low paid officials, who will either harass the Ryots by practising all sorts of *zulum* upon them or cause loss to the Government revenue by extorting bribes from them for their forbearance and connivance. It should, however, be borne in mind that Mr. Wedderburn's scheme altogether dispenses with the agency of the state or its officials in the collection of the land-revenue in kind from the Ryot, and assigns the duty to an intermediate class of Zemindars. It may be replied that the latter

worthies will be guilty of the same practices that can be laid to the charge of government officials. It may well be asked what guarantee is there that the middle men will be less oppressive, tyrannical, and unscrupulous in their dealings with the Ryot than the government officials. How, moreover, will the proposed scheme be free from the well-known evils of annual appraisements? Will not the task be attended with worry and harassment alike to the Zemindar and the Ryot? But in these discussions, we should not lose sight of the fact that the scheme is not essentially much different from what actually occurs in practice every year. For as things stand at present, in ninety cases out of a hundred, if not more, the Sowcar makes advances to the Ryot for seed and subsistence and Government assessment, on the condition of the latter's giving the former the whole or half the produce of his field, till the advances are paid off, which happy event seldom occurs. The Sowcar is not unfrequently obliged to keep watch and ward upon the growing crops for preventing any clandestine attempt in the way of removal of any part thereof by the Ryot. When the harvest is gathered in, an equal division of the produce is effected between the two on the threshing floor in some rough sort of way. If the sharp Sowcar sometimes drives the Ryot into giving him more than his proper share the latter often takes care that the whole of the produce shall not appear in the grain yard. It may, however, be mentioned alike to the credit of the Sowcar and the Ryot that this matter is generally satisfactorily settled between them. So that Mr. Wedderburn's scheme, if adopted, will simply legalize the prevailing practice with regard to assessment, with this additional benefit that it will no longer be necessary to the Ryot to sell a portion of his crops at a price ruinously below the market rate to secure the much needed rupees for paying the Government dues. Any objection to the

scheme that it will involve an annual inspection and appraisement of the crops, and thus cause misunderstanding or friction between the Zemindar and the Sowcar, is, therefore, hardly tenable, when it is remembered that the Ryot now voluntarily submits to something like it every year for satisfying the claims of the Sowcar and the Sirkar. For his field does not produce the rare rupees, but only their value, and the process of converting the crop into cash, at an inequitable under-value, is highly disadvantageous to him.

It is also urged against the scheme that it initiates a retrograde or backward movement incompatible with the people's progress in civilization, and makes such a distinct departure from the prevailing system that it can never be adopted by Government, tending, as it does, to disturb the existing arrangements of the revenue survey which have existed so long, and have cost so much expense and labour, more especially when the change involves a considerable loss of revenue. The present assessment is far from representing only 1-16th share of the gross produce of land. On the contrary according to the admissions of some of the survey and revenue officers, the assessment averages to 1-10th or 1-11th of a good crop. To adopt a change of system on the plan proposed would thus make it necessary to sacrifice 25 per cents of the revenue collected at present. This objection will not appear unanswerable if it is borne in mind that exceptional circumstances (as observed above) may necessitate exceptional measures. Can it be maintained that the Deccan Ryot's Relief Act is perfectly compatible with the progress the 19th Century has made in legislative wisdom? Does Benham's or any other theory of legislation justify the retrospective provisions of the Act which prevent the recovery of debts, contracted before it came into force, by the sale of the debtor's immoveable property,

not specifically mortgaged, and by his imprisonment, when the Sowcar must have made loans to the Ryot in the belief that the whole of the latter's property would be available for the satisfaction of his claims and that the fear of imprisonment would deter him from concealing his moveables? Had the Act made these provisions applicable to debts that might be contracted after its enactment, they could not have been found fault with on the ground of equity. For the Sowcar then would have been at liberty to choose to lend or not under the charged legislation of which he was made well aware. But at present by the fiat of the legislative authority of Government, all old loans for the recovery of which the creditors had not brought their suits before the commencement of the Act, are almost cancelled. Nevertheless the Act has been gladly welcomed by the general public, on account of the exceptional circumstances of the Deccan temporarily requiring such a measure. But should not the same circumstances induce the state, which is reputed to be full of paternal instincts towards its subjects in general, and the cultivating portion thereof in particular, and which squandered away about twenty crores on a scientific frontier, to forego a part of its gains and revert to an arrangement which may appear retrograde, and cause some loss to the revenue, and some disturbance of the existing order of things but which nevertheless may be necessary for the relief of the Ryot? Does not consistency require that the Sirkar should treat itself somewhat in the same self-sacrificing manner in which it has freely dealt with the Sowcar in its legislative capacity?

Had space permitted, we should have noticed some other objections which have been advanced against Mr. Wedderburn's scheme, but which in our opinion are not calculated to upset it, and strike us as being suggested more from the fact of its author's being without the sacred pale of the Revenue branch of the Civil Service, though he is a member

of it, than by any inherent defects in the scheme. We believe the tiresome talk of his want of experience, and of his ignorance of the Ryot and his necessities, which is found in the vigorous protests of the Revenue objectors against it calls for no comments. Mr. Caird's reply to the Government of India is fully in point on this alleged absence of experience. It is one thing to possess experience, and another to interpret it aright, and to generalize from it. What is the use of that experience which does not enable its possessors to suggest any thing at once practical and desirable for the correct solution of the agrarian problem? Perhaps Mr. Wedderburn's critics, at least some of them, are not incapable of suggesting a scheme of their own, if they will only relax their faith in the divine perfection of the Revenue system they have been administering, and cease to inveigh against the Sowcar, when he is already satisfactorily disposed of by the Ryot's Relief Act, and the Civil Courts which are no longer open to the charge of unduly favouring the Sowcar against the Ryot.

It will appear from the considerations urged above that Mr. Wedderburn's scheme has been well thought out, and if worked out sympathetically, it will go a great way to mitigate the rigidity of the present revenue system by adopting the assessment of the land-revenue to the variations of the seasons, and thus afford an appreciable relief to the Ryot in his present embarrassing condition. If permanency of tenure is allowed on all hands to work the miracle of converting a desert into a garden, it will not fail to be attended at least with some of its beneficent effects in the Deccan by "stimulating the energy of the rural classes," as observed by Mr. Wedderburn. He also hopes that "as Zemindar, the capitalist will have scope for his enterprise in developing the resources of the land, and working a safe and profitable partnership with the Ryot." But if the proposed Zemindar be simply required to hand over in cash one-

sixteenth share of the produce which he will levy in kind from the Ryot, there will remain, we fear, very little inducement for him to undergo the labour and trouble of collection, and devote his capital and energy to the improvement of the land, unless he is allowed for his benefit to collect a little more than the State's 16th share of the produce, say a 12th part thereof, which will still be less than the officially estimated assessment, said to amount only to a 10th or 11th of an average good crop, especially when it is remembered that his gains of plentiful harvests are likely to be absorbed by his losses during years of scarcity and drought. The realization of the bright future prospects which Mr. Wedderburn holds out for the Deccan by the adoption of his scheme will considerably depend upon the character of the new class of Zemindars that is to be created. If they prove to be enlightened, wealthy, public spirited, enterprising and alive to their sense of duty, they will be an un-mixed good. Mr. Wedderburn thinks that land-holders, pensioners, professional men, and Sowcars, will supply admirable material for making the new class of middle men. There are no doubt sufficient materials available at hand to justify an experiment on the tentative and small scale which Mr. Wedderburn advocates. Property in land never changes hand except in a slow and gradual manner, and it may be safely expected that with the growth of a leisurely and affluent class interested in the agricultural prosperity of the country, other liberal influences, represented by higher education and scientific cultivation, will spread abroad, and ensure the success of the scheme in the long run. Even as it is, the change from the present Sowcars, who have but a distant and stealthy interest in land, to the new race of tenant farmers will work wonders in reconciling hostile interests, and inducing them to work for the improvement of their common property. Mr. Wedderburn, it is true, suggests that when no suitable person can be found as a permanent Zemin-

dar, the Government share might be realized from year to year by sale to the highest bidder in the way provided for in chapter 6 of Regulation XVII. of 1827. We strongly protest against any such alternative, for if anything of this kind be adopted, the scheme will be divested of most of the benefits expected from a permanent settlement, and the middlemen will have very little encouragement to lend the helping hand of capital to enterprising labour. We, therefore, hope that permanency of settlement will be extended alike to the Ryots and to those who will come forward as Zemindars farming the collections of large amounts of revenue. Even under the present circumstances of society, we have every reason to hope that the new Zemindars will be found not totally unworthy of occupying the honourable position of middlemen land-lords under strict conditions of tenure which will prevent them from rack-renting the Ryots, or abusing the trust that will be reposed in them. The task of compelling the Zemindars to the strict observance of their engagements with the Sirkar will not be impossible to a Government that has undertaken to regulate the monetary dealings between the Sowcar and the Ryot.

Mr. Wedderburn assures the state that this scheme will bring in a secure and increasing revenue. The scheme will certainly benefit the state in obviating the necessity of periodical remissions and suspensions of land revenue as stated above. But it is not so evident to us that it will lead to any increase of revenue. For with regard to the state demand, the very foundation of the scheme rests in the concession that the land tax is to be permanently settled at 1-16th of an average common crop of *bajri* or *juari*, commuted into money on an average of prices, (periodically if necessary), and rendered payable by the Zemindar from year to year. Mr. Wedderburn thinks that an enterprising cultivator will so much increase the quantity or value of pro-

duce by means of improvements that he will find it more profitable to pay the quit-rent of 3-16ths of an average crop than the 1-16th part of an increased or more valuable produce, and thus the revenue will receive an increment. But these large improvements can be only effected by means of money which the cultivators as a class are lamentably too poor to spend freely. And we have to suppose that the requisite funds for improvements will be supplied by the Zemindars, who will be interested equally with the Ryot in increasing the productive capacity of his land. But if the Ryots will not allow the Zemindar to share in the increased produce, but will simply pay him 3-16th of an average dry crop, it is questionable whether money will be readily forthcoming from himself for making these improvements. And it is also highly problematical whether any really large sum spent in improvements will not take a number of years for its realization, and whether the work will not be extremely slow, considering the general apathy of both the agricultural and lending classes in such matters. We are not then very hopeful about the increase of revenue. And we think the Government, for once and all should give up any hope of increasing its land revenue in the arid or dry Deccan districts, consisting of lands, rendered unfertile by want of irrigation and manure, and by a scanty and precarious rain-fall. The Government should in these districts trust to only indirect sources for the increase of its revenue, after the general prosperity of the people is assured induced partly by a permanent settlement of a light assessment. We advisedly say partly, for such a settlement as the one proposed will be found to be only one of the causes, though a powerful one, whose combined action is necessary for ameliorating the condition of not only the Deccan peasantry, but of the Indian Empire generally. For without the spread of education, not simply elementary but,

higher or liberal, which is necessary for lessening the inequality of the contest between the shrewd Sowcar and the ignorant and helpless Ryot, and for improving the general intelligence of the community to understand wherein lie their true and real interests; without the revival of the manufacturing industries of the country that are now totally extinguished in the struggle for existence with European and American rivals, and the diversion into new profitable channels of some of the labour that is now exclusively concentrated upon a single industry without any diminution of the taxes that press heavily upon the labouring classes, and of the extravagant cost of Government for such a poor country as India, as also of the ever-expanding tribute which she pays to England in the shape of Home-charges, the Utopian plenty and prosperity fore-shadowed by Mr. Wedderburn will hardly leave the dream land of vain wishes and become an objective reality. We have already given our own solution of the Agrarian Problem in a previous number* and we were glad to see it has found favour with the well known correspondent of the *Bombay Gazette* who signs his name W. R. H. If it be deemed too radical, we earnestly hope that the same disregard will not be shown to Mr. Wedderburn's excellent scheme, which, though it is not capable of bringing about all the happy results attributed to it, if not aided by other agencies alluded to above, still upon the whole promises to be a decided improvement upon the present Revenue System, and, therefore, deserves the serious attention of both the Government and the Public.

* Vide Vol. II. No. 1.

CURRENT LITERATURE.

“The ruin of an Indian province” is the subject of a letter addressed by Mr. C. J. O'Donnell Assistant Magistrate in Bengal to the Marquis of Hartington. The author's earnestness of purpose can not be denied, and although, like his previous Black Pamphlet on the famine of 1874, the views set forth are at times highly sensational and exaggerated, yet the letter must be regarded as a welcome contribution in answer to the earlier optimist speeches of Dr. Hunter Sir Richard Temple, and other advocates who have been for some years past seeking to dazzle the English public with their blaze of eloquence about the prosperity and blessings attendant upon British rule in India. There is also an apparent inconsistency of purpose betrayed by the attempt to make out in 1880, that Behar has been scourged with famine and other calamities when only six years ago no effort was spared to ridicule the idea of such a famine in his previous publication. The authorities quoted in regard to the depression of the Ryots in Behar are all of them officials of the province, and although they have their value, we confess to a feeling that it would have been better if this official account had been supplemented by non-official testimony. The ruin of the province of Behar is attributed by Mr. O'Donnell to three causes;—

1. The rack-renting of the country by the land-lords and the middlemen.
2. The mismanagement by the Court of Wards of minors' estates, and the bad example set by them.
3. The oppression practised by the European indigo-planters with the support of the officials.

With regard to the first of these causes, it is

to be remembered in all such controversies that the choice lies between private landlords controlled by the State, and competing with one another, and the great state landlord, uncontrolled in his monopoly of power, and we, with our knowledge of what is taking place on this side of the country can not bring ourselves to share in the indignations felt by the Bengal officials towards Zemindar management. The few figures given in support of the allegation about the oppression exercised by the Zemindars certainly do not bear out the position taken up by the author. The Ticcadari system of management may be the great curse of Behar, but the Ryots of that province will be ill-advised indeed if they allow themselves to be persuaded to look favourably upon the direct system of official management which obtains in this Presidency. The wholesale enhancements in Tirboot, Durbhunga, Monghyr, Hutwa, Naridigar, and Bhagalpore, have been more than exceeded by our own revision settlements, with this difference that while in Behar, the State occupies the position of an impartial arbitrator and only interferes to protect the Ryot against his private land-lord no such advantage is enjoyed by the Bombay Ryot, as the State is directly interested in the increase of land revenue. Taken at the worst, the picture drawn of the Behar Ryot contrasts him favourably with our own agriculturist of the Deccan. With regard to the indigo planters, the Ryots of Behar have the remedy in their own hands. If they can but combine in their resistance to oppression with the same determination to succeed which was shown by their brethren of Bengal, their independence will be secured more effectually than by any tampering with the terms of the permanent settlement which the officials in the Lower Provinces of Behar and Bengal are so anxious to upset. Under this settlement as modified by Act X. of 1859, the rights of Khudkhasb occupancy Ryots were guaranteed, and

if the other classes of Ryots would combine not to bid against one another and not multiply in numbers, the Zemindar's oppression would cease to exist. The example of Mr. O'Donnell's own Boycotting countrymen should, barring lawlessness, be carefully followed in these provinces of Behar and Bengal against oppressive land-lords. The executive and legislative authorities in those parts will naturally work in their favour, and Behar may thus once more become the garden of India.

Mr. John Dacosta has rendered great service to the cause of Indian reform by timely publication of his pamphlet on "the political and financial requirements of British India as set forth in a petition of the British Indian Association of Calcutta to both the Houses of Parliament." The pamphlet was intended to serve as a commentary on, and to give utterance to, the views which the several political associations in this country have been pressing upon the attention of the British public for many years past. These Indian grievances are classed under six heads.

1. Reform of the legislative councils by the introduction of elected representatives, and the enlargement of their control over financial matters.

2. A fair distribution of the expenses of the Afghan War between England and India.

3. Reform of the appellate courts and a revision of the criminal procedure code.

4. The admission of the natives of India into the Civil Service on an equal footing and under similar conditions with the English candidates for the same.

5. The repeal of the Vernacular Press Act and the Arms Act.

6. The extension of the permanent settlement through all the provinces of India.

Of these six reforms the first and the last justly

deserve to occupy a prominent place in public attention. In regard to the other questions, a favorable solution has been to some extent already guaranteed by the change of Government in England and India. In regard to the first reform we admit that there are many practical difficulties in the way of giving effect to the elective principle in the legislative councils. For the present, a small addition to the number of the non-official representatives selected by government, together with a power of interpellation in executive matters on the principle conceded to Ceylon and other colonies will be a sufficient concession to satisfy the demands of public feeling in this matter. In regard to the question of a permanent settlement for British India, the case is entirely different. The question has been argued threadbare, and the government, both in India and England, deliberately made up their mind nearly eighteen years ago to grant the concession. Mr. Dacosta has done well to furnish extracts from the official minutes of Colonel Baird Smith, who reported on the famine of 1860, as also the report of the Revenue Board of the N. W. Provinces, and the opinions of Sir William Muir, Sir George Edmondstone, and his successor Mr. Drummond, Lord Canning, and Sir Charles Wood, and other high authorities, setting forth the present and prospective benefits of extending the permanent settlement throughout the country. The Secretary of State so far back as 1861, deliberately laid it down that "after a most careful review of all these considerations, Her Majesty's Government are of opinion that the advantages which may reasonably be expected to accrue, not only to those immediately concerned, but to the community generally, are sufficiently great to justify them in incurring the risk of some prospective loss of land revenue in order to attain them, and that a settlement in perpetuity in the districts in which a full, fair and equitable

rent has been imposed under existing temporary settlements, and in which the conditions required are, or may hereafter be, fulfilled, is a measure dictated by sound policy and calculated to accelerate the development of the resources of India, and to ensure in the highest degree the welfare and contentment of all classes of Her Majesty's subjects in this country." This despatch was reaffirmed in 1865, and communicated to all the local authorities, but in consequence of the temptations which resulted from the apparent prosperity caused by the rise in prices which set in about the time of the American war, it has remained a dead letter to this day. The theory of periodical settlements again found favour, with the disastrous result which we have witnessed in the past 10 years. It is to be hoped that the Famine Commission's inquiries set on foot last year and the opinion of Mr. James Caird in favour of extending the permanent settlement, will bear the desired fruit, and lead to the final settlement of the land question in India on the footing of the despatch of 1862 referred to above.

THE Baroda administration report for 1878-79 with its appendices furnishes a most instructive view of the progress made by the Baroda State in all departments under its present able native Government. The work done at Baroda during the last five years has not been admitted on all hands to be of a sort to justify the self-commendation, which the Dewan has, in the concluding paragraph of his report, permitted himself to indulge in, as being a beneficial and temperate, and at the same time a comprehensive, transformation of chaos into a model Native State, and as avoiding all change not justified by necessity, and all complexity too far in advance of public intelligence, and, therefore, likely to prove unworkable after the accession of the Maharaja to power. We are glad to welcome this tardy recognition of the principles we

have been contending for all along. Our own criticisms upon the previous Administration Reports were prompted by this same feeling of forbearance and a genuine desire to see reforms carried out under conditions of adaptation to the intelligence and sympathies of the people, and in keeping with the historical antecedents and national integrity of the state. Passing over the merely personal incidents in connection with the marriages in the royal family, we have to note the fact that the Dewan has devoted nearly 65 paragraphs of his report to a consideration of the Sardars' and Darakdars' grievances as set forth in their petition to the Government of India. In the absence of the original petition, which has not been published to our knowledge, it is impossible to judge how far the comments and replies contained in this report dispose of the charges brought in the petition of the Sardars; but as the Resident at Baroda has, under instructions from the Government of India, fully endorsed and supported the action of the Dewan in this connection, it may be presumed that the case made out for the defence fairly meets the accusations, and that after this final ebullition the discontented nobility will learn wisdom, and reconcile themselves to the new order of things, and deserve the confidence they seek.

At the same time it may not be out of place to state that the art of good government consists not merely in being well-intentioned, but in securing a recognition of these good intentions on the part of the public. When the Maharaja comes to power, he will necessarily be surrounded by the representatives of the old Sardar and Darakdar classes, and the permanent success of the measures now taken will greatly depend upon the attitude taken and the sense of responsibility felt, by these influential orders in the state. From this point of view we cannot but regret that the Dewan should be of opinion that he is more accessible and indulgent to

the Sardars than they can justly claim. We need hardly remind the Dewan that when the Peshwa's territories were first conquered by the Commissioner Mr. Elphinstone, he and his successors for a number of years followed the good old tradition of having the four gates, or *Char Darwaja Khoola*, always opened to petitioners of all classes. If a similar practice were followed at Baroda, and the Dewan received petitions in person, and disposed of them with the advice of his counsellors in the presence of the parties, not once but three times a week, the example would have a most soothing effect. With regard to the complaint of the Sardars in the matter of the reduction of their Paga and foot establishments, we must, with all deference to the considerations set forth in the report, enter our humble protest against the spirit in which it has been disposed of. Even in British territory, the Inam Commission inquiries were not set on foot till nearly 30 years had elapsed since the conquest. In a native kingdom like Baroda, with the ruling classes to some extent alien in race and language from the subject population, the radical idea of a state existing apart from the rights and powers of its few ruling classes is far in advance of the intelligence and sympathy of the influential and privileged orders, and out of keeping with the traditions which identify the state with its military predominance, as represented by the establishments of horse and foot allowed to the Sardars. The example set by bad rulers should not be taken advantage of as a precedent to disqualify the adopted heirs in these noble families from succeeding to the full privileges of their fathers. If the Captains are useless, and the Sawars effete, and the footmen fictitious, the energies of the so called state will be more usefully employed in enforcing responsibility and regulating discipline, than in reducing families like those of Gopalrao Mairal and others to comparative poverty. The same reasons which influence the

British Government in India absolutely to refuse to discuss the question of reducing its British garrison here by a single man, ought to have some weight with a Maratha Government quartered in Guzarath, and we cannot make up our mind to welcome the change that has been introduced in the Police and Military establishments, represented by the reduction of the Maratha element, and the increase of the Afghan and Baluchi and North India men in the ranks. The claim of the Sardars in regard to their personal exemption from the jurisdiction of the ordinary Civil Courts has been to some extent acknowledged in the constitution of the Sardars' Court. Even in this Presidency, Mr. Elphinstone's Government recognised these privileges to a large extent, and allowed the Sardars of the first and second classes to exercise civil and criminal jurisdiction in their villages. Baroda is not a conquered country, and the change of Government in 1875 cannot be compared with the conquest of the Deccan in 1818. It is, therefore, not satisfactory to find that the honorary exercise of civil and criminal powers by the Sardars, Inamdars &c. has been so discouraged that their total work is represented by 18 miscellaneous cases of such insignificance as to find no place in the abstract statements. That such independent power will be occasionally abused may be an argument for punishing abuse when committed. It cannot be pleaded as a defence for disfranchising the privileged classes and for disallowing their ambition to take a more active part in maintaining public tranquility. It is not a healthy condition of things that men, who receive large allowances and enjoy Jahagirs, should have no outlet to their ambition and no call for duty. The example of bad rulers, or even good foreign conquerors holding the country as a military garrison, should have no weight as a precedent in such matters, and the great object should be to provide a tradition of localised power and independence as a check upon the extravagances of the

chief ruler and his Durbar Courtiers. (Of course, we know it will be urged that these classes must educate themselves before aspiring higher. School education has its value, and we can not be charged with underrating its importance. At the same time it can not be compared with the education which comes from the practical discharge of civil duties. If long kept in abeyance, the habits and the training of governing oneself and others dissolve their hold, and can not be revived at a moment's call. We have thus felt it our duty, to advert to the more reasonable grievances set forth in the petition. The other points contained in it call for no remark, as we believe they have been satisfactorily disposed of in the report. The progress made by the settlement boundary commissions appears to be very slow, and the charges on account of them are out of all proportion to the work done. With regard to the administration of civil and criminal justice, the commendation bestowed by the Resident in the 19th para of his review of the report is well deserved. The work, original and appellate, has increased in all the courts, and the charges, though higher than in the previous year by Rs. 3500, represent by far the most beneficial expenditure of the state income. A glance at the constitution of the *personnel* of the judiciary in all the courts discloses the fact that about 72 officers are Maratha, about 37 are Gujarathes, six are Parsees and three Mahomedans. These proportions might usefully be altered by the introduction of a larger element of the Gujarath natives of the country. The police department has been well looked after and properly organised. The figures relating to the extradition operations, with the important corrections made by the Resident in his review of the report, show a satisfactory state of things. The P. W. Department spent more money this year than in the previous years, but most of the works done were of the unproductive kind excepting the railways, on which a considerable

sum was spent in 1878, and realised about $4\frac{1}{2}$ per cent interest after deducting the charges. The Municipal conservancy of Baroda and other large towns represented an expenditure of about $2\frac{1}{3}$ lacks. The Municipal affairs both in Baroda and other towns are however managed by the state departmentally. We think the expenditure is sufficiently large to justify the association of other than official persons in this management in the larger towns. With regard to the Military, contingent the report is discreetly silent, though the Resident has thought the matter to be of sufficient importance to correct the Dewan's account of the negotiations entered into with the British Government for the supply of arms, ammunitions and stores. The progress of the educational department has been well maintained, and the fact that about 75 children of the Sardars, Darakdars &c. attend the school is justly regarded as encouraging and significant. There are about 30 hospitals and dispensaries in the state, which were attended by more than a lakh of out-door and some 1800 in-door patients. The report justly complains of the prejudicial effect of the new opium arrangements, which represent a sacrifice of a considerable sum to the state exchequer for the convenience of the imperial revenue. The financial statement represents an increase of more than ten lakhs both of the receipts and disbursements over the figures of the year 1877-78. The largest item of this increase on the receipt side is represented by the head of land revenue and tributes, chiefly due to the realization of the arrears of the past famine years. With regard to the management of the out-lying Anroli and Okhamandal territories, the Baroda Government has the advantage of the free criticism of British Officers. These districts do not appear to have shared the advantages of the new arrangements to the same extent as the Guzaratha Mahals. The Dewan, however, managed to find time to spend a month in a tour to these districts, and

it is hoped that in the report for 1879-80 now due, the defects pointed out by Capt. Scott and Capt. Jackson will cease to exist. Upon the whole, the year's work, as presented in this report, shows signs of conscientious labor, great fore thought, and effective supervision exercised through all the departments, and merits the continuance of public confidence in the same unstinted measure which has been accorded to the administration since its first establishment.

NOTICE TO SUBSCRIBERS.

Those who have not as yet sent in their subscriptions should kindly send them in immediately on the receipt of this number. The annual subscription with postage is Rs. 4-4.

NOTICE.

A desire has been expressed by several European and Native well-wishers of the Poona Sarvajanic Sabha that its proceedings should be published regularly in the form of a quarterly publication so as to be easily available for purposes of reference. The Managing Committee of the Sabha have accordingly resolved to try the experiment of such a periodical publication of the proceedings of the Sabha. Besides publishing the proceedings, it is proposed to take advantage of such a publication to insert independent communications, reviewing and discussing the more important political questions of the day. There are many topics upon which public opinion has to be created and formed before any formal action can be taken in respect of them by the Sabha. Such topics will find a fitting place in the independent section of the proposed quarterly journal.

The services of a competent Editor have been secured and contributions have been promised by many writers of established reputation.

The journal will consist of about 48 pages royal octavo to be priced at four rupees per annum to be paid in advance or one rupee and a half for each separate number, besides postage charges, and it will be published in the months of July, October, January and April.

As the Sabha has undertaken this work at considerable risk and expense and as the publication will supply a long-felt want, the Managing Committee of the Sabha trusts that the public and the Princes and Chiefs in India will give their most cordial support to the scheme.

Names of intending subscribers can be registered at the office of the Dnyan Prakash Press.

All communications should be addressed to Mr. Sitaram Hari Chip- lonkar, Editor and Manager of this Journal.

SIVARAM HARI SATHE,
Secretary Poona Sarvajanic Sabha.

THE
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POONA SARVAJANIK SABHA.

Established for representing the wants and wishes of the inhabitants of the Deccan, being appointed on a popular elective system under rules framed for the purpose.

NAGARKAR'S WADA, NEAR VISHRAMBAG.

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PROCEEDINGS OF THE SABHA.

AN ADDRESS OF WELCOME TO HIS HIGHNESS THE
MAHARAJA OF MYSORE, TOGETHER WITH HIS
HIGHNESS'S REPLY THERETO.

To,

HIS HIGHNESS MAHA RAJADHI RAJA

CHAMRAJENDRA WADIYAR, BAHADUR:

MAHARAJA OF MYSORE.

MYSORE.

MAY IT PLEASE YOUR HIGHNESS,

On behalf of the people of the Maharashtra, the Poona Sarvajanic Sabha, an Association established for representing the wants and wishes of the inhabitants of the Deccan, has deputed us to convey to Your Highness their respectful and joyous congratulations on your accession to the throne of your illustrious ancestors. This day will indeed be a day of glorious memory throughout India, associated as it will always be in future history with the most signal act of righteous restitution, which, since the restoration of Dhar, the Paramount Power has made to confirm the assurances of the great Proclamation of 1858. After an interval of nearly half a century the British Government, in faithful adherence to justice and in strict fulfilment of Treaty obligations, restores to its Native Ruler this vast Territory, which has so long enjoyed the benefits of direct British Rule. Such an event, whilst fulfilling the just expectations of Your Highness' subjects, cannot but be a source of great rejoicing to the whole of the Native population of India.

We need scarcely remind Your Highness that the duties and responsibilities of a Native Sovereign are in these days far more arduous than they were in former times. British Civilization, and British freedom and liberty of thought are accustoming the people of India to a high ideal of popular rights, and no native administration which seeks to retain its place in the great empire can afford to fall back, and no Native ruler can afford to look upon his work in any other light than a noble trust, and a great responsibility, in which the happiness of the subjects is the only justification for the exercise of power over them.

The reign of law, the separation of the Royal Khasgi from the state Departments, the division of power and its due subordination, the independence of the judges, a sacred regard for liberty of person, and diligent care for the preservation of property, the moderation of the

land revenue demand, the extension of works of local utility and the progress of education; these are some of the cardinal points of a constitutional Government, which Your Highness' subjects, in common with the rest of the Native population of India, would claim at Your Highness' hands, and our Sabha feel assured that from the high training Your Highness has received under British guardianship, the organized institutions bequeathed to Your Highness by the British Government, and the wide field open to Your Highness in the present advanced condition of India for the selection of persons of disinterested integrity and talent to aid Your Highness in the administration of the country, Your Highness will be both able and willing to fulfil the highest expectations of Your Highness' subjects. Such a result would not only redound to the reputation of Your Highness and Your Highness' illustrious family, but would greatly strengthen the bond of union between the Native Sovereigns and the Native population and the Paramount Power.

It is a matter for some regret that at the time of Your Highness' accession to the Government, your people should have been so recently visited with the impoverishing effects of one of the greatest famines which has ever visited any part of India. But it is to be hoped that under Your Highness' wise administration, and the liberality of the British Government, the prosperity of the people of this Province will be soon re-established.

Thanking Your Highness for the great condescension Your Highness has shown in thus accepting at our hands this respectful address of congratulation, we conclude with an earnest prayer, that God in his Providence may confer on Your Highness and Your Highness' family, all manner of blessings, and give Your Highness strength to rule wisely and for the good of your people.

We beg to remain Your Highness'

Most obedient and humble Servants,

S. H. CHIPLÓNKAR,

*Honorary Secretary on behalf of the
Poona Sarvajanic Sabha's Deputation.*

GENTLEMEN OF THE POONA SARVAJANIK SABHA,—It gives me great gratification to receive this address of congratulation from a Native Association which is now recognized to have established its position as a great organ of Native public opinion and which is distinguished for its public spirit and patriotism. We all owe a deep debt of gratitude to the Great Power which has given to this country the blessings of peace and prosperity, and the continuance of whose sway is the guarantee for our continued enjoyment of those blessings. Native Associations like yours conducted in a spirit of

moderation and of loyalty cannot but prove to be a source of strength to the Paramount Power and of help to the Native Sovereigns and to the Native population.

I fully recognize the principles of constitutional Government which you have indicated. I feel deeply sensible of the great responsibility which has now devolved on me and of the duty which I owe to my people and to the Paramount Power under whose protection I am placed; and I trust that by faithfully following those principles of constitutional Government, which have been laid down by the British Government for my guidance, the reputation of the Mysore Dynasty and the prestige of the Administration will not suffer in my hands, and that my people will be assured of every blessing which they have a right to expect from their Ruler.

Thanking you sincerely for your cordial good wishes, I wish to assure that your opinions and criticisms on the administration of the country will always receive from me that attention and respect which they deserve.

REPORT OF THE DEPUTATION FROM THE POONA
SARVAJANIK SABHA TO MYSORE.

To,

THE CHAIRMAN AND THE MEMBERS OF THE MANAGING COMMITTEE
OF THE POONA SARVAJANIK SABHA,

POONA

Mysore 31st March 1881.

GENTLEMEN,

We have the honor to submit the following report containing a brief account of the proceedings of the Deputation which the Committee of the Sabha sent to Mysore to wait upon His Highness Maharajahiraja Chamrajendra Wodayar Bahadur, Maharaja of Mysore and to present to His Highness on behalf of the Sabha an address congratulating him on his accession to the throne of his ancestors.

1. The Deputation consisted of Rao Bahadoor Ganpatrao Damodar alias Bala Saheb Panshe, Jahagirdar and First Class Sirdar in the Deccan, Rao Saheb Bhaskarrao Ramehandra Heblkar, Jahagirdar and Second Class Sirdar in the Deccan, Mr. Venkatesh Govind Lele, Pleader District Court Poona, and the Honorary Secretary.

Mr. Lele went first on the 10th March to make the necessary preliminary arrangements. The remaining Members left Poona on Monday the 21st Instant by the Raichore Down Mail Train, and without breaking journey anywhere, except for a few hours at Arcunum and Bangalore, arrived at Mysore on the morning of Friday the 25th Instant at 1 A. M., only six hours before the installation ceremony took place in the grand hall of the Maharajas' Palace. The arrangements which were made for our reception both at Bangalore during our few hours halt there and at Mysore itself left nothing to be desired.

2. We attended the Installation Darbar on the morning of Friday the 25th Instant and occupied a prominent place to the right of the dais on which were placed three state chairs. A spacious open quadrangle opened in the front of the grand Darbar Hall from which a picturesque scene of the distant hills with the then rising orb of day was observable. The rising orb of day was regarded by all as emblematic, as his subjects and well wishers hope, of the brilliant career in store for the youthful Prince. By 7 A. M. all guests and Native and European officers of the Maharaja were in their chairs, when punctual to the hour the carriage containing His Excellency the Right Hon'ble W. P. Adam, Governor of Madras, accompanied by his staff and Mr. J. D. Gordon, the British Resident at Mysore (the late Chief Commissioner) drove into the compound of the palace. His Excellency on alighting was received by the troops, British and Native assembled in the compound for the occasion. Shortly afterwards His Excellency

and the Resident entered the Darbar Hall, escorting the youthful Maharaja between them when all the gentlemen present rose and remained standing till His Highness, His Excellency and the Resident occupied their chairs on the raised dais. Just as the ceremonial attendant upon the formal rendition of the state to the Maharaja was being gone though, the sky was suddenly overcast and it began to rain in right earnest. According to the Hindoo ideas *Rajyabhisheka* or sprinkling the Prince about to ascend the throne with sacred waters is a *sine qua non* of the installation ceremony. The Maharaja had been bathed in the waters of the five rivers and oceans when his late father adopted him and the rain waters seemed as if to confirm the solemn rite gone through before. All present in the Darbar Hall regarded the timely rain-fall as a sign of returning plenty and as an auspicious commencement of the Maharaja's sovereignty over his ancestral kingdom.

In the evening of the same day the first Darbar of the state was held in the same hall at which all the European and Native officers of the state together with the Resident were present. In this Darbar the Maharaja occupied his seat on his ancestral throne, made of solid gold and silver and in different places studded with diamonds and other precious stones. In this Darbar His Highness announced to his people by proclamation the fact of the direct assumption by himself of the sovereignty of the state. On this occasion in common with the nobility and the gentry of the state we too presented Nazarana consisting of Pagodas to His Highness the Maharaja which he touched and remitted. It is very gratifying to find that acting under the wholesome advice of the British Indian Government His Highness the Maharaja has in accordance with some suggestions made in a recent number of the Sabha's Journal appointed a council of four tried and experienced gentlemen including the Dewan himself as the ex-officio President of Council, thus making an honest effort, the first of its kind, in the direction of giving a constitutional Government to his people in place of the personal rule to which the subjects of Native Princes and Chiefs in India are as a general rule accustomed. The experiment is of a novel character, and upon its success will depend considerably the future of the native states of India.

The large-mindedness of the British Indian Government in having faithfully redeemed its solemn pledge by restoring the state of Mysore to its rightful owner, and in vouchsafing a fresh proof, if one was wanted, that the annexation policy, which was the sole cause of the huge conflagration of 1857, has been for ever abandoned, was heartily appreciated by all those who witnessed the imposing and grand spectacle. The 25th of March 1881 will be ever remembered as marking an altogether new epoch in the annals of British India, for on that day was restored to native rule a vast province which had enjoyed the blessings

and advantages of direct British rule for nearly half a century.

3. On the evening of Saturday the 26th another Darbar was held for the reception of congratulatory addresses. Including the address from the Sabha there were 16 addresses. The Resident Mr. Gordon with his staff and almost all the European officers of the late Mysore Commission were present on the occasion. After all the addresses had been read and presented by the deputations in charge of them and the Maharaja's replies thereto were read by H. E. the Dewan Mr. Rangacharloo C. I. E. the Sabha's deputation was introduced into His Highnesses presence and having made a respectful bow to the throne the Honorary Secretary read the address. At the conclusion of the reading the address was enclosed in a sandal wood box of rich workmanship and presented to His Highness. His Excellency the Dewan Mr. Rangacharloo C. I. E. read the Maharaja's reply to our address; after which having once more bowed respectfully to the throne the Deputation withdrew. A copy of the address and of the reply is hereto appended.

4. On the afternoon of Monday the 28th we had, by appointment, a private interview with His Highness the Maharaja. His Excellency the Dewan Mr. Rangacharloo C. I. E. who was present on the occasion, introduced us to His Highness. His Highness after having inquired if we were all comfortable at his capital, expressed his satisfaction at the Sabha's having cordially responded to his invitation by sending four of its leading members to present it on the occasion. His Highness spoke in flattering terms of the patriotic spirit of the Sabha and expressed a hope that the renewed relations of brotherly affection and regard established between the people of Mysore and those of the Deccan would be perpetuated. Towards the conclusion of the interview, the Hon. Secretary availed himself of the opportunity to express the cordial thanks of the members of the Deputation to His Highness for the uniformly kind and courteous reception accorded to us, and for the excellent arrangements made by His Highness's officers for our comfort during our sojourn both at Mysore and Bangalore.

On the same day in pursuance of arrangements previously made Sirdars Panse and Heblkar offered on behalf of our sister association the Poona Sirdars and Dumaldars Hitawardhani Sabha the congratulations of that body to His Highness on his accession to the throne. His Highness was exceedingly gratified at this additional proof of the deep interest taken by the aristocracy of the Deccan and the Southern Marhatta country in the welfare of the Mysore state.

On the evening of the same day there was another public Darbar in the palace at which His Highness presented *khilats* or dresses of honour to his guests, officers, and leading and representative subjects. Each of the four members of the Deputation received a dress of honor

consisting of a pair of shawls, kinkhaf and brocade. This was in itself a great honor done to the Sabha, but its significance was immensely enhanced by the fact that the proceedings of that day commenced with the presentation of the dresses of honour to the members of the deputation of the Sabha.

5. On the evening of Tuesday the 29th a conversation was held at our quarters, the Maharajas' Chattram, where we had been lodged, on which occasion His Excellency the Dewan Mr. Rangachariu C. I. E. and other between forty and fifty leading native gentlemen were present. To most of the gentlemen present we had been previously introduced. On being requested to do so the Honorary Secretary gave the gentlemen present some information regarding the constitution and the working of the Poona Sarvajanic Sabha, and the Poona Arbitration Court, and also of the Conciliators' Courts established in the Poona, Sattara, Sholapoor and Ahmednagar Collectorates under the provisions of the Deccan Agriculturists Relief Act. They in their turn also supplied us with the information we required about the State of Mysore.

6. The presence in their midst of the representatives of a political association in the Deccan on an important occasion like the restoration by the British Indian Government to native rule of a large province which had been for nearly half a century looked upon as a British Province, impressed the leading gentlemen of Mysore most favourably, and one and all with whom we came in contact commended in glowing terms the patriotic and public spirit of the Sabha. To the people of Poona and the Deccan especially the Mysore installation ceremony had an historical interest of rare value, in as much as their former rulers, the Peishwas, had shared with the Nizam and the East India Company the glory of having slain Tippoo Sultan, the Mahomedan usurper of Mysore in the battle of Shrirangapatan in 1799. A. D. and of having restored that state to the rightful dynasty in the person of His Highness Krishnaraj Wadiar Bahadur, the late Maharaja of Mysore and the adoptive father of the present Prince. This is not all; for the Committee of the Sabha went further and paid a rare compliment to His Highness the Maharaja by including in its deputation Rao Bahadoor Ganpatrao Damodar Pansa, Jahagirdar and First Class Sirdar of the Deccan, and a member of the Sabha, who is the grandson of that illustrious General Ganpatrao Pansa who with Parsharampant Bhau Patwardan successfully commanded the Peshwa's army at the battle of Shrirangapatan in 1799 A. D. and assisted at the installation of the late Maharaja. The compliment was duly appreciated by His Highness himself, and the people of Mysore.

7 As already stated above, His Excellency the Right Hon'ble W. P. Adam, Governor of Madras, represented His Excellency the Viceroy at

the installation ceremony. We availed ourselves of His Excellency's presence at Mysore to pay our respects to him, and also to Mr. J. D. Gordon C. S. I., the Resident at Mysore, and on the morning of Saturday the 26th at 10 A. M. we proceeded to the residency and were received in the porch by Lord Dalrymple A. D. C. in waiting. Thereupon Major Bertie Horbart, Private Secretary to the Governor, introduced the Honorary Secretary to His Excellency and to Mr. Gordon, and he in turn introduced his colleagues to them. Both His Excellency and the Resident inquired if we were comfortable at Mysore, and expressed their satisfaction at our having undertaken so long and wearisome a journey in order to be present at the installation ceremony. In reply to questions put the Hon.-Secretary explained the objects for which the Sarvajanic Sabha was established ten years ago, its constitution and working. A few copies of the Quarterly Journal of the Sabha were respectfully presented to His Excellency and the Resident. After some more conversation we thanked His Excellency and the Resident for the kindness of their reception of the deputation and took our leave.

8. Before concluding we cannot help adding once more that the arrangements made by the Darbar officials for our reception and short sojourn at Mysore were so excellent, and even our slightest wants and wishes were so delicately and readily anticipated that we felt ourselves quite at home. We propose, therefore, that the warmest thanks of the Sabha should be forthwith conveyed to the Mysore Government for their uniform kindness to the Deputation during its short sojourn both at Mysore and Bangalore.

We have the honor to be,

Gentlemen,

Your most Obedt. Servants.

GANPAT RAO DAMODAR PANSE.

BHASKAR RAO HEBLIKAR.

VENKTESH GOVIND LELE.

S. H. CHIPLONEKAR.

A REPRESENTATION TO THE GOVERNMENT OF
INDIA ON THE SUBJECT OF THE VERNACU-
LAR PRESS ACT.

No. 13 of 1881.

SARVAJANIK SABHA ROOMS
NAGARKAR'S WADA, NEAR VISHRAMBAG,
Poona, 11th February 1881.

To,

THE SECRETARY TO GOVERNMENT
HOME DEPARTMENT.

CALCUTTA.

SIR,

We have been directed by the Managing Committee of the Poona Sarvajanik Sabha to submit the following representation on the subject of the Vernacular Press Act in pursuance of the Resolution which was adopted by the Sabha on the 10th February 1881, and to request you to be good enough to place before His Excellency in Council the said Resolution with the papers accompanying it for his favourable consideration.

The Act for the better control of oriental publications was passed by the late Government about three years ago under an apprehension of political necessity which subsequent events have not, by the admission of all parties, justified. The official papers since published have shown that there was not that consensus of opinions even in the most responsible advisers of Government which alone could have warranted the wide departure from the acknowledged policy of Government in this connection, sanctioned as it was by nearly fifty years' experience of the great benefits which had resulted from the unrestricted liberty of the Press in this country. The only precedent for such action was that afforded by a measure adopted by Lord Canning under the excitement of the troubles caused by the Mutiny of 1857; but Lord Canning's measure was free from any invidious distinction between Vernacular and English publications, and it was only temporary in its application. The present measure was apparently passed in great hurry in view of apprehended troubles in Russia. That justification has long since ceased and the measure had been practically inoperative except in a few isolated cases where the action of Local Governments has had to be controlled and set aside by the interference of His Excellency the Viceroy in Council. This Sabha has from the first protested against the enactment of such a measure and its retention on the Statute book on the grounds that it cast an undeserved suspicion upon the loyalty of the Vernacular News-papers, that it prevented the free discussion of official measures

which, under the circumstances of an alien rule like that which obtains in British India, is so necessary in the interests both of the governed and the governing classes, that it checked from the sense of ignoble fear the growth of a healthy public opinion, and that it invested petty local authorities with a power of vexatious interference which cannot fail to demoralize them.

In 1878 the Sabha memorialized both Houses of Parliament on the subject, and similar memorials were sent from other parts of British India. Before the change of Government occurred in England the Honorable Members, who now form the Ministry, sympathised with the prayers urged in these memorials, and pledged themselves to an advocacy of the repeal of this law with a liberality and freedom which have earned the grateful acknowledgment of the people of this country. When the change of Government occurred in England these pledges were renewed and the Marquis of Hartington in his capacity as Secretary of State for India was pleased to assure a deputation which waited on him that the repeal of the Vernacular Press Act was under the consideration of his Government, and that they only waited to hear the independent views of His Excellency the Viceroy in Council before taking final action in the matter. The Sabha respectfully express a hope that His Excellency the Viceroy, during his recent tour through several provinces of British India, and in his conference with the Local authorities, has satisfied himself that the time has arrived for the early abolition of this law. The recent announcement in the public press of a contemplated change in this direction has greatly confirmed the hopes which ever since the change of Government the people of this country have cherished that the pledges so frequently given will now be redeemed. With a view to strengthen their position the Sabha undertook in last September to ascertain the wishes of the leading newspapers and the representatives of the local communities in the mofussil towns. Twenty-seven newspapers representing the leading organs of the Maratha and Gujerathi population have responded to this call of the Sabha, and the replies received from them are appended to the Résolution which accompanies this letter. It will be seen from these replies that there is a singular unanimity in the wish expressed in all quarters that this invidious enactment should no longer find a place in the Statute Book. The existing penal laws with the amendments introduced many years ago by the Honorable Mr. Fitz-James Stephen with a view to check seditious publications will be found quite sufficient to answer all legitimate purposes. In fact there has not been a single occasion during the last 12 years when it has been found necessary to call into exercise these powers conferred on the Government by the Penal law. It is earnestly hoped

accordingly now that peace has been restored on the frontiers, and the country is blessed with renewed prospects of good harvest and general tranquility, His Excellency's Government will take steps to reassert the authority of the law on its old foundations, and restore the liberty of the Press, which is one of the most effectual, if not the only guarantee for good Government in this country.

We have the honour to be,

Sir,

Your most obedient servants,

KRISHNAJI LAKSHAMAN NULKAR,

*Chairman of the Managing Committee,
of the Poona Sarvajanic Sabha,*

SHIVRAM HARY SATHE,

Secretary of the Poona Sarvajanic Sabha

Read the following Communications and Letters from the Editors of

Newspapers.	Place.	Date.	Remarks.
Shubhasuchak	Satara.	15th Septem- ber 1880.	Sd. by 50 persons
Rasta Gofar	Bombay.	26th do.	
Khandwa Punchayet Sabha	Khandawa	12th do.	Sd. by 111 do.
Ratnagiri Satyashodhuk	Ratnagiri.	24th do.	
Hitechhu.	Kiladgi.	24th do.	Sd. by 145 do.
Dnyanodaya Office.	Bombay.	3rd do.	
Jami Jamsed.	do.	4th do.	
Suryodaya	Tanna.	19th do.	
Deshi Mitra	} Surat.	2nd do.	
Nyaya prakash			
Vartaman Sar			
Bombay Samachar.	Bombay.	15th do.	
Khandesh Vaibhav.	Dhoolia.	17th do.	Sd. by 37 do.
Dharwar Vritta.	Dharwar.	16th do.	Sd. by 31 do.
Vividhadnyanavistar	Bombay.	20th do.	
Braoch Newspaper	Braoch.	18th do.	
Dina bundhoo.	Bombay.	22nd do.	Sd. by 38 do.
Native Opinion.	do.	8/3/1881.	
Juda Prakash.	do.	do.	
Dnyan Prakath	Poona.	1st do.	
Chivaji	do.	do.	
Dnyan Chakshu	do.	do.	
Poona Vaibhava	do.	do.	
Kesari	do.	do.	
Nibandhamala	do.	do.	
Maratha.	do.	do.	

A REPRESENTATION TO THE GOVERNMENT OF INDIA
ON THE GAME PRESERVATION BILL.

No. 18 of 1881.

SARVAJANIK SABHA ROOMS,
NAGARKAR'S WADA, NEAR VISHRAMBAG.

Poona 19th February 1881.

To,

THE SECRETARY TO GOVERNMENT

HOME DEPARTMENT,

CALCUTTA.

We have been directed by the Managing Committee of the Poona Sarvajanik Sabha to submit the following observations in regard to Bill No. 4 of 1880 which has been lately passed by the Local Legislature in this Presidency, entitled the Game Preservation Bill, and we request that for the reasons stated below, His Excellency the Viceroy in Council will be pleased to exercise their power of vetoing the measure when it is sent up for confirmation and approval.

We beg to submit that in its passage through the Local Council this Bill was hurried during its first two stages in such a way as to preclude all free and public discussion of the measure. The interval between the 1st and 2nd reading was so short as to leave no time for the general public to make their views known to the Council. The proceedings in connection with the first reading were not published till within a few days before the second reading was taken up, and the Select Committee's report was submitted under circumstances which showed that the Members of the Committee appointed to deliberate upon the measure had not sufficient opportunity to direct their attention to the most important details in regard to the necessary information about the animals to be protected, and their breeding seasons. These matters should have been definitely settled before the 2nd reading was taken up. Besides the game animals and birds to which alone the Bill was restricted in its first introduction, fishes were added by the Select Committee without any of the justifications, which were urged in regard to the preservation of game. The result of this hurried and partial consideration was that when the Bill came for second reading it was opposed in many of its important provisions by all the non-official independent Members in the Council, as also by His Excellency the Commander-in-Chief, the acting Advocate General and even by one of the Members of the Executive Council. At its third reading, the defects above pointed out were to some extent made up, but even then the independent Members voted against it, and although the official Members secured a majority of votes in its favour this

majority was vitiated by the fact that no less a person than His Excellency the Commander-in-Chief confessed that although he disapproved of the provisions of the Bill, and agreed with the Native Members in their comments against the Bill he withdrew his opposition because he was a member of Government, and he regarded it as improper that he should oppose a measure upon which the majority of Government Members had made up their minds. Such a confession coming from such a quarter as this will, we trust, have its due weight allowed to it, as it really deprives the Legislative Council of all its independence.

Apart from these irregularities we beg to submit that the law in question not being confined to a particular district or a particular class of animals is without a precedent in the whole of the previous legislation throughout British India. The only precedent quoted was a small measure passed by the Madras Legislature recently for the preservation of elephants and certain specified animals in the Nilgiree Forests. A similar measure, if it had not been made applicable to the whole Presidency, and had been confined to Government Forests only, would have evoked no opposition. As it is the law in question being made applicable to the whole Presidency, is at once unnecessary,—wrong in principle, and likely to be abused in its practical enforcement. It is not contended that any large class of the population has desired the protection of game. The District officials at whose suggestion it was passed, cannot be regarded as fair representatives of the people in such a matter. As the Government has absolute control of its own reserved and protected forests, extending over nearly one tenth of the area of the Presidency, no special necessity was shown for the preservation of game in the cultivated portions of the districts. It is wrong in principle because it unduly enhances the power of low paid subordinates, who, under no circumstances, can be trusted to exercise their power with discretion. The people are so effectually disarmed throughout the country that they are unable to protect themselves from the depredations of the wild animals and birds especially in the vicinity of the forest areas which are under recent extensions scattered all over the country. All these and other considerations were duly urged upon the attention of the Local Legislature in a memorial submitted by the Sabha, a printed copy of the Journal in which it is published is forwarded herewith for the consideration of His Excellency the Viceroy in Council.

We trust the points suggested above and the fuller observations made in the memorial will satisfy H. E. the Viceroy in Council that no sufficient grounds have been shown to justify such an enactment, so faulty in principle, so every likely to be abused, and from which the benefits contemplated are remote and uncertain, while

the annoyance and vexations will certainly be great beyond all precedents. We accordingly submit that these circumstances will be deemed sufficient to justify His Excellency the Viceroy in Council to withhold his confirmation of the proposed law, in the exercise of the power of veto with which the Supreme Government of India is invested.

We have the honour to be,

Sir,

Your most obedient servants,

KRISHNAJI LAKSHMAN NULKAR,

*Chairman of the Managing Committee,
of the Poona Sarvajanic Sabha,*

SHIVRAM HARI SATHE,

Secretary of the Poona Sarvajanic Sabha,

A REPRESENTATION TO THE GOVERNMENT OF INDIA
ON THE COTTON FRAUDS BILL.

No. 19. OF 1881.

SARVAJANIK SABHA ROOMS,
NAGARKAR'S WADA, NEAR VISHRAMBAG.
Poona, 19th February 1881.

To,

THE SECRETARY TO GOVERNMENT

HOME DEPARTMENT

CALCUTTA.

We have been directed by the Managing Committee of the Poona Sarvajanic Sabha to submit the following observations in regard to Bill No. 3 of 1880 which has been lately passed by the Local Legislature in this Presidency, entitled the Cotton Frauds Bill, and we request that for the reasons stated below, His Excellency the Viceroy in Council will be pleased to exercise their power of vetoing the measure when it is sent up for confirmation and approval.

It is admitted that the law passed by the Local Legislature has been consistently opposed by the European and Native mercantile classes in whose behalf it has been enacted. The Bombay Chamber of Commerce have at various times remonstrated against the measure, and these remonstrances produced such an impression upon the Government of India that they, in a resolution referred to in the debates,— seem to have fairly accepted the arguments urged by the mercantile classes for the withdrawal of this special legislature, along with the abolition of the special department, which was carried out under the orders of the Government of India last year. During the hurried passage of the Bill through the Local Council all the non-official members, European and Native, expressed their disapproval in strong terms and voted against it. Even some of the official members seemed to have voted for it, chiefly out of deference to what they conceived to be the orders of the Secretary of State. The Secretary of State could never have intended that such a protective measure should receive legislative sanction in the teeth of the opposition of the mercantile and non-official members. In the present state of trade and developed communications no just ground can be urged why cotton among all other articles should be singled out for special protection. If adulteration on a large scale is of itself to be regarded a sufficient reason, the consuming classes in India might claim to be protected against the heavily sized piece goods which are sent out to this country from Great Britain. Such protection does not exist in any other parts of India, and half the trade of this Presidency in cotton which comes from the

Native States of Kathiawar and the Southern Maratha Country, has always flourished without any such protection. We accordingly submit that these circumstances may be deemed sufficient to justify His Excellency the Viceroy in Council to withhold his confirmation of the proposed law in exercise of the power of veto with which the Supreme Government of India is invested.

We have the honour to be,

Sir,

Your most obedient servants,

SHIVARAM HARI SATHE,

Secretary Poona Sarvajanic Sabha,

S. H. CHIPLONKAR,

Honorary Secretary Poona Sarvajanic Sabha.

THE CENTRAL PROVINCES LAND REVENUE AND TENANCY BILLS.

If there is one point more than another which strikes every student of British Indian administration in this country, it is its incapacity to realize to itself the fact that the institutions of a country can never be permanently, or even for a long time, out of harmony with its intelligence, social advance, and economic conditions, without producing demoralizing consequences. The differing conditions of national development in the various provinces of India are too often ignored and set aside, to make room for a uniform administration. One code, one law, one measure, the same taxation, the same routine forms, a fondness for uniformity as an end in itself,—this is the besetting sin of the administration. The mischief is aggravated by alternations of policy which alike err in exaggerating the action of Government out of accord with the contemporary wants and aspirations of the people. The change when it comes is so late, and has such a violent swing, that, far from curing the mischief already accomplished, it breeds fresh and great troubles, and further demoralization, setting class against class, destroying the best elements of national life and growth, and stimulating the worst instincts. These vicissitudes of policy make themselves most felt in the dealings of Government with the settlement of land in the different provinces of the empire. At times the prevailing sentiment is more democratic and radical than the latest patents of American or French political prophets, and at other times the reactionary feeling is more conservative and superstitious than in the most backward of Asiatic countries, and the worst of it is, that the change of feeling always comes too late for securing any beneficial reform. From one end of India to the other, it is the same sad tale of old insti-

tutions decayed, old ties broken up, old associations severed by the hand of violent innovation, and just when people are seeking to reconcile themselves to the new order of things, an equally violent reaction, takes place, unsettling all, and completing the destruction by its untimely effort to repair the mischief too thoughtlessly encouraged in the first instance.

The latest instance of this tinkering policy on our side of the country is furnished by the Deccan Agriculturists Relief Act. The same influences which recommended that measure as a panacea for the misery of the agricultural classes in this Presidency has suggested a similar experiment with the land settlement of the Central Provinces. The Central Provinces Land Revenue and Tenancy Bills are by far the most important measures which are now awaiting the consideration of the Supreme Legislative Council. Unfortunately, the Central Provinces have no recognized exponent of the views of their native population, who are too backward, or too much blessed with comfort, to feel the want of a Free Press and free associations. The changes which these Bills seek to introduce are, however, so questionable and sweeping that they seem to have waked up the very dead to life, and stirred up the Malguzar Zemindars of the Nagpore and Damoh divisions to thought and action. In the Central Provinces, as in the Bengal Presidency and to some extent in the Konkan Districts on our own side, the Government officers are anxious to pose as the friends of the Ryots, and enforce in their interests concessions from the intermediate Zemindar classes which, in its own direct relations with the Ryots of the Deccan, the same Government is not disposed to respect. While coolly laying down the law that there shall be no enhancement beyond certain limits of the rents of so called occupancy tenants at the instance of the Zemindars, it refuses to circumscribe any such limit to its own exactions; and while eviction for non-payment of rent in these Provinces

is sought to be surrounded with all manner of restrictions as to compensation for unexhausted improvements, in our own Presidency it has been only recently ruled that non-payment of rent or assessment shall lead to the absolute forfeiture of the land, whether alienated, Vatan, or the Ryot's miras. The Central Provinces Zemindar or Malguzar is not a new creation; he is moreover not an absentee land-lord, nor a mere rent receiver. He is a cultivator himself, and after the solemn pledge given to him when the settlement was first introduced in 1860, it is very hard lines to break the pledge in spirit, and run him down as though he was an Irish land-lord settled by force of conquest in a foreign country.

With a view to understand correctly the bearings of the proposed measures, it will be necessary to treat the subject historically. Sir R. Jenkins is the great contemporary authority for the condition of the country under native rule, and the official minutes of Sir Richard Temple, the first Chief Commissioner, and of the Honorable Mr. C. Grant, who compiled the C. P. Gazetteer, and is at present in charge of these Bills, furnish most valuable materials for such a historical survey. Under the rule of the Bhoslas of Nagpore, every village had its *Patel*. He was generally the recognised head of the community. He was the agent of the Government for apportioning and collecting the village assessment. He also possessed in an undefined way judicial authority, both civil and criminal. His office was not strictly speaking hereditary, but as a matter of fact he was frequently succeeded by his son, or in the absence of sons, by some other capable member of his family. This took place more by sufferance than by virtue of what would now-a-days pass muster as a legally enforceable right. But the Patelship could not be taken away from the members of a family which had enjoyed it for generations without doing violence to the feeling of the community, and, except where a Patel had made himself unpopular or proved

incompetent, he was seldom removed. He paid his *kist* to the *kamavisdar*—as the Perganna revenue officer was called. If a Patel of good character happened to be badly off, and unable to meet the government demand, the *kamavisdar* not unfrequently became his security, and a *sowkar* paid the amount due on this security. Otherwise the Patel made over the rents of his village, or those of as many of the *ryots* as covered the amount of defaulted revenue, to the *sowkar*. If the village was large, the *Sowkar* sent an agent of his own to keep the accounts. Generally, however, the *Sowkars* were satisfied with the accounts of the *Pandia* or the village accountant, which were compared and investigated in the presence of *ryots* at the end of the agricultural year. Though the arrangement had not the sanction of “law”, yet it always worked well, and to the satisfaction of the parties concerned. Mutual good faith did then what the “law” of the present day fails to accomplish. The cultivators held the land on yearly leases granted them by the Patel. Only the area under actual cultivation was liable to Government assessment. The Government demand was on the village as a whole, and not upon particular fields. It was the Patel’s duty to apportion the assessment field by field. And generally before the commencement of the agricultural year, he settled the proportionate part of the whole assessment, which each individual *ryot* was ultimately to contribute. The *Bida* or betel, which was considered as the pledge of mutual good faith, was then distributed by the *Patel* to the *ryots*. The year’s engagement being thus completed, the agricultural operations commenced. Any special enactment to protect the rights of *ryots* was then unknown. But the general sense of the community in those days did what the scientific legislation of these days attempts to do, but seldom succeeds. Sir Richard Jenkins, for a long time Resident at the court of the Nagpore Raja, endorses the opinion of Captain Comerson who says,

“ he has always found the *Patels* ready to do their ryots justice, and their proceedings are seldom vexatious, unless with a view of getting rid of a bad or “ intriguing character out of the village.” The *Patel*, where necessary, gave *tuccavee* advances to those of his ryots, who were in bad circumstances, or who had been particularly unfortunate during the past year. The *tuccavee* consisted of cash for the purpose of purchasing cattle or implements of husbandry, or these were furnished at a fixed valuation. Seed grain (*Bij*), and grain for the subsistence of the ryots and their families (*Potga*) were also advanced by the *Patel*, or his banker. All this was done as a matter of course; and the transactions, unlike similar transactions of the present day, did both the *Patel* and the ryot good. The accounts of the Ryot were generally settled before the first of *chaitra* (April). *Patels*, to whom their ryots were thus in debt, were allowed to place the property of the defaulter,—including the produce of his field—under restraint, but not to sell it without the previous sanction of the Perganna Revenue officer. The spectacle, however, of a rich and powerful *Patel* taking advantage of the social inferiority, ignorance, or inexperience of his dependent ryot for the purpose of driving a hard bargain was an occurrence then very rare, if not almost entirely unknown. The *Patel* never sold up his ryot unless forced to do so by the circumstances of the case. At the present day, the Marwadis form the bulk of the money—lenders. All the miseries of the people are laid at their doors. They have come to be looked upon as worms eating into the vitals of society; and taken all in all, they are perhaps the best abused people of the community. But here is what Sir Richard Jenkins says of them before the “ laws” of the present day transformed them into what we find them now—unrelenting, and not unfrequently, unscrupulous. “The Marwadis are the principal shroffs or bankers in the city. They are extremely intelligent, quick in the despatch of business, and cor-

rect and fair in their dealings. In their general conduct and demeanour, they are sedate and respectable, and they bear, perhaps, the highest character of any class in the community for integrity and fair dealings". What a falling off is here? And how great must be the responsibility and accountability of those who have brought about such a sad change!

Justice was administered in an equally simple fashion. There were no separate officers of rank connected with the administration of justice. The people generally settled their disputes by their village panchayats. In each village there was an arbitrator—or as he was called "the Mahajan," chosen by the Patel and the Ryots jointly. His office was not strictly hereditary, but in accordance with the usual practice of the country, it often descended from the father to the son. Sir Richard Jenkins says, the Mahajan settled all disputes between the Patels, and the Ryots as far as was in his power. The aid of the regular panchayats was invoked in all cases of a civil nature arising amongst the villagers. The Panch were assembled by the Patel. They had no fixed place of meeting, but the platform of the village God was generally selected as attaching the sanctity of religion to whatever might transpire before the panchayat. The most respectable men in the village were chosen members of the panchayat, irrespective of caste or profession. The Patel generally named the members, but the parties had the right to challenge his selection. Sometimes the parties chose their own panch, and an umpire or Sir-panch was chosen with mutual consent. The agreement of the parties to abide by the award was usually verbal, but in cases of importances, or where the parties were known to be litigious, it was reduced to writing. Their proceedings were rarely recorded. Even in cases coming before the Government officers, the panchayats were extensively resorted to. With them fraud was next to impossible. Nothing is easier now than for an unscrupulous

litigant to palm off upon a judge of the present day, who knows nothing of the antecedents of the parties and their witnesses, a false claim supported by false evidence. But before the village Panch, with their local experience as derived from personal knowledge of the past history of each litigant and witness, it was not an easy thing to sustain a fraudulent claim. Moreover, a man might swear anything at a strange place and before a strange judge, removed from the control of the public opinion of his villagers, but he would think twice before he would so commit himself in the presence of the headmen of his village and in the hearing of all his neighbours.

Under this system which suited their genius and tradition, the people were in a state of peace with one another, and of general contentment with their condition. So long as the government demand was moderate and equitable, and it was generally so under the Nagpore rulers, and there was no interference with the natural working of the above system, the Ryots prospered. The contrary only happened when, owing to misrule and oppressive assessment, they were not allowed to shape their conduct towards one another in accordance with their time-honoured customs and institutions. Sir Richard Jenkins's report affords abundant evidence of this fact. From the first commencement of the Marhatta rule down to the year 1792 the country was uniformly prosperous. But from this time the inhabitants began to date the period of misrule and oppressive assessment. Things returned to their old course during the Regency (1818-1827), and there was no break when, on the late Raja attaining his majority, the kingdom was made over to him.

The late Raja died on the 11th of December 1853, and his territory then passed into the hands of the British Government. At that time the old native system under which the people had lived in comfort for so many centuries had lost none of its vitality.

Though grey with the dust of ages, the accumulated weight of many centuries had failed to crush down its life-giving power. It was as potent as ever to conduce to the happiness of the people, and it was certainly most desirable that with the change of government, there should be no change in the constitution of the village communities, and that their internal economies should be left untouched in all their essential particulars. The Government of the day was fully alive to this fact. The Governor General, in his instructions to the Resident dated 7th March 1854, laid down that the guiding principle which should pervade the new administration was "to establish plain, simple and efficient regulations on the basis of the ancient usages and laws of the country." This looked well upon paper. But nowhere throughout India has the British Government been able to adhere to this principle. The past history of British administration of India would rather lead one to conclude that the continued existence of native institutions is against the spirit of British Rule. Certain it is the indigenous institutions of the land have never long survived its introduction in any part of India. No sooner did the new Government settle down, than the Governor-General in Council thought that "the rules in force in the Panjab on the subject of the administration of civil justice might be introduced with great advantage" into the newly acquired provinces. They were accordingly very soon introduced. The Nagpore Commission was then formed to administer the new law. A code of procedure framed by the Judicial Commissioner of the Panjab was also introduced for the guidance of the officers. All this took place within four years of the change of government. In 1859 it was ordered that the Civil Procedure Code (Act VIII. of 1859) should be partially introduced as an authoritative guide, supplementing where necessary the existing rules, the object to be kept in view, being

"the eventual adoption of the Code as law." In the same year a number of rules and principles, sanctioned originally for the Panjab, and regulating the limitation of suits, the registration of deeds, the law of evidence, the cost of litigation and other kindred matters, were introduced. The reason assigned for this was that it was "convenient, and on many grounds advisable that, so far as practicable the system of administration pursued in the provinces under the Government of India should be the same." This was a complete departure from the declaration with which the new administration had opened namely, that the people were to be secured in their own laws and customs. In attempting to give effect to this principle of uniformity the declaration of 1854 was soon lost sight of, and but scant respect was shown to the feelings of the people, and to their own laws and customs. In less than six years of the change in the Government, the country underwent a complete transformation, and to crown the edifice, the Patels were turned into malguzar farmers by the settlement of 1860-61, and the Ryots were taken under protection by the extension of the Bengal Act 10 of 1859 to the Central Provinces. It is not necessary that we should trace step by step the development of the principle laid down by the Governor General in Council when introducing the Panjab Rules. Suffice it to say that the introduction of new laws and regulations on the basis of those obtaining in the older provinces of the Empire went on at a vigorous pace; and by the time the several districts now forming the Central Provinces were consolidated under one central jurisdiction, the territory which had lapsed on the death of the late Nagpore Raja had become assimilated to the other parts of India in its possession of an equally costly, elaborate, and intricate system of law and procedure.

Sufficient time has now elapsed to judge of the

effects of the introduction of the new system upon the economic condition of the people. Though only 27 years have now gone by since the Native raj ceased to exist, the supplanting of the old Native system by the new foreign system has been so complete and thorough, that one may travel far and wide before he comes across any trace of the old institutions of the land. And except perhaps in some hilly, out of the way, and inaccessible places, where the influence of British civilization has not yet been able to penetrate, or make itself felt, the whole thing has been swept clean out of the country; so much so that even the very materials wherewith to reconstruct society on the old lines are now hard to be met with. The people have now lost all relish for their own old institutions. The Panchayat system is at a discount. Very seldom it is that the parties now think of invoking its aid. There is amongst them an unhealthy hankering after litigation for litigation's sake, which every new law that is introduced tends to foster. They have lost all faith in one another, and not perhaps altogether without reason. Nothing is more difficult now than to secure a body of Panch who will be above all suspicion, and fighting in courts with all its evils has almost become a necessity.

Thus, while justice has become dear and difficult of attainment, the system under which it is administered has served to bring about a complete disintegration of the old happy social relations between the several classes. Here, as elsewhere in India, there is the same war of class against class, capital against labour, labour against capital. The money-lender, perhaps forced by the very necessity of the case, has become hard, unrelenting, and very often unscrupulous. The land-lord has lost his old love and good feeling towards his tenants; and the latter in their turn have ceased to look upon the former as their indulgent master and kind friend in their difficulties. The bestowal of proprietary right upon the Patels of the

Maharata raj at the settlement, and the almost simultaneous introduction of Act X of 1859 for the protection of the ryots,—both of which measures proceeded from the purest motives of benevolence towards the people,—have only served to accelerate their ruin. The relations between the several classes having become embittered, and there being no longer any readiness on the part of one class to make the smallest sacrifice in supporting the others, the proprietary right has proved a most tempting bait to the Marwadi money lender to bring about the ruin of the Malguzar, by means fair or foul. A war to the knife is being carried on between the two. The Marwadi fights the Malguzar by taking the Ryot under his protection, and ends by ruining both the Ryot and the Malguzar.

As for the ryots, Act X of 1859 has proved the veritable apple of discord. In the days of the Bhoslays, there was no such enactment to protect the ryots in their rights, yet so considerate had been the Patels of those days in their relations with their *kirsans* (cultivators), that at the time of the settlement when the Patels were turned into Malguzars *i. e.* farmers of revenue and transferees of the Government interest in the lands, it was found practicable to confer upon numbers of ryots substantial possessory rights over the lands they held. Some were made *Malik Makbuzas*, or absolute proprietors of their holdings, others were turned into what are called in these Provinces absolute occupancy tenants. They hold at fixed rates, and their tenures are heritable, and, subject to the land-lords' right of pre-emption in case of sale, also transferable. Those that could not show longer possession than twelve years, were declared simple occupancy tenants. Even if all other evidence had been wanting, this is a proof pretty conclusive that the relations between the landlord and the tenant in those olden days were healthy, for it was only the previous forbearance of the Patels that made such a result possible. But whether this can be

predicated of the present state of things is more than doubtful. Sixteen years have now elapsed since the introduction of Act X, and it is yet to be seen whether the expectations of the Government in introducing it have been realized. An enquiry has lately been ordered to ascertain the number of occupancy tenants existing at the present day. Even if the result of the enquiry be to show that their number has, since the settlement, received as much increment as could reasonably be expected under the circumstances, yet, looking at the status of the ryots and their relations with their Malguzars and Sowkars, it is a question whether too high a price has not been paid for a right which after all does not benefit those on whose behalf provision was made for its growth. At the beginning when the law was but little understood and appreciated, the landlord and the tenant shaped their conduct towards one another as if it had no existence. But with the diffusion of legal knowledge, the old state of things, which depended for its continued existence on the ignorance of the people, has fairly given way, and is rapidly disappearing. The landlord now is wide awake to the fact that an occupancy tenant, with his special rights and privileges, is too dangerous a person to be tolerated and shown any favour. Naturally, when you set up a tenant against his landlord, the latter tries his best to put such a person out of his way. As the close of the eleventh year draws near, the struggle between the two commences. The landlord uses his best endeavours to prevent the growth of the tenant right by ejecting the occupant before the twelfth year commences, while the latter in his turn clings to his land with all his might. The Courts, with their doors wide open, invite them both, and they rush to them with all the feverish recklessness of a set of gamblers. Forged documents and tutored witnesses are the weapons with which they generally fight. It is seldom that a tenant dares fight with his landlord single-handed; and seldom it is that he is left to do so. He has always at his

elbow the money lender, with his purse wide open to lure him on to his ruin. The war once begun is carried on to the bitter end; and the poor deluded man seldom looks behind and casts up the cost. That task he leaves to his friend the money lender, who slowly but surely draws his meshes tight round his victim. If he loses, he is ruined; if he wins, he is equally ruined. That little account of his friend the money-lender has a tendency to grow out of all proportion to its original dimensions. His field and agricultural resources are his only property, and his friend very soon relieves him of them. But as a money-lender has no relish for agriculture,—his own profession being much more paying,—he generally takes the ruined tenant into his service, and gets the field cultivated by him. When the holding is not transferable according to law or custom, the name of the tenant is allowed to remain in the village papers, but to virtual serfdom he is reduced all the same. He gives the sweat of his brow, but others enjoy the fruits of his labour. If the landlord loses the ejectment suit, he generally follows it up next year by a counter-suit to enhance the rent. If the ruin is only half accomplished by the first suit, the second leaves nothing to be desired. Henceforth reconciliation between the two becomes next to impossible, and how best to revenge themselves upon one another becomes one of the chief pastime of their lives. And they find in fresh litigation, for which the law affords so many facilities, the surest means to accomplish their object. The law is always accommodating enough, and they are never at a loss for an opportunity. The picture we have drawn above is saddening enough in all conscience, but it is drawn from nature. It may not apply to every case that is presented to our courts here, but that substantially, and in the majority of cases, the picture given above accurately describes what is actually happening every day, will be borne out by the experience of all who have had anything to do with the Courts here, and

had his attention drawn to the matter. And it would serve no useful purpose to cry out peace when there is no peace. Matters have reached a crisis, and the truth, however unpleasant, must now be faced and not shirked.

If the experience of the past is to be our guide for the future, it is clear as the noon-day sun to us that all future legislation ought to have for its keystone the great principle of reconciliation, which was the talisman that worked such wonders in days gone by. We have had enough of class legislation, and never before than now has it become more necessary to bring about a renewal of the old fellow-feeling by removing all causes of needless irritation. The *raison de etre* for which fresh legislation is considered desirable may be thus stated; the creation of proprietary right at the settlement, and the simultaneous introduction of Act X. of 1859 with its inevitable tendency to drive out the old unwritten customary law of the land, has been "absolutely to curtail the ancient privileges of the cultivators." The Bill attempts to make reparation for the wrong thus done to this class of people, but in spite of the excellent intention with which it has been brought forward, we are forced to say that, instead of acting as a balm, it will, by creating new sources of litigation, defeat its own end, and by widening the gulf between landlord and tenant, aggravate the evil for which it proposes to find a remedy. If the existing law is irritating and peace-disturbing, and the existing procedure wearisome and intricate, those proposed to take their place will, we are afraid, be equally injurious, if not more so, to the best interests of the country. This admittedly incomplete review of the past history of the economical relations between the Zamindars and their tenants under Native and British rule will enable the reader to understand our detailed criticism upon the new Bills. We shall first address a few brief observations on the Land Revenue Bill before adverting more in detail to the provisions of the Tenancy Bill.

In regard to the Land Revenue Bill, one general remark which occurs to us on the most superficial view of it is, that the Bill is framed on the outlines of the Ryotwari system which obtains in this Presidency, than which nothing can well be more unsuited to the settlement made with the Malguzars in 1861-62. The jealousy of all alienations, and of the action of Civil Courts, which characterize the Bombay system, has suggested the provisions contained in sections 73, 78, 83 and 131 of the C. P. Revenue Bill. The Malguzar system bears no analogy whatever to the Bombay settlement, and we think this jealousy of alienations is out of place. The principles of the Bengal Regulations of 1793 should influence the action of Government in regard to disputes which may arise in respect of the extent and title to exemption of lands for which the Malguzar holds a sanad, and many of which he has acquired under the waste land rules in full property in perpetuity, or the revenue of which has been redeemed by him under the rules for redemption laid down by Lord Canning. The adjudication of such matters should be left to the higher grade of the Civil Courts, who alone can deal out effective justice, fix the character of the alienation, and settle whether the grantee has broken his conditions. The vesting of such powers in settlement officers twenty years ago might have been expedient in the then circumstances of the country, but all such justification has now ceased, and there is a general consensus of views that these powers should be transferred to the Civil Courts. As early as 1793, Bengal Regulation 11 of that year laid down "that the proprietors can never consider the privileges which have been conferred on them as secure while Revenue officers are vested with judicial powers. * * * The revenue officers must be deprived of these powers. All financial claims of the public; when disputed under the Regulations, must be subjected to the cognizance of the Civil Courts, superintended by Judges, wholly disinterested in the

result of their decisions, and bound to decide impartially between the public and the proprietors of land." Not only does the Bill seek to perpetuate and enlarge the judicial powers of these so-called settlement officers in the matter of disputes between land lords and tenants, but it sanctions the retrograde step of divesting the Judicial Commissioner of his existing powers of appeal, and transfers them to the chief executive officer, the Chief Commissioner of the Province. As this latter officer is overburdened with an infinite variety of duties, this transfer will force him to entrust this essentially judicial work to one of his secretaries. The Central Provinces are now sufficiently advanced above the non-regulation stage to justify greater confidence on the part of government in the Chief Judicial authority of the Province. In this Presidency, the non-Regulation rule lasted only nine years (1818-1827), while in the Central Provinces it has now lasted more than 25 years. So far from investing larger powers of review and appeal in the Chief Commissioner, we believe the time has now come when all judicial authority should be vested in an independent tribunal. The work of the settlement officers has been finished, and full registers of all existing customary rights of tenants have been prepared. There is thus no occasion left for re-opening this closed controversy, and stirring the waters of strife.

The next important innovation relates to the creation of the office of Mokadam. The reasons assigned for the creation of such an office are mostly of a speculative nature, as it is feared that the Zemindaries will be broken up, and bought by absentee land-lords, in consequence of which there will be no responsible head left in the village with whom Government can deal. We think the Honorable Mr. Grant has been too much influenced by his own observations in the discussion of the effects of free alienation in 1874. The burden of the new office will it is thought lead to a check upon the grasping monied classes of the town,

who now buy land as an investment, and not for the social status it confers. The Mokadam is to be a nominee of Government. The sharers in the proprietary rights will have no voice in his nomination, though he is to be paid by them. He may be a stranger to the family, and need not be even a resident lambardar. He will be thus both the thin and the thick end of the wedge,—a perpetual source of discord and trouble to the proprietors, who will be reduced in status and power. The substitution of stipendiary in place of hereditary unpaid officers is one of the worst agencies that can be devised for breaking up the integrity of a village community. We fear this innovation will be the last straw to break the camel's back. The Government might fairly leave this power without profit in the hands of the Malguzar proprietary classes, confer as in this Presidency the right of electing a head or agent or officiating Patel on the members of the family, and enforce the residence of such nominee.

The question of the limits within which the Malguzar's power to enhance rent should be limited has been very summarily dealt with in sections 87-89 of the Revenue Bill. The settlement officer is in the first instance to fix rents, after taking into his consideration the Government assessment, and the customary rents paid by the same classes of tenants for similar lands, and allowing for change of prices. The Government, however, refuses to lay down any principles by which it agrees to limit its own demands for enhancement of land revenue on revision, and we think so long as there is no principle laid down on this head, it is not open to it to interfere between the private land-lord and his tenant. Custom is now rapidly giving way to competition, and the settlement officer will find it hard to fix what the customary rate is if he does not accept the prevailing rate as the customary rate. As if these inequalities were not enough, power is left to the Chief Commissioner to fix what changes of price shall

be taken into account in fixing the enhancement. We fear all this complex effort to regulate by outside agency relations, which must be left to private competition, will fail. The rule of proportion fixed by the Calcutta High Court in the great Rent Case, though not far from doubt and difficulty, has at least a power to adopt itself to the circumstances of each case. The Government may well lay down that in its own exactions at the revision settlements, as well as between the Malguzar and the occupancy tenants, no enhancement shall take place unless it is proved to the satisfaction of a Civil Court that there has been a general rise of prices, or improvement of the land at the landlord's or state's expense, and that this enhancement shall be so proportioned that at each recurring thirty years' period, the increased assessment shall be equally divided between the Government, the Malguzars, and the tenants. This will be the most satisfactory termination of this never-ending difficulty. Any attempt to bolster up the class of mere tenants-at-will, which appears chiefly to have influenced the executive government in framing the new provisions, will lead to fresh endeavours to defeat it and make confusion worse confounded by reason of these tinkering efforts. These few observations will serve to show that the new Revenue Bill is not accurately described when it is stated to be a measure of consolidation only. We must content ourselves with this brief notice of its more important features; we have no room to refer to the sections in detail, which we doubt not will receive due attention from the Legislature.

To turn next to the Tenancy Bill, we think objection may fairly be taken to the ambiguous definition of 'tenant' in this Bill. It is wide enough to include by implication the farmer of less than half of any village as also usufructuary mortgagees. Both these classes of persons, as holding the land of another under a liability to pay rent, would under section 75 be entitled to claim occupancy rights, which certainly

it was never intended to confer on them. This is, however, a mere mistake due perhaps to inadvertent drafting: No such excuse, however, can be urged for the interference of the state in the private contracts of parties legalized by the subsequent sections 6, 11, 13-16, and 17-22.

Section 6 empowers the Chief Commissioner to fix the dates for the payment of the instalments, not of the Government assessment only, but of the rent due by the tenants to the Malguzars. These last payments are now regulated by contract or custom. The Government is no way directly interested in the matter, and this new power will derogate greatly from the independent status of the Malguzar. This innovation is, however, a mere trifle by the side of the direction contained in section 11, which lays down that all private contracts fixing the rent payable on land at a lower figure than the Government assessment levied therefrom shall be null and void. This stretch of power is sought to be justified by the philanthropic motive of protecting improvident proprietors from injuring their own resources. There is no precedent for thus inflicting a new discipline of thrift upon a whole Province whose tutelage it will perpetuate. The government will not allow itself to be bound down to any rules in fixing the assessment, and it is, to say the least, preposterous to require that no Malguzar shall charge less rent for his land than the government assessment as fixed by the Survey Department which works in the dark and often without any guiding principle and whose settlement is so liable to err both ways. In the reclamation of waste lands, great relaxation has to be allowed for the first few years to induce people to break them up, and this innovation will seriously interfere with the progress of improved cultivation.

Sections 13-16 carry still further the interference of the revenue officer to a practically most mischievous extremity, for which no shadow of a precedent can be shown in the existing law. When.

ever there is a dispute between a land-lord and his tenant as regards the appraisement of a crop, or the division of the produce, the revenue officer is authorized on application to appoint a commission for the settlement of the dispute, and if the parties are dissatisfied with such settlement, they are then allowed three months to refer the matter to a Civil Court. This provision appears to us to be the surest way of fomenting open discord between the opposing interests, and enlarging the interference of the revenue officials in every man's private affairs. While the revenue officer is thus to have his hand in every man's pie throughout the country, the independent powers enjoyed by the Malguzars to this day for the protection of their rights are sought to be narrowed in all directions. His power to levy distress for rent is to be taken away from him, the right of first charge which his rent has hitherto enjoyed in respect of the crops is also to be done away with, and in place of this simple and self-acting remedy, he is to be permitted to bring a suit and obtain a decree for rent which may be executed preferentially over other and prior attachments. While the Malguzar is thus disabled, and may not collect his rents except under the shelter of a decree, his responsibility to the demands of government is retained with the full penalty of forfeiture on failure to make the payment punctually. Such a change in the law of distress might have been justified if it were proved that the land-lords had abused their existing powers. It has been officially admitted, however, in the last administration Report of the Central Provinces that the land-lords there do not give their Ryots any cause for complaint and that the Ryots are alive to their own interests and are prepared to assert all the rights they can claim. This power of distress is moreover not a creature of British law. It existed under native rule, the Patel was permitted to place the standing crops of defaulting Ryots under distraint, and no prior assignment by the Ryots was allowed to prevail. The force of this tradition is so strong that even when

out-and-out sales take place, the Soucar never questions the Malguzar's lien and pays up the rent without contest. The proposed alterations will teach the Ryots and their Soucars to set the Malguzar at arm's length, and lead to deception and fraud, multiplication of suits, and vexation and general demoralization.

This same tendency to increase the occasions of official interference, and make matters which are simple enough if left to be settled at the convenience of parties, complex beyond all conception by reason of such interference, shows itself in sections 27 and 28 which relate to evictions. All evictions by land-lords of tenants must under the new law be made through a process of the Civil Courts. In the majority of these eviction cases, there is really no contest, and the necessity of bringing a suit is a mere costly impertinence and a temptation to dishonesty. In the few cases where a contest may be expected, the present law, which allows a tenant unjustly evicted to be put in summary possession, is a sufficient protection. The whole of the complex process laid down by the new Bill will only benefit the stamp revenue. As if these sources of trouble and litigation were not ample enough, the Bill empowers even non-occupancy tenants to spend, at his own pleasure, money in what are called the improvements of land, after first giving the choice of a refusal to the land-lord to effect the same at his own expense, and no such improving tenant can be ousted unless he is recompensed fully for his expenses. Every bit of land manured, every pit dug in the soil, every little repair made to the well hedge or farm house, will thus be a perpetual source of conflict between the two classes. The whole tenantry of a village may thus combine and ruin a poor Malguzar out of his property and hold his land free of rent, for he has no power to evict them till the so-called improvements are paid up. The Civil Courts do not encourage even a mortgagee who improves the mortgager out of his estate. Here we find the legislature deli-

berately holding the apple of discord right in the face of the tenants, and in the name of improvement teaching them the ways of strife and deceit. The truth appears to us to be that these matters are so delicate and complex that they must be left to be settled by individual contract, and that any officious interference can only end in failure and demoralization.

The next innovation which the Bill seeks to legalize is the creation of a new class of occupancy tenants. Under the existing law direct occupation of 12 years is necessary to confer the status of occupancy tenants on a cultivating Ryot. Under the provision of section 58 of the new Bill a resident Ryot, cultivating land in a village for five years, who has received no help from the land-lord, may not be ousted by the land-lord except under certain conditions which it will be difficult for him to establish, even if he fails to pay the higher rent demanded from him. These tenants are called protected tenants, and their status is intermediate between the Malikmakbuza or old proprietors and occupancy tenants, and the yearly tenants-at-will. This provision of the Bill is entirely a creation of the new craze for limiting the Malguzar's power. When the settlement was first introduced, the rights of all the old Kadim Ryots were separately registered. It is, therefore, not open to the Government which gave proprietary sanads to the Malguzars to sanction this new encroachment so alien to the old traditions, without awarding compensation to the Malguzars for the loss of their rights. The Ryots in the early days were mostly annual lessees, and the Patels exercised freely the right of distributing the village lands among the resident cultivators. Mr. Morris the Chief Commissioner was, when he acted as Settlement Commissioner, so impressed with this fact that he proposed a sixty years' term as necessary to constitute occupancy right, and Sir R. Temple, then Chief Commissioner, himself thought that twelve years' term was

too short, and advocated a term of 20 to 25 years. The Supreme Government fixed 12 years as a medium term upon the analogy of Act 10 of 1859, and suggested that the question of enlarging the term might be taken up at the settlement. The proposal to lower the term from twelve to five is thus opposed to all the old pledges and traditions, and will virtually lead to the extinction of all Malguzar or land-lord rights; which seems to be the only consummation to which these and other changes noticed above will lead. The Ryots will be driven by the stress of this new rule to borrow from a stranger in preference to his Malguzar; and thus the elements of strife will be multiplied beyond all precedent. The so-called protected Ryots will thus become the victims of the marwadi lender, who as a rule has not half the interest to see him thrive and be happy which the Malguzar feels.

While the Government seeks on one hand thus to extend its protection to a new class of occupancy tenants, it proposes at the same time to deprive the old occupancy tenant of his independence in respect of the power of free alienation (sections 82-83). This is sought to be done in the teeth of the emphatic declaration in the record of rights that the position of these Ryots was independent of any future modification of the law and the only ground urged for this reactionary step is the thrice refuted allegation that Ryots voluntarily ruin themselves by getting needlessly into debt, and cannot be trusted with the power of free alienation. The oscillation of views represented by this ultra-conservative measure, contrasted with the no-less extreme radicalism which abolished usury laws in India at one sweep because they had been denounced in England, appears to us to be the most serious danger of the times. Even the Deccan Relief Act stops short of this revolutionary proposal of abolishing the power of free alienation. In the Central Provinces there is really no occasion for such restriction, because without the sanction of the

Revenue officers no sale of land can take place, and even without such a sanction the tenant has at present no power to charge his land with a claim for a sum exceeding five years' rental, for if the charge exceeds this amount, the Malguzar has a right of preemption. Compulsory sale of such interests by the process of Civil Courts may be usefully restricted, but there appears to be no justification for this wild attempt to lay the axe at the root of all free hold rights of the very class whom the Government is so anxious to protect.

We have thus reviewed all the more important alterations embodied in these two Bills. We trust many of the anomalies and objections we have pointed out above will be removed during the discussion of the Bill in the Select Committee, but the opposition to be effective must take a stand on the broadest grounds of the rights of property, and the sacredness of pledges, so solemnly given only twenty years ago.

The whole subject of the law of land sale in British India has been discussed thread-bare for more than a quarter of a century, and the panic which seems chiefly to suggest these measures so destructive of all independence of individual or national character, and perpetuating tutelage, and encouraging official interference in every affair of life, seems to us to be a most disastrous reaction from the indifference of the last two decades. We can only hope that this craze will soon run out its short term, and cease to haunt official conscience, and that government will resign itself to the only safe policy for an alien race of rulers, and remain masterly inactive, and allow the reign of impersonal law and free competition now that they have been in operation for so many years to assert their ascendancy over patriarchial custom and officious tutelage.

TOBACCO, ITS CULTIVATION, MANUFACTURE AND CURE.

We are indebted for the following paper on Tobacco to the kind courtesy of our friend Rao Bahadur Vinayakrao Janardan Kirtane, Naib Dewan at Baroda. The paper was read last year at a literary meeting at which amongst others His Highness the Maharaja of Baroda, and Mr. Melvill, Agent for the Governor-General at Baroda, were present.

Your Highness, Mr. Melvill, Ladies and Gentlemen :—

The theme, I have chosen for this evening's discourse, is Tobacco,—the weed that exhilarates but does not inebriate

Many assert that Tobacco is an article of exotic growth first introduced into this country by the Portuguese during the reign of Akbar, about the year A. D. 1605. The name tobacco would seem to make this theory probable. There is an island in the gulf of Mexico which formerly belonged to the Portuguese but which now forms a British Dependency, that claims the honor of giving the weed its present name. The island is one of the group called the Windward islands, and its name is Tobago. But this claim is disputed by a province of Yucatan also called Tobacco, where it was said to have first been found by the Spaniards. It is also said that the name Tobacco has been derived from a tube or pipe in which the American Indians, the Caribbees, smoked the plant and which tube or pipe was called Tobacco. The Spaniards are said to have given the name of the Tube to the plant itself. Whether it be the American Indian Tube, or the American Windward Island, or the American mainland, that gives the plant its name, the name current points to the New Hemisphere as its original habitat.

There is something, however, to be said on the other side. A fact has been stated by a British Military Officer, Lieutenant Pogson, which tends to show that the plant after all may have been indigenous to this country. He says that there is a species of Tobacco in the Himalayas in appearance very like the Virginia Tobacco plant. It is perennial, stands the heaviest frost, hail, and snow, reaches a height of between 8 and 9

feet, is ever green, and always in flowering, from August to March. He adds that the leaves are not used as Tobacco owing to their want of strength. The cultivated plant would seem to differ from this wild species in its being an annual plant, instead of a perennial one, in its being dwarf of stature, and in its having greater strength. We often find that regular cultivation tends to introduce these changes in a wild plant. Wild cotton is perennial, cultivated cottons are mostly annual. Wild coffee and wild tea shoot up to the skies whereas those that have been carefully planted and cultivated attain generally a moderate height. The produce of wild trees is generally of an indifferent taste—the same being developed by processes of cultivation. There is nothing unreasonable, therefore, in supposing that the indigenous wild plant may have in the hands of Indian cultivators become an annual, assumed smaller stature, and developed greater strength. "Stretch thy arms but humble thy head," is one of the commands of culture. If the wild plant existed in India, the cultivated plant may have existed also.

I have stated both the pros and cons for the indigenous and exotic theories. I leave it to you, Ladies and gentlemen, to be champions for the one or the other, just as your conscience may bid you.

The botanical name of Tobacco is *Nicotiana*. It is given after a person of the name of Nicot who is said to have introduced it from Portugal into France.

I will not trouble you here with the hard, unpronounceable Latin names which botanists have given to the different species of Tobacco, or with the distinguishing features of the different species. It is enough to state that there are six or seven different species, mainly distinguished from each other by the forms of their leaves and the colors of their flowers, the thickness or thinness of their mid ribs, and the angles at which the nerves branch off from them. The leaves are egg-shaped, heart shaped, oblong and tapering, oblong and curvilinear. The flowers, are white, red, purple, pink, and yellow-green:

Every new discovery when it becomes cognizant of its powers, and begins to assert itself, meets from the generality the people, especially from those who are in power, a certain amount of opposition and tyranny. In its early endeavours to establish itself in the civilized world, Tobacco has had its full share of this unkind treatment. The early users of Tobacco must certainly have sometimes found that after a deliberate smoke or a hearty chewing, they had

not their heads on their shoulders. This narcotic tendency of the plant seems to have aroused moral indignation amongst the rulers of all lands where the plant showed itself. The plant was introduced into Europe in the 16th century, and received attention in India in the early part of the 17th century. King James the first of England wrote a book against it.* The Muscovite forbade its entrance into his territory under pain of the knot for the first of-

And now, good countrymen, let us (I pray you) consider what honor or policy can move us to imitate the barbarous and beastly manners of the wild, godless, and slavish Indians especially in so vile and stinking a custom? Shall we that disdain to imitate the manners of our neighbour France (having the style of the first Christian Kingdom) and that cannot endure the spirit of the Spaniards (their king being now comparable in largeness of Dominions to the great Emperor of Turkey) shall we I say that have been so long civil and wealthy in peace, famous and invincible in War, fortunate in both, we that have been ever able to aid any of our neighbours (but never deafened any of our supplication for assistance), shall we I say without blushing abuse ourselves so far as to imitate these beastly Indians, slaves to the Spaniards, refuse to the world and as yet aliens from the holy Covenant of God? Why do we not as well imitate them in walking naked as they do? in preferring glasses, feathers, and such toys to gold and precious stones as they do? Yes why do we not deny god and adore the devil as they do?

* * * * *

But herein is not only a great vanity, but a great contempt of God's good gifts that the sweetness of man's breath being a good gift of God should be willfully corrupted by this stinking smoke wherein I must confess it hath too strong a virtue, and so that which is an ornament of nature and can neither by any artifice be at the first acquired, nor once lost be recovered again, shall be filthily corrupted with an incurable stink, which vile quality is as directly contrary to that wrong opinion which is holden of the wholesomeness thereof as the venom of putrefaction is contrary to the virtue Preservative.

Moreover which is a great iniquity and against all humanity the husband shall not be ashamed to reduce thereby his delicate, wholesome and clean complexioned wife to that extremity that either she must also corrupt here sweet breath therewith or else resolve to live in a perpetual stinking torment.

Have you not reason then to be ashamed and to forbear this filthy novelty, so basely grounded, so foolishly received and so grossly mistaken in the right use thereof? In your abuse thereof sinning against God, harming yourselves both in persons and goods and raking also thereby the marks and notes of vanity upon you; by the custom thereof making yourselves to be wondered at by all foreign civil nations and by all strangers that come among you to be scorned and contempted. A custom loathsome to the eye, hateful to the nose, harmful to the brain, dangerous to the Lungs and in the black stinking fume thereof, nearest resembling the horrible stigmatic smoke of the pit that is bottomless.—*Extracts from James I's Counterblaste to Tobacco.*

fence, and death for the next. The Porte and the Shah followed suit. The Popes in Italy, and religious Gooroos in India, not to be out-done in moral frenzy, issued anathemas against it. The immediate successor of Akbar forbade its use, and ordered that those who smoked were to have their lips cut. Several persons in Lahore who had the impudence to disregard the Imperial mandate had to ride on asses with their faces to the tail—their visages blackened, for the edification of the erring. But Tobacco has out-lived all temporal frowns, all spiritual curses. It has become, says Schiffmayer, Assistant Superintendent Government Farm Madras, in a very valuable paper on Tobacco, a staple product of several countries; whole nations find in the cultivation, manufacture, and trade of this article, the means of their support, the source of their affluence and wealth.

The countries in which Tobacco is extensively grown are at present the United States, Brazil, the West Indian Islands, Turkey in Europe and Asia, Persia, India, Burmah, Japan and Java. It is a plant of tropical culture. It wants a warm and moist climate. Hence there is not much hope of its being successfully and extensively cultivated in the United Kingdom of Great Britain and Ireland. The same may perhaps be said of almost all the countries of Europe. It is, however, to be remembered, that climatic deficiencies in that continent are sometimes surprizingly got over by the superior intelligence and industry of its nations. "By digging over his rich alluvial soil" says Schiffmayer, "two feet deep and manuring at the rate of 25 tons per acre, and paying the utmost attention to his Tobacco, the Dutchman is able to compete successfully with countries climatically more favoured, and makes a gross income of (700) seven hundred Rupees per acre—his Tobacco fetching as much as (35) thirty-five Rupees per Bengal Maund (of 80 lbs). Nevertheless climate is against Europe, and the chances of the race with ordinary exertions on our part are against it."

The United States stand at present at the head of Tobacco producing countries. It is there best grown and best cured. Next to cotton, wheat, maize, bacon it is the largest article of home production in that country.

"Indian Tobaccos" says Mr. Buck, Director of the Department of Agriculture and Commerce N. W. P. "generally fetch in the London Market, from, 1 to 2 pence a pound; while Ameri-

can Tobaccos fetch from 5 to 13 pence a pound." That is to say Indian Tobaccos hardly fetch seven Rupees a Maund (of 80lbs), while American Tobaccos fetch 43 Rupees a maund.

Mr. Schiffmayer informs us that the Austrian Government in 1868 paid 71 Rupees a maund for Manilla Tobacco, 62½ Rupees a maund for Hannah Tobacco, 53 Rupees a maund for Java Tobacco, and 44 Rupees, a maund for Syrian Tobacco. These prices show at once how inferior Indian Tobaccos are considered in the markets of Europe.

The imports of Tobacco into India are valued at about ten lacs of Rupees. They consist mainly of manufactured Tobacco. In 1877-78, they were of the value of Rupees 8,23,000; in 1878-79 of Rupees 7,93,000; in 1879-80 of Rupees 6,67,000. This decline in the value of the imports tends to show that the country is to some extent supplying the wants of the foreign communities in the land. All Tobacco used by foreigners in this country is imported chiefly from America via England, and Manilla via Hong-kong and Singapore.

If we could only cure good Tobacco, and learn the simple art of making chiroots, the imports would receive a death blow, and the exports increase immensely. Some stimulus has been given to the manufacture of cigars in India, chiefly in the Madras Presidency and in Burmah, and the consumption of these by the Anglo-Indian community is increasing. Their quality is said to improve but slowly.

In this connection it is satisfactory to note that at Gazipore on the Ganges, an enterprising mercantile firm, that of Messrs Begg and Sutherland of Calcutta, have under Government patronage established an experimental Farm, 800 Acres in extent, which is said to be proving fairly successful. American planters from Virginia have been here employed to superintend the curing operations. Mr. Caird of the late Indian Famine Commission, visited the farm and was told that the soil is actually better than that of Virginia, and the crop is much heavier. Gazipore Tobacco is now well known, it is said, over the North-west of India as being as good as, if not better than, most of the imported descriptions.

Mr. Buck, Director of the Department of Agriculture and Commerce, North West Provinces, speaking of the Gazipore Farm, writes that at the present time there is no kind of Tobacco smoking mixture or cake, which cannot be manufactured, of a quality equal

to that of the same class of American Tobacco. Some samples of Gazipore Tobacco were most favourably reported upon in England and fetched prices higher than those given for the average qualities of American Tobacco.

The French Government also last year asked for and received samples of Gazipore Tobacco, which they pronounced to be better than any they have had before.

In the statement of the trade of British India with British possessions and foreign countries, for the five years 1871-72 to 1875-76, presented to Parliament, Mr. O'Connor says, "In a few years, it may confidently be expected that large quantities of excellent Tobacco may be regularly shipped from Bengal. There is absolutely no obstacle to the success of such an enterprise. Nothing is wanted but capital and energy to create a trade in this article which may become one of the most important staples of the country.

SOIL.

The soil suited for Tobacco may be described as a light loam, rich in potash. The meaning of a light loam is that the soil should contain a large proportion of sand with a moderate mixture of clay and organic matter. The soils which would be classified by Dr. Schubler as "rich and intermediate loamy sands and sandy soils" are light loams.

Mr. Robertson of the Sydapet farm, Madras, in a letter to the Board of Revenue dated 20th February 1872, quoted an analysis of a soil producing good Tobacco in the Maryland State of America. The soil contained from 82 to 83 per cent of Silica, which is common sand, $3\frac{1}{2}$ per cent of Alumina which is clay, and $4\frac{1}{2}$ per cent of Potash. It only contained half a per cent of phosphoric acid, and between a quarter and a half per cent of lime. There was only a trace of Ammonia. The soils of Sydapet contained only a trace of potash, and the ash of the Tobacco grown upon those soils contained only $\frac{1}{2}$ per cent of carbonate of potash. Mr. Broughton, the Government Analyzer, declared that this was quite fatal to the quality of the Tobacco. He further added that the neighbourhood of Madras can scarcely be made to produce Tobacco of good quality.

It is fair to mention, however, that the analyses made of Tobacco are declared by competent authorities to be still imperfect. The analysers do not tell us whence comes the strength or weakness

of that active principle of Tobacco, called nicotine, which gives the article its peculiar flavour. All we know about it, is that it is some volatile oil—like colorless liquid.

The amount of nicotine in Tobacco varies very much according to the species, the climate, the nature of the soil, and the treatment of the plant.

In good Tobaccos from 2 to 4 per cent of nicotine is discovered. From certain specimens of Tobacco analyzed by Mr. Broughton the per centage of ash obtained from the plant averaged from 19 to 26 per cent, and the best specimens of Tobacco contained in the ash an average of from 10 to 12 per cent of carbonate of potash and 2 to 4 per cent of nicotine.

Our soils in Guzerat, in many parts of it, are fitted for Tobacco. I append here three analyses of soils made by Dr. Shamsudin, Acting Principal of the Vernacular College of Science, Baroda. The first soil is from Sonwadi in the Nowsari Division; the second from the village of Gada in Petlad Taluka, and the third is that of Vishram Baugh, Baroda. In the Sonwadi Soil, there is more than 5½ per cent of potash, and in the Gada and Vishram Baugh soils, it is nearly 4 per cent.

I have already given the per centage of potash in the Maryland soil quoted by Mr. Robertson of Madras. It is 4 per cent. So that in potash—the chief ingredient wanted in Tobacco soils the soils analyzed by Dr. Shamsudin are as rich as, if not richer than, the Maryland soil.

The soils of the Godavery and Krishna deltas contain from 10 to 12 per cent of potash, and I believe the same amount of potash will be found in the soils of the Narbuda and Tapti deltas.

The Chemical Analyser has a vast field of usefulness before him.

The amount of silica in the Sonwadi soil is about 52 per cent, in the Gada soil 68 per cent, and in the Vishram Baugh soil about 69 per cent.

Humic acid ranges from 850 to 4 per cent, and other organic matters from 4 to 8 per cent.

These facts will show that the soils analyzed are those which, according to Schubler's classification, would be called sandy loams and loamy sands.

In the Bombay Presidency Tobacco is largely produced and its quality in such Districts as Kaira, Khandesh, Poona and Sattara

is superior. In 1871-72 there were nearly forty three thousand acres of land under Tobacco in the Presidency—the largest quantity being grown in Kaira, Khandesh, Belgaum, Sattara and Poona.

The Mahals of Petlad and Shiswa in our Territories take the lead in Tobacco cultivation. In St 1934 (1877-78 A. D.) the extent of this cultivation in these Mahals may be approximately stated, the acting Subha of Baroda informs me, at 17,000 acres, the total culturable area being about 200,000 acres.

SEED.

In the neighbourhood of Baroda the seed from the village of Tarsali is much prized. The seed sown in Petlad is considered much superior to that of Tarsali. The leaf produced by the Petlad seed is of a more vivid green colour, is much more delicate, is narrower, though longer in dimensions, and the tips are more pointed than the leaves of the Tarsali seed.

Various foreign seeds have been from time to time introduced into India, among which may be chiefly named the Shiraz seed, the Maryland and Virginian seeds, the Havannah seed, the Manila seed, and the Syrian seed.

The earliest experiment of importance in exotic seeds was made under the orders of the Court of Directors of the East India Company in 1829, when some Maryland and Virginian seed was obtained. The Tobacco grown from the seed was pronounced by dealers and manufacturers in London the best sample of Indian Tobacco they had ever seen. In flavour and general appearance it approached the descriptions of Havannah, St. Domingo, and which commanded high prices in comparison with other Tobaccos. It was valued from six to eight pence per pound, that is from 20 to 26 Rupees per Bengal Maund.

The exotic seeds tried in the Bombay Presidency are the Shiraz, the Syrian, the Virginian, the Ohio and the Havannah.

The Syrian seed tried in the Government Botanical Garden, Poona, was declared by the grower, Dr. Gordu, equal in flavour to the best Persian.

Havannah and Shiraz seeds were tried in Broach, Viramgam, Khandeish. All grew up satisfactorily and the Government Officers concerned in the experiments declared that if the leaf could only properly be cured, the cultivation for the European market would be remunerative. The Superintendent of the Broach farm particularly re-

marked that Havannah, Shiraz, and other varieties of exotic Tobacco, will with ordinary care and attention yield full and certain crops, on ordinary black land, and presumably on every other kind, to be met with in Guzerath. By the skilful application of manure leaf of any desirable quality or peculiarity of flavour and texture may be obtained. The quantity of produce is so great that, should it be found practicable to cure the leaf well enough to make it a saleable article in the European Market, a source of profit by no means insignificant would be opened up to the Gujerath ryot.

Mr. Robertson, who was for some time Collector of Dharwar and Tanna, made successive experiments for four years with Shiraz, Havannah, Virginia and Ohio seeds. He seems to have been particularly satisfied with the Shiraz kind. "The Shiraz kind has I think", he says, "an exceedingly fine aromatic flavour."

MODE OF CULTIVATION.

It cannot fairly be said that the Indian cultivator does not know how to grow Tobacco, though assertions of this sort have not been wanting. If the quality of the leaf and the quantity of the crops produced are any indications of the knowledge of the proper methods of cultivation, then the Indian Kunbi must be said to possess sufficient knowledge.

In many places he grows very delicate leaves, and the quantity averages as high as 1200 lb per acre. The Bombay Gazetteer gives for instance 1200 lb as the average produce per acre in the District of Broach. An experienced Tobacco planter, writing lately from Tanjore to the Madras Athenæum, said, "Last year I saw a piece of ground in the Madura District, not quite an acre, planted with Tobacco; the produce was very fine—I was told 1500 lb. It was grown on rather poor ground, but well manured with burnt vegetable matter. But this Tobacco was all spoilt in the curing.

CURING.

What the Indian farmer really does not know is the art of curing. It is said that the best grown Tobacco will be fit for nothing but to throw away, if it is not properly cured.

A bale of Tobacco from Gujerath sent to London had there fetched a price a penny higher than American Tobaccos; and the sample being found so satisfactory an experimental exportation was made. This was a complete failure. The Tobacco was badly cured and the invoice did not pay. The Tobaccos are received, says Mr.

O'Connor, either so mouldy as to be fit for nothing, or are so highdried and brittle as to be fit only for snuff.

The curer's craft may be said to begin from the day the Tobacco crop is cut. When the Tobacco is considered ripe, the plants are generally cut down at the roots and allowed to lie down in their places in the field exposed to the sun for a number of days. In some places the plants so remain for two days, in some for seven, and in some even for a fortnight. If the cultivator wants to make chewing Tobacco, he leaves the plants in the field for a longer time than if he wants to make smoking Tobacco.

This field-drying process is generally condemned. The volatile oil, the active principle of Tobacco, evaporates more rapidly than is desirable, the leaves get spotted, discolored, and full of sand. It is recommended therefore that the house-drying process should be adopted.

Mr. Buck says:—"Under no circumstances must the plant lie long in the sun. Exposure to the sun is certain to produce sun blight, and affects those parts of the leaves which receive the direct rays of the sun in much the same way as exposure to frost. The injury is irremediable. After lying at the most a quarter of an hour in the sun the plant should be removed to a shade or to the curing house."

An experienced Tobacco planter writing to the Madras Athenæum says:—"By no means allow the Tobacco, as soon as cut, to be thrown in heaps on the ground, which is the Indian style. If you do it, it will very quickly discolor and ferment, and no man can afterwards properly cure the same."

The American planter, when cutting his Tobacco, is accompanied by several boys and a clean cart, and as fast as the stalk is cut the boys carry and place the Tobacco carefully in the cart in which it is carried to the curing shed.

Colonel Brown, a Deputy Commissioner in Burmah, was informed by an old cultivator who appeared to be a connoisseur in Tobacco, that he generally dried a small quantity of Tobacco in his house for home consumption; and the taste was something very fine, very different from that of the sun-dried, and far better than that of any Tobacco brought from foreign countries.

While the plants remain in the field exposed to the sun, they are turned over once every day until all the leaves have become dry. The leaves are then brought into the house, and stripped on a

dewy day, and allowed to remain in heaps covered with some cloth, and weighted with some pressure.

In the absence of dew the leaves are finely sprinkled with water. A small drop of water applied to the stem of the leaf is enough to give the whole a certain elasticity. The heaps are sometimes opened, and the leaves shifted to secure uniformity of fermentation. This continues for a fortnight, at the end of which period the Tobacco is considered cured.

In some places, the leaves are tied up in bundles. A hole in the ground, large enough to contain all the bundles made, is dug beneath a 'chapper' or other shed, and the bundles are placed in the hole closely together, and a cloth is placed round the hole to keep them clean, and prevent the effects of moisture. The hole is then covered over with earth. The leaves are thus left in the hole for about 24 hours; they are then taken out and spread to dry. This process is repeated five or six times until the leaves have become of a good brown color, and are thoroughly dried. The curing is then completed, and the Tobacco is ready for the market. Sometimes when the leaves are taken out from the holes and spread out to dry, a decoction of Tobacco stems is sprinkled upon them to give them color.

Mr. Robertson, the Bombay Collector, thus describes the way in which he cured his Tobacco :—

"The plan I have adopted" he says, "is to pluck the leaves after 8 o'clock A. M., but only those that have become ripe. These I then put in heaps in a room well ventilated. These heaps are watched and the Tobacco turned to prevent its heating too much and rotting. In 2 or 3 days, the Tobacco obtains a good color. The leaves are then strung together in bundles of from 10 to 14 leaves. The bundles are hung up in a drying room close to one another. The Tobacco is left hanging till the mid rib is quite dry. The bundles are then taken down, and the Tobacco is then put by in large boxes. As soon as the air is damp from the rain, the Tobacco is exposed to the damp air, and as soon as it becomes soft and pliable but not damp, it is smoothed out into bundles and packed in boxes again, in heaps not more than $4\frac{1}{2}$ feet high, to ferment. At the end of from 6 to 8 weeks, the Tobacco is well cured, and can be made into cigars or packed for exportation. The Tobacco while in heaps and fermenting, is examined to prevent over-fermentation.

Mr. Robertson of Madras cured some Tobacco in the following way.

"The plants were at once brought from the fields. The leaves were immediately stripped off the stalks. They were then strung on twine, back and front alternately. The leaves were thus hung in open air fully exposed for 3 days to the sun, being brought under cover at night. They were then hung up in sheds for about six weeks. They were then taken down and were spread on the floor of the shed in a rectangular stack about one foot in height, paddy straw being placed under and over the stack. The whole stack was then heavily weighted. The leaves were kept for about 3 weeks in the stack—being turned at least about half a dozen times; the top leaves being brought to the lower part of the stack, and the leaves in the lower part being brought to the top, at each turning. The stack was opened out at the end of the three weeks. The leaves were carefully removed from the strings, sorted and tied in bundles of 25 each. The bundles were again stacked covered with straw as before. This stack remained for two months, being turned twice every month. The Tobacco needed no further attention—a water proof cover being found quite sufficient for keeping it in fair condition."

Having thus described the curing processes adopted, I will conclude this part of the subject with noticing the points to be observed in curing Tobacco.

(1) Do not cut the Tobacco too green. Let all the symptoms of ripeness appear on the plant.

(2) Avoid dry or windy weather for cutting the plants.

(3) Cut the plants in the morning after the dew is off the leaves or in the evening.

(4) When cut, do not allow the plants to lie in their places exposed to the sun.

(5) As far as possible, adopt the process of house curing.

(6) Even if you think of sun-curing, erect a Bamboo scaffold in the field, and let the plants hang from the scaffold.

(7) Let the plants be so hung that their leaves barely touch each other—the object being to allow free passage to the air.

(8) After partial drying, let the plants be hung closer than before.

(9) Turn over the plants from time to time, so as to ensure uniformity of color.

(10) Bright yellow or brown, are the colors to be desired; green or matter are the colors to be avoided.

(11) Gold color indicates the formation of nitric acid. When the Tobacco leaves are hung far apart, so that the air has free access, the formation of nitric acid will take place; and yellow color will be secured. But if the air be excluded by hanging very close or pressing in heaps or pits, ammonia will be formed and the color of the leaf will be brown.

(13) It is the small delicately nurtured leaf of thin texture in which bright gold color should be attempted.

(14) Brown colors should generally be induced in coarse thick leaves.

(15) When the leaves have changed from green to yellow, that is the time for rapid drying, if gold color is wanted.

(16) If you adopt slow drying at this stage, the color will be brown.

(17) Regulate the atmosphere of the curing house by alternately shutting and opening the windows from time to time.

(18) Do not allow the leaf to undergo change from a dry to a moist state, and again from a moist to a dry state, more often than can be helped.

(19) When the color is fixed, let the plants remain strung up, until the weather is moist enough to enable them to be handled easily.

(20) The leaves must not however be too moist—just damp enough to admit of handling gently without breaking.

(21) Then bulk them, that is stack them for fermentation. The object of bulking is to prevent too much moisture being absorbed, and to induce a gentle fermentation.

(22) If plants are not bulked, and are hanging separately the Tobacco will become mouldy.

(23) Watch well the process of fermentation. Avoid over-fermentation.

(24) Turn over the leaves from time to time top to bottom, from bottom to top, from the sides to the centre, from the centre to the sides, both while drying and while fermenting.

(26) Let the leaves become soft and pliant before mak-

ing into bundles.

(27) Let the centre stem of the leaf become perfectly dry before making into bundles.

(28) A moist day should be chosen for making into bundles.

(29) Avoid artificial moistening.

(30) Sort the leaves properly according to uniformity of color and size. Sort leaves torn and leaves entire separately. Patience and perseverance are necessary, for the process is tedious.

CHIROOTS AND CIGARS.

In preparing this article for export, our principal endeavours should be directed to make smoking Tobacco. The world is more a smoker than a chewer. The original smoker was no doubt a man of genius. For smoking the plant, he first made two holes in the ground connecting them by a channel. In one hole he placed fire and Tobacco. To the other he applied his mouth—lying or crouching down on the ground. He thus drew the smoke through the channel. Time suggested the improvement of the insertion of a bamboo piece in the smoking hole in order that the necessity of crouching down might be avoided. The march of civilization brought into existence our favourite *Narol Hukka*. This *Hukka* is still the favourite of the ryot. The long *Necha* with its silken and embroidered covering from which the luxurious *Nabab* smokes his *Gudakhu* was a later invention. But the latest invention of all is that annihilator of all distance, the *Chiroot*. What delicious proximity to the mouth, the teeth and the lips. The *Chiroot* is the favourite of the day; and it is, therefore, of *Chiroot-making* in India that we must now speak.

—TO MAKE GOOD CHIROOTS—

Take well cured and untorn leaves. Then cut them between the fibres. These cuttings are technically called fillers and wrappers. The outermost cuttings are called the wrappers. The inside ones are called the fillers. The best and most showy leaves are chosen for wrappers. The rest are made into fillers. The wrappers and fillers must first be wetted in *Jagery* water, and then dried before being rolled up. There is skill necessary in rolling up so as not to roll up the tip ends of the *Chiroots* too tight. Dry the *Chiroots* in the sun for two or three hours and cool them in the shade; then tie them up in bundles.

Do not make up the wet fillers into Chiroots, and do not tie up the Chiroots into bundles without drying them in the sun, and cooling them in the shade.

The Madras Presidency has taken the lead in successfully making Chiroots from Indian Tobaccos. Trichinopoly and Dindigal Chiroots have now a recognized status in the smoking world.

An attempt in the direction of Chiroot-making was made by a Native landholder in our neighbourhood—the Desai of Nariad at the suggestion of Sir Bartle Frere. But it did not succeed.

In 1866, Mr. Haridasbhai, the Desai's son, went to Madras, observed how Chiroots were made, gained some information from Mr. Robertson, and prepared some Chiroots from Nariad Tobacco. He sent a quantity to England to Sir Bartle Frere, who got it examined and pointed out its deficiencies. The great draw-back was, they would not burn. They got extinguished immediately after lighting. The Desai thought the fault lay in the cultivation of the Tobacco. He therefore brought some cultivators from Dindigal, and cultivated Tobacco as Madrassesees do. He then brought Chiroot-makers from Dindigal, and had Chiroots made. These Chiroots likewise showed the same fault. They would not burn. Disappointed with the result, the Desai, though enterprising, gave up the idea. In a letter to Mr. Raghunath Mahadeo, Acting Subba of Baroda, he says he does not understand how to get over this difficulty of bad burning. The following information may be useful to him.

Whether a Tobacco burns well or ill depends on various circumstances,—some connected with the soil, some with manure, and some with curing.

The conditions of good burning may be stated to be the predominance of carbonate of potash, the existence of nitric acid in preference to Ammonia, and the absence of Chlorides.

Schlossing found that a bad-burning Tobacco was produced on a soil containing little potash, on unmanured soil, on soil manured with flesh, humus, calcium chloride, magnisium chloride, and potassium chloride.

A good-burning Tobacco was produced on a soil manured with potassium carbonate, with saltpeter and with potassium sulphate.

Chlorides generally retard the burning of Tobacco, and in proportion as they increase, carbonate of potash decreases. "I should think" says Dr. Lyons, "that the presence of chlorides in any

large quantity in the plant must tend to lower its quantity. The presence of alkaline Chlorides in all probability confers saltiness not only on the Tobacco itself, but also on the smoke from their volatilization. It would, therefore, appear advisable to avoid, as much as possible, the presence of Chlorides in the manures to be applied to the soil.

If Nariad lands are similar to those of Petlad, then in all probability potash is not wanting in the Desai's soils; and if it is wanting, it may be supplied at once by a free use of wood ashes, the cheapest carbonate of potash available. The production of nitric acid is mainly owing to good curing.

Ladies and gentlemen, this drying and fermenting has lasted so long that it is now time for me to pack up.

Here is a source of wealth near at hand. Here is an industry capable of being easily established. For Tobacco is already grown in the land—grown well, grown widely. Why then spare efforts to cure it well?

The art of curing is not difficult though tedious. But to learn it well, we must learn it of those who know it well.

The employment of American curers has been repeatedly recommended, and the results, where the recommendation has been accepted, have not disappointed expectations. The Virginian planter Mr. Wilkinson has, if Mr. Buck is to be believed, produced at Gazipore Tobacco not a whit inferior to the best American kinds.

The establishment of a curing house in a place like Petlad with a good American curer at the head will to some extent cure that growing malady of the ryot—poverty!

In bringing new industries into existence in India, we cannot solely rely upon private efforts and private enterprize. The Government has to take the initiative and to lead the multitude.

Mr. O'Connor's remarks in this connection are worth quoting. "I cannot help thinking," he says, "that the shortest, and in the end the most inexpensive, way of learning how Tobacco should be cured is to engage the services of experienced curers from America or from the Phillipines; for the purpose of teaching a number of selected intelligent Natives. When the culture of tea was introduced into this country, the services of Chinese manufacturers were engaged to teach the processes of manufacture to Natives, and with great success. When the cultivation of Chin-

chona was introduced, the Government did not hesitate to secure the best aid which the Western science of the day could afford. With a view to utilize profitably the vast quantity of eheea grass (*Boehmeria nivea*,) which this country is capable of producing, the Government offered a splendid prize to inventors and it has spent large sums on improved machines for ginning Indian Cotton."

Steps similar to these must be adopted with respect to the curing of Tobacco. The great object to be gained is to satisfy local consumption ; to stop foreign imports ; to turn exporters ourselves ; and compete with America in the markets of Europe.

This is a large programme, but one which, under the considerate rule under which we are living, it may, under God, be some day carried out in full.

CURRENT LITERATURE.

Mr. A. K. Connell's *Discontent and Danger in India*, is a very honest attempt on the part of an Oxford graduate to turn to account his short visit to this country in 1879-80 when he spent six months in a tour through the N. W. Provinces and Bengal. It will be remembered that about this time last year, there was an intense agitation both in India and in England, and Mr. Hyndman on the one side, and Dr. Hunter on the other, held forth their pessimist or optimist views in the press and on the public platform for the edification of the English Nation, then called upon to make up its choice between rival policies. We all know the result of the elections, and the change of government and principles which were the first fruits of the success of the Liberal Party. Since then, Dr. Hunter has atoned for the extreme one-sidedness of his previous lectures by presenting an equally shaded picture of the dark side of British rule, and thus tacitly confirming all that Mr. Fawcett or Mr. Hyndman had ever said on the subject. Mr. Connell, coming fresh to the consideration of this subject, and having the advantage of studying it on the spot, has been so dismayed by the signs of the discontent and danger he saw around him that it is no wonder he has raised his voice of warning against the comfortable indifference, once so much in fashion under Lord Lytton's rule and which treated Indian interests so lightly as though there was no responsibility attached to the Imperialism sought to be set up in this country. After deprecating the self-complacent confidence of the official classes in India, who allow their eyes to be dimmed by the false glamour of pointless statistics and rosy reports, and condemning the fervid efforts of every new Viceroy to achieve a name for himself by enforcing progress upon an unwilling people; Mr. Connell, in his introductory

chapter, insists upon the danger involved in this contempt for popular ideas, the desire for uniformity, and tendency towards red-tapism which so prominently characterize official action in this country. He also briefly alludes in a note to the enormous difference that exists between a foreign and indigenous despotism, the one cut off by its nature from free intercourse with its subjects, the other being always tempered, and sometimes absolutely dominated, by popular forces. It is in consequence of this difference that the need of representative institutions is most felt in British India as a check and a beacon to enlighten and regulate the action of the rulers in conformity with the wishes of the ruled. Mr. Connell accepts the position we have laid down in another place, that Parliament as at present constituted cannot adequately provide any such check. Ever since the abolition of the East India Company's intermediate authority, the English Parliament has shown a steady tendency to become too often the tool of the great party interests in England, who play their cards in the domestic struggles by out-bidding each other to the sacrifice of genuine Indian interests. The Indian Council in England, as also the Supreme Council at Calcutta, do not furnish, under present circumstances, sufficient ballast to steady a headstrong Secretary of State, or a self-willed Viceroy. The power of plenary legislation, nominally conferred upon the Indian Councils, has been abused to a dangerous extent, and as the constitution provides no check to control this headlong tendency of pitch-forking scientific laws and Western ideas in every department of life and action, and thereby unsettling all caste morality and traditional customs, this legislative license has become a great national danger—especially when such legislation is carried on in the dark and by leaps upon purely speculative grounds of influencing and reforming Indian society.

After this introductory review of the general

situation, Mr. Connell enters upon a consideration of the particular causes of the discontent and danger which struck him during his sojourn in India. As might be expected, the first of these causes is the rigidity and the burden of the land assessment through-out all those portions of India which do not enjoy the benefit of a permanent settlement. The theory of periodical settlements may be theoretically defended as being without a single flaw but in practice it is found that it has led to rack-renting assessments in all the provinces where it obtains. The testimonies quoted by Mr. C. J. Connell of the Bengal Civil Service in his pamphlet upon our Land Revenue policy in Northern India, as also the opinions of Sir C. Bayley for the N. W. Provinces the Chief Commissioner of Oude, the Madras Revenue Board, the Deccan Riots Commissioners' report for Bombay, leave no doubt upon this point, and the immense sacrifice of life caused by the last great famine estimated by official advocates to be between fifty and sixty lacs of souls in three years, furnishes a ghastly commentary upon the so-called success of our Revenue system. So far from the peasantry being benefitted by their direct connection with the state, it has been found that they are relatively more helpless, more burdened, more involved in debt than in the permanently settled Zamindari provinces of Bengal and, notwithstanding the artificial protection afforded to them their lands are passing away from their hands under the pressure of debt and rigid heavy assessments. The danger of the situation is enhanced by the fact that while population is increasing, their resources in the shape of spare arable lands and varied industries are being narrowed, lands yield less food because no rest is allowed to them by the settlement which taxes all land alike, whether cultivated or fallow, and by the necessities of an increasing population dependent solely on the produce of their fields to which they can make no return. It

is in this connection that Mr. Connell denounces what he calls the fanaticism of free trade for which India is admittedly not ripe. Free trade supposes certain conditions of social and economical advance, a readiness to move capital and labor from one branch of industry to another, or from one part of the country to another, wherever any chance of superior advantage is presented. These conditions of free competition and free migration of labor and capital do not exist in India, which is conservative and custom-bound, densely populated, and drained of its little surplus produce to meet the heavy demands of a foreign and absentee rule. The only way out of these difficulties, and the only real protection against famine, is the extension of the permanent settlement of the land tax all over the country. Such an extension will make it unnecessary for government to incur its heavy famine expenditure from year to year, and will enable it to effect considerable reductions in the revenue and settlement departments, and, by creating private property in land, will induce the capitalist classes to invest their savings in its improvement.

Next to the evil of a fluctuating land assessment, Mr. Connell regards the unsatisfactory condition of the administration of justice, and the morbid activity of legislation, as the principal sources of discontent and danger in India. The existing Law Courts he regards as too costly and refined a machinery for the simple wants of the people and they are further charged by him with having brought on compulsory transfer of lands to the great impoverishment of the old land-owning classes, and the general demoralization of the people. The legal crusade recommended by the new Indian Law Commission against the advice of practical Indian statesmen is also fraught with great danger to the stability of the empire. The last, but not the least, of these dangers is the great increase of direct taxation in India. The iniquity and hardship of the existing licence tax

are denounced in no sparing terms, more especially because the tax was imposed to supply the gap caused by the abolition of the cotton duties against which there was no complaint, and being so imposed for a special purpose, the pledge was not redeemed. We have thus briefly noticed all the principal points touched by Mr. Connell in his book under review. The general conclusion which he seeks to impress upon the minds of the ruling classes, points to a reversal of the policy which has hitherto obtained on all the great questions in controversy, and it is a most satisfactory feature to find that the views of the independent Englishmen on all points coincide with those entertained by the exponents of native opinion. Peace and progress cannot be secured permanently by gagging the press, or disarming the people or by increasing the European garrison. These measures will only bring on the crash sooner. A truly liberal policy must be initiated on the lines laid down by the first race of Anglo-Indian statesmen. India should be governed for its own sake, and for the benefit of its people. This can only be done by a free association of the people in the work of government, by reduction in the pressure of the land tax, by simplifying the procedure of the courts, and by letting the codes alone for a time. The Liberal ministry has given unmistakable proofs of the sincerity of their purpose which animates them by their despatch in regard to the press act, by their contribution to the Afghan war expenses, and their determination to evacuate Kandahar. Many more problems remain to be solved in the same liberal spirit, and we doubt not that the labors and criticisms of independent thinkers like Mr. Connell will not fail to bear fruit when once the conscience of the English nation is touched with the responsibility it has accepted in undertaking the Government of India.

THE RULERS OF BARODA.

Mr. F. A. H. Elliot, the able tutor to His

Highness the Maharaja of Baroda, has compiled from original English and Native materials a very readable and instructive history of the former rulers of the Gaykawada family at Baroda. We do not know how far the learned author of this narrative has found it impossible to maintain the judicial independence of the historian in his criticism of men and measures. It is, however, an open secret that Mr. Elliot was obliged from official pressure to re-cast many portions of his history, and tone down the censures he had passed upon Native and British officials who were concerned as actors in the complex events of the past history of this State. The book, as it has been published, bears evident traces of such tinkering with the free course of the narrative, and the independence of an honest historian. Notwithstanding this fault, we feel convinced that every reader of this history will give the palm to it over all previous attempts of the kind. Its importance as a manual in the hands of H. H. the young Maharaja, for whose instruction it seems to have been specially intended, is simply invaluable. Passing over briefly the early Hindoo and Mussulman periods as being more of antiquarian than living interest, the author enlarges more at length upon the early invasions of Guzarath by the Maratha leaders. With the true instinct of an historian, he perceives clearly the strength and weakness of the Maratha power, and states fully how the ground was prepared for the substitution of native for alien rule about the time that these invasions commenced. He does full justice to the main spring of action in those days, we refer to the religious motive, which led the Hindoo Desais of Pâdrâ, Wasai, Châni, Bhayâle and other places, as also the semi-Rajaput Chiefs of Bhils and Kolis to welcome the Maratha invasion as an escape from the personal misrule and fanaticism of the Mahomedan Emperors and Viceroy's. The great Shiwaje's invasions in Guzaratha were confined to the sacking of Surat on

three occasions, which however seem to have made no permanent impression. The foundations of the Maratha ascendancy were laid in the closing years of Aurangzeb's rule, when the great Dhanaji Jadhawa with the representatives of the Dabhade, Gaykawad, Kadambande, and Pawar families serving their apprenticeship under him, defeated the Mogul Viceroy at Ratanpore and Babapiarah, followed shortly after by the still more decisive victories of Bharanpore and Balapore, in which last battle the first founder of the Gaykawad family won his spurs with the title of Samsher Bahadur in 1719. During the next ten years, the Maratha leaders played alternately with the Nizam's governors against the Emperor's viceroys, and in this confusion obtained a legitimate basis for the foundation of their rule by the concession of the right to levy Choutha and Sardeshmukhi in Guzaratha and Mahikatha in 1724. The most noticeable feature in the early history of the Gaykawad family was their jealousy of the Peshwa's power. This jealousy brought on three different struggles, in the first of which Dabhade's power was crushed at Dabhai, and Pilaji, the second Gaykawad became both Mutalika and Senakhaskela in 1731, and a tributary of the Peshwas. Damaji, the third Gaykawad, the greatest of the family, waged another struggle twenty years after with Peshwa Balaji Bajirao, which ended in the Gaykawad's defeat, and the division of Guzaratha between the Gaykawad and the Peshwas. The third struggle was brought on by Damaji's alliance with Raghoba Dada and the English, and it ended in 1768 with the defeat at Dhodapa. This defeat threatened the utter extinction of the Gaykawad's house as a reigning family, but the Peshwa's Darbar showed considerations for the ancient renown of Damaji and his ancestors, and after Damaji's death in 1768, recognized Fattasing as the regent of his son Sayaji, who was an imbecile. It was about this time that the Gaykawads removed from Sonagad to Baroda, which they made their capital in 1766. It was under Fate-

sing's rule that the Gaykawads threw off their allegiance, and tried to maintain their power against the Peshwas by an alliance with the English, which alliance alone saved the Gaykawad's Kingdom from the general collapse of the Maratha power at the beginning of this century. The first treaty between the British and the Gaykawad was formed in 1772, followed shortly after by the treaty of 1775, when the British and the Gaykawad's Government openly took up Raghoba Dada's side against the Peshwas. For thirty years this alliance continued till it ended in the virtual independence of the Gaykawad from the Peshwa's power, and his final subordination to the British Government. No moral interest attaches to this struggle, which had always the character of a scramble for power between rival claimants of the Gaykawad family. It was during these struggles that mercenary Arab and Abyssinian forces were first employed in Baroda by the rival claimants. The help of these mercenaries was found so useful that private subjects, especially the great banking houses, engaged their services to guarantee the payment of the monies due to them from the state. The British Government took advantage of the disorderly condition of the Gaykawad's finances to out-bid, and at last to oust, the foreign mercenary forces from Baroda. The first permanent interference of the British took place in 1802, when Major Walker was deputed by the Bombay Government to arbitrate between Raoji Appaji, the upstart Parbhu Dewan of Govindrao Gaykawad, and a rival claimant to the throne, Malharao Gaykawad, the Jahagirdar of Kadi. Major Walker formed his first subsidiary treaty with the Gaykawad in 1802, and succeeded in buying off the Arab mercenaries in 1805, and accepted the responsibility for all the *Bahadoori* or guarantee engagements into which these mercenaries had entered for the protection of private subjects. From 1802-12, Major Walker had the charge of the whole Baroda administration, and

with the help of the great Gangadhar Shastri Patwardhan, effected great reductions in the cost of administration, till the state was almost entirely freed from its debts to the private Sowcars. The debt due to the Peshwa on account of the tribute remained unpaid, and it was to effect a settlement of this debt, that Gangadhar Shastri went on his fatal mission to Poona. Bajirao sided with the Baroda party which was opposed to the English interest, and Gangadhar Shastri's murder was brought about by the principal agent of this party, Sitaram, the son of the Parbhu Dewan Raoji Appaji, who had been relieved of his duties by Major Walker. Gangadhar Shastri's murder led to the downfall of the Peshwa's power, and the final consolidation of the Gaykawad's kingdom, as it exists at present, was brought about by the treaties of exchange between Fattesing, the regent, and the British Government. We have no space to dilate upon the events of the great and unfortunate Sayaji and the alterations of fortune which happened to that ruler under the successive administrations of Mr. Elphinstone, Sir John Malcolm, the Earl of Clare and Sir James Carnac the first four governors of this presidency. Mr. Elliot has done full justice in his narrative to the point of view from which Sayaji maintained his fight with the British authorities, who at one time proceeded under one pretence or another to sequester three-fourths of the Gaykawad's territories with a view to enforce his submission to his rebellious subjects. The full justification for Sayaji's conduct is afforded by the fact that the policy pursued towards him was finally condemned by the authorities in England, and his rebellious subjects, who had been taken under protection, were referred back to him for the settlement of their claims, and his sequestered territory was restored back to his rule. The imposition of the Guzaratha Contingent force in addition to the subsidiary force provided by the treaty of 1802 remained the

only blot of disgrace. This unjust levy was not abolished till 1857, when the British Government gave up this claim in recognition of Khanderao Maharaja's loyalty during the Mutiny. The events of the reigns of Sayaji's three sons are matters of contemporary history, and Mr. Elliot has done well to avoid going into details upon subjects which are still subjects of burning controversy. By far the most important portion of this narrative is the account he gives from original sources of the revenue, judicial, and financial machinery of administration at Baroda under Khanderao's rule. These details, as also his connected narrative of the Mulukhagiri system in Kathiawad, the account of State Banks, and of the Potdar system of annual loans, and the gradual growth of Civil and Criminal Courts with the Codes of laws, can not fail to be of interest to the young Maharaj and those scions of Baroda families who will be called upon shortly to assist the Maharaja in his government. Mr. Elliot has taken particular pains to expose the weak side of the old order of things. The gradual growth of absolute power in the hands of the reigning Gaykwad, the removal of all the old checks on this power caused by the weakening of the military classes, the entire dependence of the nobles on his pleasure by reason of their being disconnected with the possession of land, the peaceful character of the people subject to his rule,—these and many other points are well brought out in many portions of this history for the edification of the Royal Student. We can only hope that the young Maharaja will profit by the lessons his teacher has taught him, and that he will justify the favourable opinion pronounced by Mr. Elliot who expects to find the virtues of industry, determination, self command and the law-abiding mood in this Farzand-i-Khas-i-Dowlat-i-Englishia, own favoured son of the British Empire. It is not unreasonably expected that the present native administration will prepare the way for a constitutional rule which will, while conserving all that is national in

the past, secure the checks on arbitrary power which the future demands. It has been remarked that for the last eighty years there has not been a Dewan at Baroda who has not suffered a violent termination to his power, and in many cases to his life. During the same period there have been three interventions on the part of the British Government. These memorials of past misrule must cease, if Baroda is to turn a new leaf in history.

BRITISH ADMINISTRATION OF MYSORE.

“Fifty years of British administration in Mysore by a native of Mysore” was published so far back as 1874, but recent events connected with the history of that state invest it with more than present interest, as by a singular coincidence the author of the review of the past administration has been selected by the Maharaja to be his Dewan, and has it in his power to carry into effect the leading outlines of the policy sketched out by him in these pages. Mysore, as our readers know, has been lately restored back to native rule after an interval of nearly fifty years of British administration. In territorial extent it is slightly larger than the Berars, and its population, estimated at five millions in 1876, has since been reduced by 10 or 12 lacs from the severity of the last great famine. Its revenue has been doubled in fifty years, and now stands at the respectable figure of a crore and five lacs. About 72 lacs of this revenue are derived from the land, 30 lacs from dry, 25 lacs from wet, 11½ lacs from garden lands, and the remainder from miscellaneous sources. The survey and settlement of the country based upon the Bombay system was commenced in 1862, and although nearly 20 years have elapsed, has not been yet completed. Besides the land tax proper, the state derives 70,000 Rs. from an excise duty on coffee at 4 annas a maund, nearly 5 lacs of Rs. from the duty on arecanut,

1½ lacs from tobacco, and about a lac from the duties on cocoanuts, beetle leaf, pepper, cardamoms and opium. Besides the land revenue and the excise duties, about 4 lacs of Rs. are derived from mohturta taxes on houses, shops, looms, oil mills, carts and cloths of native manufacture. The stamp revenue, including court and registration fees, comes to about 4½ lacs. The forest revenue yields 3¼ lacs, and the abkari revenue comes to about the same figure. While the revenue has thus doubled in 50 years, the increase in expenditure has more than kept pace with it, especially during the last 25 years. This increase is easily explained by the fact that while there were only 30 European officers in the Commission under the first Commissioner, Sir Mark Cubbon, who held power for 26 years, the strength of European officers when Mr. Gordon, the last Commissioner took up office was nearly four times the original number. This extravagance characterized every branch of the administration. In place of the four districts into which the province was divided during Sir Mark Cubbon's rule, his successor introduced eight divisions, with at least two executive European officers attached to each of these divisions. The survey and settlement department gave employment to 18 European officers. The P. W. Department, with a charge of 8 lacs of expenditure, had as many as 30 Engineering officers with a large number of European and native subordinate officers besides, absorbing more than 50 per cent of the entire Public Works expenditure in the cost of the establishment. The Forest Department gave employment to 10 European officers with the same result, namely, that out of a total revenue of 3¼ lacs 150000 Rs. were consumed in maintaining the establishments. The employment of European in place of cheap native agency in the Police, the Military, Medical, Educational, Jail, Registration and similar other departments went on apace till Mr. Gordon came into power, and, as the old Mâhârâjâ sagaciously observed in 1836, the over-employment of Europeans became the

chief obstacle to the restoration of the province to native rule. This difficulty has been to some extent overcome by the reductions recently made but its effects will continue to be felt for a long time yet to come.

Next to this abuse of patronage caused by the multiplication of departments, the leading feature of British administration in Mysore during the last twenty years has been the fact that it reproduced all the worst characteristics of bureaucratic government as developed in British India, in entire disregard of the consideration of the admittedly provisional tenure of the Commission in the Province. Old native traditions were set at naught; native talent and independence were discouraged and discounted to make room for stale experiments abandoned because of their failure in British territory. It is useless to mourn over the past which cannot be recalled. It will be more interesting to have a forecast of the reforms which the head of the new native administration will soon find it in his power to set on foot. Among these reforms we are glad to notice that the thorough separation of judicial from revenue functions is held to be the first essential of all good and responsible government. In regard to the organization of Judicial Courts, it is satisfactory to find that the complicated machinery of appeals and special appeals will meet with no encouragement from the head of the new administration and that he is in favour of an arrangement by which original courts composed of more than one judge will divide the work between them, disposing of the smaller suits by a system of circuit courts, and sitting in joint judgment under special circumstances. Each one of the eight districts will thus be presided over by two or more judges, who will take cognizance of all suits up to Rs. 5000, and exercise besides the Small Cause Court jurisdiction in suits for less than one hundred rupees in value, and there will be only one appellate court of three

judges for the whole province. This simplification of the organization of Civil Courts will be followed up by a similar simplification in the procedure, accompanied by a discouragement of the services of professional pleaders, and the adoption of less complex and more workable Penal and Civil Codes. The Commissioners of divisions, being relieved of the present multifarious duties of Civil and Criminal Judges by a separate Judiciary and Magistracy, will be held responsible, besides their executive duties as revenue officers, for the due supervision of police work, in respect of which the services of the old village police will be more extensively utilized than has hitherto been the case. In respect of the land revenue a return to the old order of things is now impossible; yet an attempt will be made to correct the evils of the present survey settlements. The work done by these officers in the measurement and classification of land is mechanical and faultless, but it affords no guarantee that the assessments imposed are either fair or moderate. It has been well observed in this pamphlet that there is no competent check exercised on settlement work by executive officers of local experience with a view to correct by independent opinion the errors incidental to the excessive departmental view of the matters. The principle of moderation, which was the chief merit of the old Bombay settlement, has been abandoned of late in this Presidency under the retrograde ideas of land taxation which have gained currency among the so-called Indian authorities. The assessments fixed in the recent settlements in Mysore are open to the same charge which we have made good against the Bombay system, viz that they were based upon an inflated estimate of the continuance of exceptionally high prices, and must break down with a fall, when it sets in, of general prices. The old native method was based upon a perpetual assessment of dry crop lands which was liable only to variation in the interests

of the Ryot to enable him to make the necessary alterations in the extent of his holdings. The thirty year's settlement is thus far from a change for the better on the old native system, which will be restored in spirit only by a permanent settlement of the land tax either in kind or in money, according as the land is wet or dry. Such a permanent settlement is especially necessary in Native States to prevent abuse of power in the subordinates, and to remove the one great temptation which leads Native princes astray, and ends, as the history of Mysore shows, with internal misrule and foreign interference. A permanent settlement of the land revenue, including the enfranchisement of alienated lands, will also enable the Mysore Government to dispense with the services of the Settlement and Inam Commission Departments and effect a great reduction of its revenue establishment.

The question of the coffee plantations is likely soon to trouble the new government. At present the land is not taxed except in the shape of an excise on coffee. We confess we were hardly prepared to find that the amount of this excise duty levied on the produce grown by the native planters on 78,000 acres cultivated by them was five times as great as the duty levied on the produce of European plantations measuring 32,000 acres. This disparity affords the highest commentary on the laxity of official supervision exercised during the late regime over these European plantations. Under native rule this anomaly must cease to exist. A permanent settlement for all lands, whether held by Europeans or Natives, will be the best solution of the difficulty, and, while obviating all future troubles, will certainly yield more revenue to the state than the present unequal excise duty. With regard to the duty on arecanut tobacco, beetle leaves, cocoanuts, pepper, cardamums, and opium, it appears to us that the plan of levying an excise duty on these products will soon give way to a thorough-going scheme of land assessment.

The present method of levying this duty places Mysore under exceptional disadvantages in regard to its exports, and opens a door for fraud and oppression on the part of the subordinates, besides imposing on the state the heavy charge of over-grown establishments. It is time to return to a more rational method, which will absorb all these separate duties into one fixed charge on wet and garden lands on the principle followed in the Bombay presidency. We are glad to see that the new Diwan has had his attention fully directed to this subject by the complaints of Ryots in the midst of the installation festivities, and that he has promised reforms on the lines sketched out by him seven years ago. With regard to the Motarfa taxes, the same observation holds good. These taxes were in our opinion too hastily abolished in British territory, to be replaced by municipal and local taxes of a more mischievous character. They should, as has been suggested in this pamphlet, have been made over to the town communities for sanitary and municipal purposes. Such a disposition of them is justified by the nature of the levy of these exceptional taxes.

With regard to the duty on stamps we need not say much in this place. Our own impression is that the old levies of *harki* and *gunpegari* on unsuccessful plaintiffs or defrauding defendants are based on much sounder principles than the present indiscriminate levy of uniform and heavy institution and process fees, which turn the Courts into auction marts and bill-collecting agencies.

In regard to the abkari duties, a purely native government must rise superior to the European notions of encouraging moderation in drinking as a luxury while discouraging its abuse. Moderation in all such cases leads to excess, and no government as such should identify itself with a trade in its people's vices. If these duties are to be retained, they should be at least made over to the local communities checked from abusing their power by a system of permissive

licenses withdrawable at the pleasure of the majority in towns or villages.

In regard to the forest revenue, the author of this pamphlet has hit upon the wise medium between total abstention from interference and officious meddlingness. He would place the really large jungles and forests on the hill sides which are public property in the charge of professional officers, and would do away with all government supervision of the small areas attached to villages and towns. In regard to these last, he would encourage people to grow timber on their lands by exciting emulation and creating a sense of property.

With regard to the Public Works expenditure, it has been long our impression that the government in becoming the great contractor of such works destroys all independent activity and ensures only extravagant failures. We are at the same time aware that the extension of such works as railways and canals is the first want in India, and that private enterprise unaided by public money can not be safely trusted to supply this want. This circumstance, however, furnishes no ground for the direct undertaking of such works by the State. The greatest Public Works in British India have been carried out successfully under the system of guarantees. The great navigation companies are supported by the English Government with timely subsidies. Either of these methods should be employed to foster private enterprise in its early stages till the Public Works constructed become really reproductive, while non-Productive Public Works should be invariably executed through private contractors. In a province like Mysore irrigation tanks and canals and railway works should go hand in hand. The smaller Irrigation works should be managed by the communities interested in their preservation, and the railways and great canals by private companies subsidised by the state.

In regard to education, we need hardly state

that all our hope for the future good government of Mysore rests mainly on the growth of a class of liberally educated natives, who will keep the progress of the province abreast with the rest of India. The scheme of high education should embrace the liberal professions. Agriculture and the mechanical arts can only be effectively learnt under the apprenticeship system, and the only way by which the state can encourage them legitimately is by holding out prospects of employment to native talent in various enterprises and arts for which Mysore of old was so celebrated. We have thus passed in review all the principal points touched upon in this most instructive brochure. It is no exaggeration to say that if the new native administration can only effect during the next ten years half the reforms suggested in this political manual for Mysore, the success of the young Maharaja's Administration will be unparalleled in the history of native states. The men at the head of the new administration are all of them qualified for the great responsibility that has devolved on them, and if they will only sink all party and caste differences, and bear in mind the sound advice given by the new Dewan at the time of the installation ceremony, success is almost assured. "It is not in empty forms and expensive establishments, or even in the material works which they might accomplish that the real foundation of a native administration lies. Its true justification consists in the training and instruction of its subjects, in securing for them the elements of advancement and progress, and the potential strength of evolving good government in their self dependence and contentment." The establishment of an Executive Council is a distinct concession on the part of the Paramount Power in advance of all previous similar experiments. The basis of this Council should be enlarged and deepened by the institution of a consultative council of the notables of the province fed by smaller Local Councils for each of the eight divisions. These need not be based on the European

principle of elective representation. The old traditional organization of caste and trade guilds with their heads, hereditary or selected, should be utilized in a sympathetic spirit, and they will serve our turn for many a decade as well as the most radical representative institutions. The existence and practical working of such consultative councils will afford the only possible guarantee against oppression and abuse of power under present circumstances and secure a check upon the preponderance of the official element which has been the bane of the old native systems. No single ruler or Dewan, however pure, honest and single-minded his intentions may be, can effect much good permanently by superimposing his own individual will upon the passive wishes of his people. True statesmanship consists in developing the principle of self help even at the sacrifice of the showy progress which delights in figures and returns in imitation of alien models. We congratulate the young Maharaja and his people upon their having secured at the helm of affairs such a far-seeing and experienced statesman as the present Dewan, and we have every confidence that the vessel of state will be safely guided, during the early years of trouble and anxiety, by his skilful hands to the goal of progress and good government. It is not profitable or manly to look a gift horse in the face, or carp at the severe terms of the rendition. The conditions might have been worse than they are, and their severity ought only to spur native ambition to justify the great magnanimity of this act of restoration, and make Mysore the model state in British or native India.

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NOTICE.

A desire has been expressed by several European and Native well-wishers of the Poona Sarvajani Sabha that its proceedings should be published regularly in the form of a quarterly publication so as to be easily available for purposes of reference. The Managing Committee of the Sabha have accordingly resolved to try the experiment of such a periodical publication of the proceedings of the Sabha. Besides publishing the proceedings, it is proposed to take advantage of such a publication to insert independent communications, reviewing and discussing the more important political questions of the day. There are many topics upon which public opinion has to be created and formed before any formal action can be taken in respect of them by the Sabha. Such topics will find a suitable place in the independent section of the proposed quarterly journal.

The services of a competent Editor have been secured and contributions have been promised by many writers of established reputation.

The journal will consist of about 48 pages royal octavo to be published at four rupees per annum to be paid in advance or one rupee and a half for each separate number, besides postage charges, and it will be published in the months of July, October, January and April.

As the Sabha has undertaken this work at considerable risk and expense and as the publication will supply a long-felt want, the Managing Committee of the Sabha trusts that the public and the Princes and Chiefs in India will give their most cordial support to the scheme.

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SIVARAM HARI SATHE.

Secretary Poona Sarvajani Sabha.